
STATUTORY RULES OF NORTHERN IRELAND

2007 No. 286

**The Transfer of State Pensions and Benefits
Regulations (Northern Ireland) 2007**

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Transfer of State Pensions and Benefits Regulations (Northern Ireland) 2007 and shall come into operation on 1st June 2007.

(2) In these Regulations—

“the 1992 Act” means the Social Security Contributions and Benefits (Northern Ireland) Act 1992(1);

“the Communities’ scheme” means the pension scheme provided for officials and other servants of Community institutions and bodies in accordance with regulations adopted by the Council of the European Communities(2);

“the Department” means the Department for Social Development;

“guarantee date” means the date—

- (a) by reference to which the cash equivalent value of transferable rights is calculated; and
- (b) which falls within a period of three months beginning with the date on which the transfer application is received by the Department;

“relevant benefit” means benefit under—

- (a) sections 35 and 36 of the National Insurance Act (Northern Ireland) 1966(3) (graduated retirement benefit);
- (b) Parts II to V and X of the 1992 Act;
- (c) Articles 3(2) and 4 of the Jobseekers (Northern Ireland) Order 1995(4) (contribution-based jobseeker’s allowance);

“statement of entitlement” means a written statement—

- (a) of the amount of the cash equivalent at the guarantee date of the transferable rights which have accrued to, or in respect of, the transferor; and
- (b) which contains details of the basis of how that amount has been calculated;

“transfer application” means an application referred to in regulation 3(1);

“transferor” means the person who has applied to the Department to transfer his transferable rights into the Communities’ scheme.

(1) 1992 c. 7

(2) Council Regulation (EEC, Euratom, ECSC) No. 259/68 of 29th February 1968 (O.J. No. L 56, 4.3.68 SE 1968 p.1, 1 December 1972). The Communities’ Scheme is contained in Title V, Chapter 3, Articles 77-84 and Annex VIII

(3) 1966 c. 6 (N.I.); sections 35 and 36 were repealed by the Social Security Act 1973 (c. 38) but are continued in force by regulation 2 of S.R. 1978 No. 105

(4) S.I. 1995/2705 (N.I. 15); Article 3(2) was amended by paragraph 3(2) of Schedule 7 to the Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I. 1999/3147 (N.I. 11)); Article 4 was amended by paragraph 102 of Schedule 6 to the Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10)), paragraph 4 of Schedule 7 to the Welfare Reform and Pensions (Northern Ireland) Order 1999 and paragraph 46 of Schedule 1 to the National Insurance Contributions Act 2002 (c. 19)

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

(3) References in these Regulations to—

- (a) relevant benefits include benefits under the corresponding Acts in force in Great Britain;
- (b) provisions of the 1992 Act or of the Social Security Administration (Northern Ireland) Act 1992⁽⁵⁾ include references to the provisions in force in Great Britain corresponding to those provisions.

⁽⁵⁾ 1992 c. 8