
STATUTORY INSTRUMENTS

2015 No. 1677

The Occupational Pension Schemes (Schemes that were Contracted-out) (No.2) Regulations 2015

PART 8

PROVISION FOR NORTHERN IRELAND

Restoration of state scheme rights: Northern Ireland

35.—(1) This regulation applies where paragraph 5(3B) of Schedule 1 to the 1993 (NI) Act (state scheme premiums: schemes which were being wound up before the second abolition date) applies in relation to a member of a scheme that was a contracted-out scheme and that was being wound up before the second abolition date if, by virtue of that provision—

- (a) the member was treated as if sections 42 to 44 or 44A(1) of the 1993 (NI) Act (effect of entitlement to guaranteed minimum pensions on payments of social security benefits) did not apply; or
- (b) in a case where the cash equivalent of the member's rights was less than the amount required for restoring their state scheme rights, the member was treated as if sections 42 to 44 or 44A(1) of the 1993 (NI) Act applied only in so far as they extinguish such part of the member's state scheme rights as, in the opinion of the Commissioners, corresponded to that shortfall.

(2) Where this regulation applies, the member is to continue to be treated as mentioned in paragraph (1)(a) or, as the case may be, (1)(b).

Changes to legislation:

There are currently no known outstanding effects for the The Occupational Pension Schemes (Schemes that were Contracted-out) (No.2) Regulations 2015, Section 35.