
STATUTORY INSTRUMENTS

2007 No. 829

The Taxation of Pension Schemes (Protected Rights and Pension Commencement Lump Sums) (Amendment) Order 2007

Consequential amendment of the Occupational Pension Schemes (Discharge of Protected Rights on Winding Up) Regulations (Northern Ireland) 1996

3. In the Occupational Pension Schemes (Discharge of Protected Rights on Winding Up) Regulations (Northern Ireland) 1996(1)—

- (a) in regulation 1(2) (interpretation), after the definition of “administrative charges” insert—
- ““income withdrawal” has the meaning given by paragraph 7 of Schedule 28 to the Finance Act 2004;
 - “lifetime annuity” has the meaning given by paragraph 3 of Schedule 28 to the Finance Act 2004;
 - “scheme pension” has the meaning given by paragraph 2 of Schedule 28 to the Finance Act 2004;
 - “the scheme pension purchase price” has the meaning given by paragraph 3(7B) of Schedule 29 to the Finance Act 2004;”;
- (b) for regulation 5(5)(2) (conditions upon which appropriate policies of insurance may be commuted) substitute—
- “(5) The limit referred to in paragraph (4) must not exceed—
- (a) in respect of a scheme pension, the lesser of—
 - (i) one third of the value of the protected rights included in the scheme pension purchase price, or
 - (ii) the amount which represents the proportion (expressed in percentage terms) of the value of the protected rights which is equal to the percentage that the pension commencement lump sum bears to the scheme pension purchase price and the pension commencement lump sum, or
 - (b) in respect of a lifetime annuity or income withdrawal, the lesser of—
 - (i) 25 per cent. of the member’s protected rights which are crystallised by the member’s benefit crystallisation event 6 and the relevant pension benefit crystallisation event connected with event 6 (“the member’s benefit crystallisation events”), or
 - (ii) the amount which represents the proportion (expressed in percentage terms) of the value of the protected rights which is equal to the percentage that the pension commencement lump sum bears to the amount crystallised by the member’s benefit crystallisation events.”.

(1) S.R. (NI) 1996 No. 94; the relevant amending instrument is S.I. 2006/744.

(2) Regulation 5 was substituted by S.I. 2006/744.

Status: This is the original version (as it was originally made).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