
STATUTORY RULES OF NORTHERN IRELAND

2008 No. 256

HEALTH AND PERSONAL SOCIAL SERVICES

The Health and Social Care (Pension Scheme) Regulations (Northern Ireland) 2008

Made - - - - 17th June 2008

Coming into operation 1st July 2008

THE HEALTH AND SOCIAL CARE (PENSION SCHEME) REGULATIONS (NORTHERN IRELAND) 2008

PART 1

INTRODUCTORY AND GENERAL

CHAPTER 1

INTRODUCTION

1. Citation, commencement and effect
2. Application of remaining Parts

CHAPTER 2

SCHEME REPORTS AND ACCOUNTS

3. Actuarial reports and accounts
4. Cost Sharing
5. Provision of information relevant for tax purposes

PART 2

BENEFITS FOR OFFICERS

CHAPTER 1

INTRODUCTION

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Health and Social Care (Pension Scheme) Regulations (Northern Ireland) 2008. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

General interpretation

6. Interpretation: general

Pensionable service

7. Meaning of “pensionable service”
8. Meaning of “pensionable service”: part-time service
9. Pensionable service: breaks in service

Qualifying service

10. Meaning of “qualifying service”
11. Qualifying service: disregard of breaks in service

Calculating service

12. Calculation of periods of membership or service

Pensionable pay

13. Meaning of “pensionable pay”
14. Pensionable pay: breaks in service

Reckonable pay

15. Meaning of “reckonable pay”: general
16. Adjustments for inflation in determining reckonable pay under regulation 15
17. Restriction on pensionable pay used for calculating benefits in respect of capped transferred-in service
- 17A. Restriction of reckonable pay where the Department considers the amount is inordinate
18. Meaning of “reckonable pay”: non-concurrent part-time employment
19. Meaning of “reckonable pay”: concurrent part-time employments
20. Out of hours providers

CHAPTER 2

MEMBERSHIP

21. Eligibility: general
- 21A. Eligibility: transitional
22. Restrictions on eligibility: general
23. Concurrent employments

Joining and leaving the Scheme

24. Joining this Section of the Scheme
25. Opting out of this Section of the Scheme
26. Restriction on further participation in this Section of the Scheme

CHAPTER 3

CONTRIBUTIONS

Basic contributions by members

27. Contributions by members
28. Contribution rate for members other than non-GP providers
29. Determination of pensionable pay for the purposes of setting a contribution rate for members other than non-GP Providers
30. Contribution rate and determination of pensionable earnings for non-GP providers

Contributions by employing authorities

31. Contributions by employing authorities: general
32. Contributions by employing authorities: members becoming entitled to pensions under regulation 55
33. Guarantees, indemnities and bonds

Additional contributions to purchase additional pensions

34. Member's option to pay additional periodical contributions to purchase additional pension
35. Effect of member being absent or leaving and rejoining this Section of the Scheme during the contribution option period
36. Member's option to pay lump sum contribution to purchase additional pension
37. Payment of additional lump sum contributions by employing authority
38. Exercise of options under regulations 34, 36 and 37
39. Cancellation of options under regulation 34
40. Effect of payment of additional contributions under this Chapter
41. Effect of death or early payment of pension after option exercised under regulation 34, 36 or 37
42. Effect of part payment of periodical contributions
43. Revaluation of increases bought under options: members' pensions

Repayment of contributions

44. Repayment of contributions

CHAPTER 4

MEMBERS' RETIREMENT BENEFITS

Entitlement to pensions

45. Normal retirement pensions
46. Pension credit members
47. Late payment of pension with actuarial increase
48. Early payment of pensions with actuarial reduction
49. Partial retirement (members aged at least 55)
50. Increase in pensionable pay following exercise of option under regulation 49
51. Application of regulations 49 and 50 where concurrent part-time employments held
52. Early retirement on ill-health (active members and non-contributing members)

