
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 7

PENSIONS

The Occupational Pension Schemes (Contracting-out) (Transitional) Regulations (Northern Ireland) 1997

Made - - - - 14th January 1997

Coming into operation 6th April 1997

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 3(1) and 7(5) of the Pension Schemes (Northern Ireland) Act 1993⁽¹⁾ and Articles 1(5)(a) and 166(4) of the Pensions (Northern Ireland) Order 1995⁽²⁾ and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Occupational Pension Schemes (Contracting-out) (Transitional) Regulations (Northern Ireland) 1997 and shall come into operation on 6th April 1997.

(2) In these Regulations—

“the principal Regulations” means the Occupational Pension Schemes (Contracting-out) Regulations (Northern Ireland) 1996⁽³⁾;

“the transitional period” means the period from 1st January 1997 until 5th April 1997 (both dates inclusive).

(3) The Interpretation Act (Northern Ireland) 1954⁽⁴⁾ shall apply to these Regulations as it applies to a Measure of the Assembly.

Notices by employers of intended election during the transitional period

2.—(1) Paragraph (2) shall apply in a case where, during the transitional period, an employer gives notice of intention to make an election with a view to the issue of a contracting-out certificate with effect from and including 6th April 1997 or such later date as the notice may specify.

(1) 1993 c. 49; section 3(1) was amended by paragraph 15(a) of, and section 7(5) was amended by paragraph 14 of, Schedule 3 to the Pensions (Northern Ireland) Order 1995 (S.I.1995/3213 (N.I. 22))
(2) S.I. 1995/3213 (N.I. 22)
(3) S.R. 1996 No. 493
(4) 1954 c. 33 (N.I.)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(2) The Department may treat the notice as complying with the requirements of Part II of the principal Regulations as if the notice had been given on or after 6th April 1997 in accordance with those requirements.

Making of elections during the transitional period

3.—(1) Paragraph (2) shall apply in the case where, during the transitional period, an employer makes an election with a view to the issue of a contracting-out certificate with effect from and including 6th April 1997 or such later date as the election may specify.

(2) The Department may treat the election as complying with the requirements of Part II of the principal Regulations as if that election had been made on or after 6th April 1997 in accordance with those requirements.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland
on

L.S.

14th January 1997.

John O'Neill
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations allow employers to start the procedures for obtaining a contracting-out certificate under the Occupational Pension Schemes (Contracting-out) Regulations (Northern Ireland) 1996 on or after 1st January 1997. They do this by enabling the Department to treat a notice of intended election to contract out, or an election itself, given or made between 1st January 1997 and 5th April 1997, as if it had been given or made on or after 6th April 1997.

The Pensions (1995 Order) (Commencement No. 2) Order (Northern Ireland) 1996 ([S.R. 1996 No. 91 \(C. 4\)](#)) provides for the coming into operation of Article 166 of the Pensions (Northern Ireland) Order 1995, on 6th April 1996 in so far as it was not already in operation.