
STATUTORY RULES OF NORTHERN IRELAND

2001 No. 367

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

Part II

Injury Benefits

Recovery of costs

5.—(1) Where, during the period commencing 1st April 1992 and ending on 30th November 2001, an allowance or any part of an allowance, or lump sum, under paragraph (2), (3), (4) or (9) of regulation 4 or, regulation 7, 8, 9, or 11 of the previous Regulations, was paid to or in respect of a person to whom regulation 3(1) of the previous Regulations applied, that person's employing authority shall be liable to pay a contribution to the Department in accordance with paragraph (5) representing—

- (a) the total amount of such allowance or such part of it; or
- (b) the total amount of such lump sum;

together with the cost of providing an increase to it under Part I of the Pensions (Increase) Act (Northern Ireland) 1971.

(2) Subject to paragraph (3), where, on or after 1st November 2001, a claim is made for an allowance or any part of it, or lump sum under paragraphs (2), (3), (4) or (9) of regulation 4, or regulations 8, 9, 10, or 12 by or in respect of a person to whom regulation 3(1) of these Regulations applies, that person's employing authority shall, on the payment by the Department pursuant to that claim of the allowance or any part of it, or, as the case may be, of the lump sum, be liable to pay a contribution to the Department in accordance with paragraph (5) representing—

- (a) the total amount of such allowance or such part; or
- (b) the total amount of such lump sum;

together with the cost of providing increases to it under Part I of the Pensions (Increase) Act (Northern Ireland) 1971.

(3) In paragraphs (1) and (2) of this regulation "that person's employing authority" means the employing authority by which he was employed at the date a claim to an allowance payable under these Regulations or the previous Regulations was made, or if the date of claim falls after he has ceased to be in employment, the employing authority by whom he was last employed.

(4) Paragraph (2) shall not apply to any claim made on or after 2001 where that claim is made in respect of a person who dies on or after that date but who was, before that date, in receipt of an allowance or lump sum under paragraphs (2), (3), (4) or (9) of regulation 4 or who would, before that date, have received such an allowance or lump sum under any of those paragraphs but for—

- (a) the total amount of such allowance or such part; or
- (b) the total amount of such lump sum;

together with the cost of providing pensions increases to it under Part I of the Pensions (Increases) Act (Northern Ireland) 1971.

(5) Contributions payable to the Department under paragraph (1) shall be paid not later than one month from the end of the quarter in which the lump sum referred to in that paragraph was paid or, in any case where that period has expired, within such longer period as the Department may allow.

(6) Contributions payable to the Department under paragraph (2) shall be paid not later than one month from the end of the quarter in which the allowance or any part of it, or as the case may be, the lump sum, referred to in that paragraph was paid.

(7) This regulation shall apply to—

- (a) a practitioner;
- (b) a person providing piloted services;
- (c) a registered dentist who is engaged, under a contract for services, by a person providing piloted services to carry out personal dental services in accordance with a pilot scheme;
- (d) a registered medical practitioner who is a medical pilot scheme employee; and
- (e) a dental pilot scheme employee who is employed as such otherwise than by a HSS Trust, as if he were an officer employed by the Health and Social Services Board in whose area he is providing services or, as the case may be, the Health and Social Services Board, with which the person providing piloted services has agreed to provide piloted services.