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Health and Social Care (Pension Scheme) Regulations (Northern Ireland) 2008. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- 53. Re-assessment of entitlement to an ill-health pension determined under regulation 52
- 54. Early retirement on ill-health (deferred members)
- 55. Early retirement on termination of employment by employing authority
- 56. Option to have periods of service treated separately where pay is reduced
- 57. Exceptions to requirement that HSC employment must have ceased

Options to exchange pension for lump sum

- 58. General option to exchange part of pension for lump sum
- 59. Option for members in serious ill-health to exchange whole pension for lump sum

Pension debit members and pension credit members

- 60. Reduction in pension debit member's benefits
- 61. Pension credit member's rights

Allocation

- 62. Election to allocate pension
- 63. Procedure for election under regulation 62
- 64. Effect of allocation

Dual capacity membership

- 65. Dual capacity membership

Contracting-out obligations (GMPs, etc.)

- 66. Guaranteed minimum pensions etc

CHAPTER 5

DEATH BENEFITS

Pensions for surviving adults

- 67. Surviving adult dependants' pensions
- 68. Meaning of "surviving scheme partner"
- 69. Amount of pensions under regulation 67: active and non-contributing members
- 70. Amount of pensions under regulation 67: pensioner members
- 71. Amount of pensions under regulation 67: deferred members
- 72. Recent leavers
- 73. Re-employed pensioners: adult survivor pensions in initial period

Pensions for dependent children

- 74. Surviving children's pensions
- 75. Meaning of "dependent child"
- 76. Amount of children's pension under regulation 74: deceased active members and deceased non-contributing members

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Health and Social Care (Pension Scheme) Regulations (Northern Ireland) 2008. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- 77. Amount of children's pension under regulation 74: deceased pensioner members
- 78. Amount of children's pension under regulation 74: deceased deferred members
- 79. Amount of children's pension under regulation 74: recent leavers
- 80. Power to increase pension in respect of children not maintained by surviving parent etc
- 81. Amount of children's pension under regulation 74: re-employed pensioners

Lump sum death benefits

- 82. Lump sum benefits on death: introduction
- 83. Amount of lump sum: single capacity members and recent leavers (disregarding regulation 49 employments)
- 84. Amount of lump sum: dual capacity members (disregarding regulation 49 employments)
- 85. Amount of lump sum: dual capacity members: members with pensions under regulation 49
- 86. Amount of lump sum: pension credit members
- 86A Pension payable when member dies on or after reaching age 75
- 87. Payment of lump sums or pensions on death
- 88. Tax treatment under the Finance Act 2004 of lump sums payable on pensioners' deaths

Miscellaneous and general provisions

- 89. Death during period of absence
- 90. Polygamous marriages
- 91. Dual capacity membership: death benefits
- 92. Guaranteed minimum pensions for surviving spouses and civil partners

CHAPTER 6

TRANSFERS

Transfers out

- 93. Introduction: rights to transfer value payment
- 94. Applications for statements of entitlement
- 95. Applications for transfer value payments: general
- 96. Applications for transfer value payments: time limits
- 97. Ways in which transfer value payments may be applied
- 98. Calculating amounts of transfer value payments
- 99. Effect of transfers-out

Transfers in

- 100. Right to apply for acceptance of transfer value payment from another scheme
- 101. Procedure for applications under regulation 100
- 102. Acceptance of transfer value payments
- 103. Calculation of transferred-in pensionable service
- 104. Meaning of "capped transferred-in service"

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Health and Social Care (Pension Scheme) Regulations (Northern Ireland) 2008. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- 105. Public sector transfer arrangements
- 106. Bulk transfers out
- 107. Bulk transfers in
- 108. EU and other overseas transfers

Transfers across

- 108A Transfers across from the 1995 Section
- 108B Right to transfer a deferred pension to the 2015 Scheme

CHAPTER 7

RE-EMPLOYMENT AND REJOINING this Section of THE SCHEME

Preliminary

- 109. Application of Chapter 7

General rule: separate treatment of service etc except where unfavourable to member

