

STATUTORY RULES OF NORTHERN IRELAND

**2015 No. 166**

**The Firefighters' Pension Scheme (Consequential Provisions) Regulations (Northern Ireland) 2015**

**PART 4**

**Modification of tax regime**

**Lifetime allowance charge**

**12.**—(1) This regulation applies to a person (P) who—

- (a) is a member of an old scheme whether by virtue of pensionable service for that scheme or deemed transfer scheme service under paragraph 2 of Schedule 7 to the 2014 Act (final salary link);
- (b) is a member of the new scheme by virtue of pensionable service for the new scheme;
- (c) is being paid a higher or a lower tier ill-health pension under the new scheme; and
- (d) has an ill-health pension paid from the new scheme reduced as a consequence of P becoming entitled to payment of a scheme pension (within the meaning of paragraph 2 of Schedule 28 to the Finance Act 2004<sup>(1)</sup>) under the old scheme.

(2) Section 216 of the Finance Act 2004<sup>(2)</sup> (benefit crystallisation events and amounts crystallised) is modified in its application to P as specified in paragraph (3).

(3) The payment of any scheme pension from the old scheme to P is treated as if it was not a benefit crystallisation event within the meaning of section 216 of the Finance Act 2004.

**Commencement Information**

**11** Reg. 12 in operation at 1.4.2015, see [reg. 1](#)

(1) 2004 c.12. Paragraph 2 was amended by sections 101 and 104 of, and Schedules 10 and 11 to, the Finance Act 2005 (c.7); by section 161 of, and Schedule 23 to, the Finance Act 2006 (c.25); by section 70 of, and Schedule 20 to, the Finance Act 2007 (c.11); by section 51 of the Finance Act 2013 (c.29); and by S.I. 2007/493.

(2) Section 216 was amended by section 101 of, and paragraphs 1 and 31 of Schedule 10 to, the Finance Act 2005 (c.7); section 161 of, and paragraphs 1 and 30 of Schedule 23 to, the Finance Act 2006 (c.25); by section 92 of, and paragraphs 4 and 5 of Schedule 29 to, the Finance Act 2008 (c.9); and by section 65 of, and paragraphs 62 and 73 of Schedule 16 to, the Finance Act 2011 (c.11).

**Changes to legislation:**

There are currently no known outstanding effects for the The Firefighters' Pension Scheme (Consequential Provisions) Regulations (Northern Ireland) 2015, Section 12.