
STATUTORY INSTRUMENTS

1990 No. 1509

**The Pensions (Miscellaneous Provisions)
(Northern Ireland) Order 1990**

Additional voluntary contributions

No increase for benefits deriving from additional voluntary contributions

9.—(1) In section 8 of the Increase Act (meaning of pension , etc.), after paragraph (c) of subsection (1) there shall be added the words—

“but does not include any money purchase benefits” .

(2) In section 9 of that Act (application of pensions provisions to lump sum payments, etc. other than the return of contributions with or without interest), in subsection (1), after the word interest there shall be inserted the words (or any money purchase benefits) .

(3) In section 15(1) of that Act (interpretation), after the definition of local government service there shall be inserted the following definition—

“money purchase benefits has the meaning given by Article 2(2) of the Social Security (Northern Ireland) Order 1986;” .

Member's right to elect for the purchase of benefits from any authorised provider he may specify

10.—(1) In Article 3 of the Superannuation Order (civil servants, etc.), after paragraph (1) there shall be inserted the following paragraph—

“(1A) Where a money purchase scheme under this Article includes provision enabling a member to elect for the benefits which are to be provided to or in respect of him to be purchased from any authorised provider whom he may specify, then—

- (a) notwithstanding paragraph (1)(a), the scheme may make provision for the making of such an election to have the effect, in such cases as the scheme may specify, of discharging any liability of the Department to pay those benefits to or in respect of that member; but
- (b) the scheme shall not be so framed as to have the effect that benefits under it may only be provided in a manner which discharges that liability of the Department.” .

(2) At the end of that Article there shall be added the following paragraph—

“(8) In this Article—

authorised provider, in relation to any benefit, means a person authorised under Chapter III of Part I of the Financial Services Act 1986 to provide that benefit;

money purchase scheme means a scheme under which all the benefits that may be provided are money purchase benefits, as defined in Article 2(2) of the Social Security (Northern Ireland) Order 1986.”.

(3) In Article 11 of that Order (teachers), after paragraph (2) there shall be inserted the following paragraph—

“(2A) Where regulations under this Article make provision with respect to money purchase benefits, they may also—

- (a) include provision enabling a person to elect for such money purchase benefits as are to be provided to or in respect of him under the regulations to be purchased from any authorised provider whom he may specify; and
- (b) notwithstanding paragraph (1), provide that the making of such an election shall have the effect, in such cases as may be specified in the regulations, of discharging any liability of the Department of Education to pay those benefits to or in respect of that person;

but no regulations under this Article shall be so framed as to have the effect that any money purchase benefits to be provided under them may only be provided in a manner which discharges that liability of that Department.” .

(4) In paragraph (6) of that Article (definition of teachers), after the words In this Article there shall be inserted the following definitions—

“authorised provider, in relation to any benefit, means a person authorised under Chapter III of Part I of the Financial Services Act 1986 to provide that benefit;

money purchase benefits has the meaning given by Article 2(2) of the Social Security (Northern Ireland) Order 1986;” .

(5) In Article 12 of that Order (persons engaged in the ^{F1}health care], etc.), after paragraph (2) there shall be inserted the following paragraph—

“(2A) Where regulations under this Article make provision with respect to money purchase benefits, they may also—

- (a) include provision enabling a person to elect for such money purchase benefits as are to be provided to or in respect of him under the regulations to be purchased from any authorised provider whom he may specify; and
- (b) notwithstanding paragraph (1), provide that the making of such an election shall have the effect, in such cases as may be specified in the regulations, of discharging any liability of the Department of Health and Social Services to pay those benefits to or in respect of that person;

but no regulations under this Article shall be so framed as to have the effect that any money purchase benefits to be provided under them may only be provided in a manner which discharges that liability of that Department.” .

(6) At the end of that Article there shall be added the following paragraph—

“(11) In this Article—

authorised provider, in relation to any benefit, means a person authorised under Chapter III of Part I of the Financial Services Act 1986 to provide that benefit;

money purchase benefits has the meaning given by Article 2(2) of the Social Security (Northern Ireland) Order 1986.” .

F1 Words in Order substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(c. 1\)](#), ss. 32, 34(3), [Sch. 6 para. 1\(1\)\(b\)](#) (with [Sch. 6 para. 1\(3\)](#)); S.R. 2009/114, [art. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the The Pensions (Miscellaneous Provisions) (Northern Ireland) Order 1990, Additional voluntary contributions.