- 110. General rule: separate treatment of service etc
- 111. Exception to general rule in regulation 110

Special rules about re-employment of ill-health pensioners

- 112. Effect of re-employment on tier 2 ill-health pensions
- 113. Re-employed tier 1 ill-health pensioners

Special rule for members transferred out on transfer of undertaking

- 114. Deferred pension becoming payable during HSC re-employment as a result of a transfer of undertaking

CHAPTER 8

ABATEMENT

- 115. Application of Chapter 8
- 116. Information
- 117. Reduction of pension
- 118. Meaning of “relevant income”
- 119. Meaning of “previous pay”: general
- 120. Meaning of “previous pay”: members with concurrent employments
- 121. Application of this Chapter to part-time employment
- 122. Employed pensioners with more than one pension
- 123. Provisional reductions and later adjustments

CHAPTER 9

MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

Scheme administrator

- 124. Appointment of scheme administrator

Claims

- 125. Claims for benefits
- 125A Provision of information: continuing entitlement to benefit

Power to extend time limits

- 126. Power to extend time limits

Beneficiaries who are incapable of looking after their affairs

- 127. Beneficiaries who are incapable of looking after their affairs

Commutation of small pensions

- 128. Commutation of small pensions

Reduction in and forfeiture of benefits

- 129. Reduction in benefits in cases where loss caused by member's crime, negligence or fraud
- 130. Forfeiture of rights to benefits

Provisions about tax

- 131. Deduction of tax

Interest on delayed payments

- 132. Interest on late payment of benefits and refunds of contributions
- 132A Interest and Administration Charges: Late paid contributions

Determination of questions

- 133. Determination of questions

General prohibition on unauthorised payments

- 134. General prohibition on unauthorised payments

Prohibition on assignment or charging of benefits

- 135. Prohibition on assignment or charging of benefits

Record keeping and contribution estimates

- 136. Employing authority and certain member record keeping and contribution estimates
- 136ZA Benefit information statements

CHAPTER 10

2008 Section Optants

- 136A Application of Chapter 10 of this Part
- 136B Options for 1995 Section members to join this Section of the Scheme under Chapter 10 of this Part

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Health and Social Care (Pension Scheme) Regulations (Northern Ireland) 2008. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Transfer of service from the 1995 Section

- 136C Service credited from the 1995 Section
- 136D Treatment of Additional Pension
- 136E Treatment of Additional Service
- 136F Treatment of unreduced retirement lump sum
- 136G Treatment of 2008 Section Optants to whom regulation 52(3) of the 1995 Regulations applied immediately before 1 April 2008
- 136H Pension debit members
- 136I Treatment of 2008 Section Optants to whom regulation 82 of the 1995 Regulations applied immediately before 1st April 2008
- 136J Restriction on pensionable pay used for calculating benefits in respect of capped Optant service
- 136K Meaning of “capped Optant service”
- 136L Amount of pension and lump sum to be to be paid to a 2008 Section Optant

Miscellaneous provisions

- 136M Transfers in: transitional provision
- 136N 2008 Section Optants: Transitional Tier 2 ill-health pension
- 136O Treatment of ill-health retirement applications made by 2008 Section Optants within one year of joining this Section of the Scheme
- 136P Application of regulation 53 where a 2008 Section Optant has submitted an application for ill-health retirement under the 1995 Section
- 136Q Application of regulation 53 where a 2008 Section Optant has submitted an application for ill-health retirement under the 2008 Section within a year of joining the 2008 Section
- 136R Transitional Provision: Treatment of additional service in respect of Optants retiring on the grounds of ill Health
- 136S Circumstances in which a 1995 Section member may defer making an option to join this Section of the Scheme under regulation 136B
- 136T Nominations and notices accepted by the Department under the 1995 Regulations to apply under Chapter 5 of this Part of these Regulations
- 136U Late payment of pension with actuarial increase for a 2008 Optant
- 136V 2008 Section Optants who are in receipt of a tier 1 ill-health pension under Regulation 13A of the 1995 Regulations
- 136W Lump sum payable on the death of a 2008 Section Optant who is in receipt of a tier 1 ill-health pension under regulation 13A of the 1995 Regulations
- 136X Children’s pensions payable on the death of a 2008 Section Optant who is in receipt of a tier 1 ill-health pension under regulation 13A of the 1995 Regulations.

