STATUTORY RULES OF NORTHERN IRELAND

2023 No. 132

HEALTH AND PERSONAL SOCIAL SERVICES

PUBLIC SERVICE PENSIONS

The Health and Social Care Pension Schemes (Remediable Service) Regulations (Northern Ireland) 2023

Made - - - - 7th September 2023

Coming into operation 1st October 2023

THE HEALTH AND SOCIAL CARE PENSION SCHEMES (REMEDIABLE SERVICE) REGULATIONS (NORTHERN IRELAND) 2023

PART 1

General provisions

- 1. Citation and commencement
- 2. Interpretation

PART 2

Remediable service

- Pension contributions of medical practitioners and non-GP providers: deferred choice members (immediate correction)
- 4. Pension contributions of medical practitioners and non-GP providers: immediate choice members and deceased members
- 5. Pension contributions of medical practitioners and non-GP providers: deferred choice members
- 6. Remediable service statements

PART 3

Elections

- 7. Eligibility to make an election: designated persons
- 8. Election for retrospective provision to apply to opted-out service
- 9. Election for 2015 scheme benefits: immediate choice members and deceased members

- 10. Pension benefits and lump sum benefits: immediate choice members and deceased members
- 11. Continuation of pensions: immediate or deferred choice election: dependent and eligible children of a remedy member
- 12. Election for 2015 scheme benefits: deferred choice members and deceased members
- 13. Pension benefits and lump sum benefits: deferred choice election: pensioner and deceased members

PART 4

Voluntary contributions

- 14. Interpretation of Part 4
- 15. Elections to pay contributions for additional pension: where they must be treated as if paid under a corresponding option exercised under the 1995 Regulations or the 2008 Regulations
- 16. Treatment of contributions paid after 31st March 2022 under a corresponding option exercised in accordance with regulation 15(2) (b)
- 17. Treatment of a corresponding option exercised in accordance with regulation 15 on the making of a deferred choice election for 2015 scheme benefits under regulation 12
- 18. Treatment of buy-out contributions made under 2015 regulation 47: deferred choice members
- 19. Treatment of additional contributions made under the legacy scheme: deferred choice members
- 20. Treatment of additional contributions made under the legacy scheme: immediate choice members and deceased members
- 21. Treatment of additional contributions made under the 2015 scheme: immediate choice members and deceased members
- 22. Treatment of buy-out contributions made under 2015 regulation 47: immediate choice members and deceased members
- 23. Remedial arrangements to pay voluntary contributions to secure legacy scheme additional pension
- 24. Revocation of cancellation of arrangement or option to secure legacy scheme additional service or additional pension

PART 5

Divorce or the dissolution of a civil partnership

- 25. Interpretation of Part 5
- 26. Pension debits: valuation of pension benefits before 1st October 2023: deferred choice members (immediate alternative debit of appropriate amount)
- 27. Pension debits: valuation of pension benefits before 1st October 2023: immediate choice election for 2015 scheme benefits: immediate choice members and deceased members
- 28. Pension debits: valuation of pension benefits before 1st October 2023: no immediate choice election for 2015 scheme benefits: immediate choice members and deceased members
- 29. Pension debits: deferred choice election for 2015 scheme benefits: deferred choice members
- 30. Valuation of pension benefits on or after 1st October 2023

Changes to legislation: There are currently no known outstanding effects for the The Health and Social Care Pension Schemes (Remediable Service) Regulations (Northern Ireland) 2023. (See end of Document for details)

- 31. Pension debits: valuation of pension benefits on or after 1st October 2023: immediate choice election for 2015 scheme benefits: immediate choice members
- 32. Pension debits: valuation of pension benefits on or after 1st October 2023: no immediate choice election for 2015 scheme benefits: immediate choice members
- 33. Pension credits: valuation of pension benefits before 1st October 2023: pension credit adjustment: remediable service shareable rights under the legacy scheme only or the 2015 scheme only
- 34. Pension credits: valuation of pension benefits before 1st October 2023: pension credit adjustment: remediable service shareable rights under the legacy scheme and the 2015 scheme
- 35. Pension credits: pensioner and deceased relevant pension credit members
- 36. Pension credits: valuation of pension benefits on or after 1st October 2023: creation of a pension credit

