1986 No. 342

SOCIAL SECURITY

The Contracting-out (Requisite Benefits — Consequential Provisions) Regulations (Northern Ireland) 1986

Made . . . . . 19th November 1986

Coming into operation . . . 1st December 1986

The Department of Health and Social Services, in exercise of the powers conferred on it by Articles 33(1), (2), (5) and (7), 34(2), 37(8), 40(1) and (1B), 47(1) and 53 of, and paragraphs 1 and 9 of Schedule 2 to, and paragraph 9(3) of Schedule 3 to, the Social Security Pensions (Northern Ireland) Order 1975(**a**), Articles 17(2) and 18(13) of the Social Security (Miscellaneous Provisions) (Northern Ireland) Order 1977(**b**) and Article 84(1) of the Social Security (Northern Ireland) Order 1986(**c**) and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Contracting-out (Requisite Benefits — Consequential Provisions) Regulations (Northern Ireland) 1986 and shall come into operation on 1st December 1986.

(2) In these regulations—

"the Contracting-out Certificates Regulations" means the Occupational Pensions Board (Contracting-out Certificates) Regulations (Northern Ireland) 1976(**d**);

"the principal regulations" means the Occupational Pension Schemes (Contracting-out) Regulations (Northern Ireland) 1985(**e**);

"the Preservation Regulations" means the Occupational Pension Schemes (Preservation of Benefit) Regulations (Northern Ireland) 1984(**f**);

"the Transfer Regulations" means the Contracting-out (Transfer) Regulations (Northern Ireland) 1985(**g**).

Amendment of the Contracting-out Certificates Regulations

2.—(1) The Contracting-out Certificates Regulations shall be amended in accordance with the provisions of this regulation.

(2) In regulation 3(2)(*b*) for "the requisite benefits of" there shall be substituted "guaranteed minimum pensions under".

(**a**) S.I. 1975/1503 (N.I. 15); Article 37(8) was amended by Article 6 of, and paragraph 8(*a*) of Schedule 3 to, the Social Security (Northern Ireland) Order 1985 (S.I. 1985/1209 (N.I. 16)). Article 40(1) was substituted, and Article 40(1B) was inserted, by Article 13 of the Health and Social Security (Northern Ireland) Order 1984 (S.I. 1984/1158 (N.I. 8)). Article 47(1) was amended by Article 18(7) of the Social Security (Miscellaneous Provisions) (Northern Ireland) Order 1977 (S.I. 1977/610 (N.I. 11)) and by Article 25(1) of, and paragraph 17(1)(*c*) of Schedule 5 to, the Social Security (Northern Ireland) Order 1985

(**b**) S.I. 1977/610 (N.I. 11); Article 18(13) was amended by Article 15 of, and paragraph 9 of Schedule 3 to, the Social Security (Northern Ireland) Order 1980 (S.I. 1980/870 (N.I. 8))

(**c**) S.I. 1986/1888 (N.I. 18)

(**d**) S.R. 1976 No. 78; the relevant amending regulations are S.R. 1981 No. 32

(**e**) S.R. 1985 No. 259; the relevant amending regulations are S.R. 1985 No. 357 and S.R. 1986 No. 57

(**f**) S.R. 1984 No. 332; the relevant amending regulations are S.R. 1985 No. 243 and S.R. 1985 No. 353

(**g**) S.R. 1985 No. 243; to which there are amendments not relevant to these regulations

Amendment of the principal regulations

3.—(1) The principal regulations shall be amended in accordance with the provisions of this regulation.

(2) In regulations 11(1)(*a*) and (*b*), 21(5)(*b*), 30A, 33(1)(*c*), (*d*) and (*e*) and (5)(*a*), 41(*b*) and (*d*)(i), 42(*a*) and 46(1) for "requisite benefits" and in regulations 33(3)(*a*)(iii) and 34(2)(*d*) for "the requisite benefits" there shall be substituted "guaranteed minimum pensions".

(3) Sub-paragraph (*b*) of regulation 38(2) and the word "or" immediately preceding it and regulation 43 are hereby revoked.

Amendment of the Preservation Regulations

4.—(1) The Preservation Regulations shall be amended in accordance with the provisions of this regulation.

(2) In regulation 12(4)(*b*)(i) for "requisite benefits" there shall be substituted "guaranteed minimum pensions".

Amendment of the Transfer Regulations

5.—(1) The Transfer Regulations shall be amended in accordance with the provisions of this regulation.

(2) In the heading to regulation 2 for "requisite benefits" and in regulation 2(1)(*a*) for "the requisite benefits" there shall be substituted "guaranteed minimum pensions".

(3) Paragraph 3 of Schedule 1 is hereby revoked.

Contracting-out certificates referring to requisite benefits

6. Any reference to requisite benefits in a contracting-out certificate issued before 1st December 1986 shall be construed as a reference to guaranteed minimum pensions.

Sealed with the Official Seal of the Department of Health and Social Services on 19th November 1986.

(L.S.) *A. N. Burns*

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

As a result of Article 10 of the Social Security (Northern Ireland) Order 1986 ("the Order"), for an occupational pension scheme to be contracted-out it need no longer provide requisite benefits as such, but must still provide guaranteed minimum pensions.

These regulations substitute references to guaranteed minimum pensions for references to requisite benefits in existing regulations, and provide that any reference to requisite benefits in a contracting-out certificate issued before 1st December 1986 is to be construed as a reference to guaranteed minimum pensions.

Article 10 of the Order is brought into operation on 1st December 1986 by virtue of the Social Security (1986 Order) (Commencement No. 1) Order (Northern Ireland) 1986 (S.R. 1986 No. 339 (C. 6)). Article 84(1) of the Order is brought into operation on 19th November 1986 by virtue of Article 1(7) of that Order.

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These Orders have been exempted from printing by the Statutory Rules (Northern Ireland) Order 1979. Summaries are given in the List of Statutory Rules of a Local Character under the heading ROADS.