

1994 No. 203

HEALTH AND PERSONAL SOCIAL SERVICES**The Health and Personal Social Services (Superannuation) (Amendment No. 3) Regulations (Northern Ireland) 1994***Made* 26th May 1994*Coming into operation* 1st July 1994

The Department of Health and Social Services in exercise of the powers conferred by Articles 12 and 14 of, and Schedule 3 to, the Superannuation (Northern Ireland) Order 1972(a) and of all other powers enabling it in that behalf, after consulting such representatives of persons likely to be affected by these Regulations as appear to it to be appropriate, and with the consent of the Department of Finance and Personnel(b) hereby makes the following regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Health and Personal Social Services (Superannuation) (Amendment No. 3) Regulations (Northern Ireland) 1994 and shall come into force on 1st July 1994.

(2) In these Regulations—

“the principal Regulations” means the Health and Personal Social Services (Superannuation) Regulations (Northern Ireland) 1984(c);

“the compensation Regulations” means the Health and Personal Social Services (Compensation for Premature Retirement) Regulations (Northern Ireland) 1983(d).

Insertion of regulation 6A into the principal Regulations

2. After regulation 6 of the principal Regulations (contributions) there shall be inserted the following regulation—

“Recovery of early retirement costs from employing authorities

6A.—(1) The relevant employing authority shall make contributions to the Department of Health and Social Services equal to—

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- (a) S.I. 1972/1073 (N.I. 10): Article 14 was amended by the Pensions (Miscellaneous Provisions) (Northern Ireland) Order 1990 (S.I. 1990/1509 (N.I. 13)), Article 12
 (b) Formerly the Department of Finance: see S.I. 1982/338 (N.I. 6) Art. 3
 (c) S.R. 1984 No. 336 as amended by S.R. 1988 No. 271, S.R. 1989 No. 173, S.R. 1990 No. 62 and S.R. 1990 No. 121
 (d) S.R. 1983 No. 155 as amended by S.R. 1986 No. 322 and S.R. 1991 No. 506

- (a) the cost of providing the following benefits—
- (i) annual pension under regulation 7(1)(a)(vi) or 7(5)(a) of these Regulations (early retirement) in respect of pensioners under the age of 60, or under the age of 55 where regulation 49, 50(1)(a) or 50(2)(a) applies; and
 - (ii) compensation under regulation 4(1), 6(1) or 7 of the compensation Regulations (payments on early retirement and death);
- and
- (b) the cost of providing any increase in the amount of any benefit to which paragraph (a) applies which is payable under the Pensions (Increase) Act (Northern Ireland) 1971(a).

(2) Where the relevant employing authority is under a duty to make any payment under paragraph (1) above, it shall make that payment to the Department of Health and Social Services within one month of the invoice being received from the Department.

(3) In this regulation—

“relevant employing authority” means the employing authority from whose employment the officer has been certified as retired under regulation 7(7) of the principal Regulations;”

Sealed with the Official Seal of the Department of Health and Social Services on 20th May 1994.

(L.S.)

P. Simpson

Assistant Secretary

The Department of Finance and Personnel hereby consents to the foregoing regulations.

Sealed with the Official Seal of the Department of Finance and Personnel on 26th May 1994.

(L.S.)

J. Caldwell

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations further amend the Health and Personal Social Services (Superannuation) Regulations (Northern Ireland) 1984.

Regulation 2 amends the principal Regulations by making provision for the recovery from employing authorities of the costs of paying benefits on early retirement.