
STATUTORY INSTRUMENTS

2016 No. 1005

The Registered Pension Schemes (Bridging Pensions) and Appointed Day Regulations 2016

Pensions bridging: Pensionable age on or before 5th April 2016

3.—(1) This regulation applies to a member who reached pensionable age⁽¹⁾ on or before 5th April 2016.

(2) The following are prescribed circumstances for the purposes of paragraph 2(4) of Schedule 28 to the Finance Act 2004⁽²⁾—

- (a) a reduction in the rate of the scheme pension, taking effect at a time during the permitted period, which together with any previous reductions of the kind referred to in this paragraph does not exceed the relevant state retirement pension rate at that time, or
- (b) the pension ceasing to be payable at a time during the permitted period if at that time that rate is greater than the rate of the pension.

(3) In paragraph (2)

- (a) “the permitted period” means the period beginning with the day on which the member reaches the age of 60 and ending with the day on which the member reaches the age of 65,
- (b) “relevant state retirement pension rate” at any time means—
 - (i) where no employment of the member to which the pension scheme relates is or has been other than contracted-out employment by reference to the pension scheme, 125% of the rate of the basic pension at that time,
 - (ii) where no such employment of the member is or has been contracted-out employment by reference to the pension scheme, 250% of the rate of the basic pension at that time, and
 - (iii) otherwise, the percentage of the rate of the basic pension is that found by the formula set out below —

$$125 + \left(125 \frac{A}{B}\right)$$

Where—

A is the total number of years of a member’s employment to which the pension scheme relates which is not or has not been contracted-out, and

B is the total number of years of a member’s employment to which the pension scheme relates.

(4) For the purposes of paragraph (3)(b)—

(1) Pensionable age has the meaning given in section 279 of the Finance Act 2004 as inserted by section 66 of and paragraph 21 of Schedule 17 to the Finance Act 2011 (c.11).

(2) 2004 c.12.

Status: This is the original version (as it was originally made).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

- (a) “contracted-out employment” has the meaning given in section 8(1) and (1A) of the Pension Schemes Act 1993(3) or section 4(1) of the Pension Schemes (Northern Ireland) Act 1993(4), and
- (b) “the basic pension” means the basic pension specified in section 44(4) of the Social Security Contributions and Benefits Act 1992(5) or section 44(4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(6).

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- (3) 1993 c.48. Section 8(1) was substituted by paragraph 7(2) of Schedule 13 to the Pensions Act 2014 (c.19) and section 8(1A) was inserted by paragraph 3(3) of Schedule 4 to the Pensions Act 2007 (c.22) and amended by paragraph 2 of Schedule 13 to the Pensions Act 2014.
 - (4) 1993 c.49. Section 4(1) was substituted by paragraph 7(2) of Schedule 13 to the Pensions Act (Northern Ireland) 2015 (c.5).
 - (5) 1992 c.4. Section 44(4) was substituted by section 68 of the Social Security Act 1998 (c.68) and amended by Schedule 8 to the Welfare Reform Act 2007 (c.5), article 4(3) of the Social Security Benefits Up-rating Order S.I.2015/457 and article 4 of the Social Security Benefits Up-rating Order S.I. 2016/230.
 - (6) 1992 c.7. Section 44(4) was substituted by article 64 of the Social Security (Northern Ireland) Order S.I.1998/1506 and amended by article 4(3)(a) of the Social Security Benefits Up-rating Order (Northern Ireland) S.I.2015/124 and article 4 of the Social Security Benefits Up-rating Order (Northern Ireland) S.I.2016/92.