
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 34

The Public Service (Civil Servants and Others) Pensions (Consequential Provisions) (Amendment) Regulations (Northern Ireland) 2016

PART 2

Modification of contracting out provisions

Application of this Part

- 3.** This Part applies where—
- (a) an election is made under section 7 (elections as to employments covered by contracting-out certificates) of the 1993 Act⁽¹⁾ in relation to persons who become members of the new scheme on or after 1st April 2015 and before 6th April 2016 (whether or not any of those persons are members of the old scheme); and
 - (b) the new scheme satisfies the requirements of section 5 (requirements for certification of schemes) of the 1993 Act⁽²⁾.

Protection of increases in guaranteed minimum pensions after abolition of contracting-out

- 4.** After regulation 9 of The Public Service (Civil Servants and Others) Pensions (Consequential Provisions) Regulations (Northern Ireland) 2015 insert—

“Protection of increases in guaranteed minimum pensions after abolition of contracting out

9A.—(1) Chapter 3 of Part 4 of the 1993 Act (protection for early leavers: protection of increases in guaranteed minimum pensions (“anti-franking”)) is modified as follows.

- (2) In the application of that Chapter to P as a member of the old scheme—
- (a) in section 83(1)(a)(i) (general protection principle), the reference to the time when P ceases to be in pensionable service under a scheme that was, before the second abolition date, a salary-related contracted-out scheme is to be taken as a reference to the time when P ceases to be in pensionable service in relation to the new scheme; and
 - (b) subsequent references to “the cessation date” are to be construed accordingly.”.

(1) Section 7 was amended by Art. 3(1) Sch. 1 para. 40 to the Social Security Contributions (Transfer of Functions, etc) (Northern Ireland) Order 1999 (S.I. 1999/671)

(2) Section 5 was amended by Arts. 1(2)(b), 3(1) of, and Sch. 1 paragraph 38(2) to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (S.I. 1999/671), subsection 5(2B) was inserted by Article 133(3) of the Pensions (Northern Ireland) Order 1995 (S.I. 1995/3213 (N.I.22))

Status: This is the original version (as it was originally made).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