

2016 No. 25

PENSIONS

The Pensions (2015 Act) (Consequential, Supplementary and Incidental Amendments) Order (Northern Ireland) 2016

Made - - - - *28th January 2016*

Coming into operation in accordance with Article 1

The Department for Social Development makes the following Order in exercise of the powers conferred by section 50 of the Pensions Act (Northern Ireland) 2015(a).

Citation and commencement

1. This Order may be cited as the Pensions (2015 Act) (Consequential, Supplementary and Incidental Amendments) Order (Northern Ireland) 2016 and shall come into operation—

- (a) for the purposes of this Article and Article 5 on 29th February 2016, and
- (b) for all other purposes on 6th April 2016.

Amendment of the Health and Personal Social Services (Injury Benefits) Regulations

2. In regulation 2(1) (interpretation) of the Health and Personal Social Services (Injury Benefits) Regulations (Northern Ireland) 2001(b) in the definition of “relevant pension scheme”—

- (a) after “Contributions and Benefits (Northern Ireland) Act 1992” insert “or any amount by which the rate of a person’s state pension under section 4 of the Pensions Act (Northern Ireland) 2015 exceeds the full rate of the state pension (“excess amount”);
- (b) in paragraph (a) after “additional pension” insert “or excess amount”.

Amendment of the Employment Equality (Age) Regulations

3. In Schedule 1 (pension schemes) to the Employment Equality (Age) Regulations (Northern Ireland) 2006(c)—

- (a) after paragraph 7(b)(iii)(d) (admission to schemes) insert—
 - “; or
 - (iv) does not exceed an amount calculated more or less to reflect the amount of the state pension under Part 1 of the Pensions Act (Northern Ireland) 2015.”;
- (b) in paragraph 16(1)(b)(a) (age related rules, practices, actions and decisions relating to benefit) after “additional state retirement pension” insert “or the state pension under Part 1 of the Pensions Act (Northern Ireland) 2015”;

(a) 2015 (c. 5 (N.I.))

(b) S.R. 2001 No. 367, to which there are amendments not relevant to these Regulations

(c) S.R. 2006 No. 261; relevant amending Regulations are S.R. 2006 No. 453

(d) Paragraph 7 was amended by regulation 2(3)(d) of S.R. 2006 No. 453

- (c) in paragraph 16(1)(c) after “additional state retirement pension” insert “or the state pension under Part 1 of the Pensions Act (Northern Ireland) 2015”;
- (d) after paragraph 23(c)(b) (other rules, practices, actions and decisions relating to benefit) insert—
 - “, or
 - (d) does not exceed an amount calculated more or less to reflect the amount of the state pension under Part 1 of the Pensions Act (Northern Ireland) 2015.”.

Amendment of the Provision of Health Services to Persons Not Ordinarily Resident Regulations

4. In the Provision of Health Services to Persons Not Ordinarily Resident Regulations (Northern Ireland) 2015(c)—

- (a) in regulation 14(a) (visitors exempt from charges – long term visits by United Kingdom pensioners) after “Benefits Act 1992” insert “or a state pension under Part 1 of the Pensions Act (Northern Ireland) 2015 or Part 1 of the Pensions Act 2014(d)”;
- (b) in regulation 21(1)(a) (visitors exempt from charges for treatment the need for which arose during the visit only) after “Benefits Act 1992” insert “or a state pension under Part 1 of the Pensions Act (Northern Ireland) 2015 or Part 1 of the Pensions Act 2014”.

Amendment of the Pensions (2015 Act) (Consequential, Supplementary and Incidental Amendments) Order

5. In Article 1(b) (commencement) of the Pensions (2015 Act) (Consequential, Supplementary and Incidental Amendments) Order (Northern Ireland) 2015(e) in the second place where it occurs for “2016” substitute “2015”.

Sealed with the Official Seal of the Department for Social Development on 28th January 2016

(L.S.)

Anne McCleary

A senior officer of the Department for Social Development

EXPLANATORY NOTE

(This note is not part of the Order)

The Pensions Act (Northern Ireland) 2015 creates a new state pension for people reaching pensionable age on or after 6th April 2016. This Order makes consequential, supplementary and incidental amendments to provisions of secondary legislation.

Articles 2 to 4 insert references into—

the Health and Personal Social Services (Injury Benefits) Regulations (Northern Ireland) 2001;

the Employment Equality (Age) Regulations (Northern Ireland) 2006, and

the Provision of Health Services to Persons Not Ordinarily Resident Regulations (Northern Ireland) 2015,

(a) Paragraph 16 was substituted by regulation 2(3)(i) of S.R. 2006 No. 453
 (b) Paragraph 23 was substituted by regulation 2(3)(n) of S.R. 2006 No. 453
 (c) S.R. 2015 No. 27
 (d) 2014 c. 19
 (e) S.R. 2015 No. 411

which currently refer to the old state pension so as to include references to the new state pension.

Article 5 amends the Pensions (2015 Act) (Consequential, Supplementary and Incidental Amendments) Order (Northern Ireland) 2015 to clarify the commencement provisions of that Order.

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