PART 6

Transfers

- 37. Interpretation of Part 6
- 38. Treatment of transfer and transfer value payments made to the 1995 Section or the 2008 Section that are not made under public sector transfer arrangements
- 39. Transfer value payments made to the 2015 scheme that are not made under public sector transfer arrangements: treatment as transfer payments under the 1995 Section or transfer value payments under the 2008 Section: deferred choice members
- 40. Transfer value payments in accordance with regulation 39: variation of the member's rights on the making of a deferred choice election
- 41. Transfer value payments made to the 2015 scheme that are not made under public sector transfer arrangements: treatment as if accepted under the legacy scheme: immediate choice members and deceased members
- 42. Treatment of transfer and transfer value payments and statements accepted from other and corresponding health service schemes
- 43. Transferred out remediable service statements
- 44. Remediable transfer value payments made before 1st October 2023
- 45. Remediable transfer value payments made on or after 1st October 2023 that are not made under public sector transfer arrangements
- 46. Transfers of remediable rights in the legacy scheme to the 2015 scheme before 1st October 2023
- 47. Transfers of remediable rights in the legacy scheme to the 2015 scheme on or after 1st October 2023
- 48. Remediable transfer value payments accepted from other public service schemes but not accepted under the public sector transfer arrangements
- 49. Remediable club transfer value payments made before 1st October 2023
- 50. Remediable club transfer value payments made on or after 1st October 2023
- 51. Remediable club transfer value payments accepted before 1st October 2023

- 52. Remediable club transfer value payments accepted on or after 1st October 2023
- 53. Application and interpretation of regulations 54 to 56
- 54. Transferred in remediable rights treated as rights under the legacy scheme
- 55. Varying the value of benefits secured by virtue of transferred in remediable rights
- 56. Benefits already paid in relation to transferred in remediable rights

PART 7

Taxation

- 57. Interpretation of Part 7
- 58. Scheme administrator to be liable where private sector scheme administrator's liability is discharged
- 59. Scheme pays

PART 8

Compensation

- 60. Applications for compensation or indirect compensation
- 61. Indirect compensation

PART 9

Interest and the payment, reduction or waiver of liabilities

- 62. Application and interpretation of Part 9
- 63. Interest and process
- 64. Interest not payable under the 1995 Regulations or the 2008 Regulations
- 65. Netting off of liabilities
- 66. Payments of amounts owed to the scheme
- 67. Payments of amounts owed to a person
- 68. Power to reduce or waive amounts owed by a person to the legacy scheme

PART 10

Revocation of election to convert pensionable service under the legacy scheme

69. Option to revoke election to convert pensionable service under the legacy scheme

PART 11

Retirement pensions

- 70. Premature retirement in the interests of efficiency
- 71. Premature retirement on grounds of redundancy
- 72. Partial retirement: immediate choice members
- 73. Partial retirement: deferred choice members
- 74. Determining whether a member meets the ill-health criteria in each scheme
- 75. Ill-health pension: acceptance of retrospective applications

Changes to legislation: There are currently no known outstanding effects for the The Health and Social Care Pension Schemes (Remediable Service) Regulations (Northern Ireland) 2023. (See end of Document for details)

PART 12

Consequential amendments

76. Consequential amendments of the 1995 Regulations, the 2008 Regulations and the 2015 Transitional Regulations Signature

SCHEDULE Amendments of the 1995 Regulations, the 2008 Regulations and the 2015 Transitional Regulations

- 1. Amendment of the 1995 Regulations
- 2. Amendment of the 2008 Regulations
- 3. Amendment of the 2015 Transitional Regulations Explanatory Note

Changes to legislation:
There are currently no known outstanding effects for the The Health and Social Care Pension Schemes (Remediable Service) Regulations (Northern Ireland) 2023.