CHAPTER 11

Waiting Period Joiners

- 136Y Application of Chapter 11 of this Part

- 136Z Nominations and notices accepted by the Department under the 1995 Regulations and Chapter 5 of this Part of these Regulations
- 136ZA Waiting Period Joiners who are in receipt of a tier 1 ill-health pension under Regulation 13A of the 1995 Regulations
- 136ZB Lump sum payable on the death of a Waiting Period Joiner
- 136ZC Children's pensions payable on the death of a Waiting Period Joiner

PART 3

BENEFITS FOR PRACTITIONERS ETC.

CHAPTER 1

INTRODUCTION

Preliminary

- 137. Interpretation of Part 3: general
- 138. Interpretation: further provisions
- 139. Meaning of "pensionable service"
- 140. Pensionable service: breaks in service

Qualifying service

- 141. Meaning of "qualifying service"

Qualifying service: disregard of breaks in service

- 142. (1) This regulation applies for the purpose of calculating the...

Pensionable earnings

- 143. Meaning of "pensionable earnings"
- 144. Pensionable earnings — breaks in service
- 145. Calculating pensionable earnings of medical practitioners in partnership
- 146. Elections relating to calculation of pensionable earnings in medical partnerships
- 147. Restriction on pensionable earnings used for calculating benefits in respect of capped transferred-in service
- 148. Distribution of pensionable earnings between principal dental practitioners employed or engaged by the same GDS provider
- 149. Meaning of pensionable earnings in relation to other practitioners
- 150. Exclusions and deductions from pensionable earnings — all practitioners
- 151. Limit on pensionable earnings — dentist performers carrying on deceased person's business
- 152. Out of hours providers

CHAPTER 2

MEMBERSHIP

- 153. Eligibility: general
- 153A Eligibility: transitional
- 154. Restrictions on eligibility: general

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Health and Social Care (Pension Scheme) Regulations (Northern Ireland) 2008. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- 155. Concurrent employments
- 155A Participators in pilot schemes

Joining and leaving the Scheme

- 156. Joining this Section of the Scheme
- 157. Opting out of this Section of the Scheme
- 158. Restriction on further participation in this Section of the Scheme
- 159. Membership: locum practitioners

CHAPTER 3

CONTRIBUTIONS

Basic contributions by members

- 160. Contributions by members
- 161. Members' contribution rate
- 162. Contributions by employing authorities: general
- 163. Guarantees, indemnities and bonds
- 164. Payment of Contributions

Additional contributions to purchase additional pensions

- 165. Member's option to pay additional periodical contributions to purchase additional pension
- 166. Effect of member being absent or leaving and rejoining this Section of the Scheme during the contribution option period
- 167. Member's option to pay lump sum contribution to purchase additional pension
- 168. Payment of additional lump sum contributions by employing authority
- 169. Exercise of options under regulations 165, 167 and 168
- 170. Cancellation of options under regulation 165
- 171. Effect of payment of additional contributions under this Chapter
- 172. Effect of death or early payment of pension after option exercised under regulation 165, 167 or 168
- 173. Effect of part payment of periodical contributions
- 174. Revaluation of increases bought under options: members' pensions

Repayment of contributions

- 175. Repayment of contributions

CHAPTER 4

MEMBERS' RETIREMENT BENEFITS

Entitlement to pensions

- 176. Normal retirement pensions
- 177. Pension credit members
- 178. Late payment of pension with actuarial increase
- 179. Early payment of pensions with actuarial reduction
- 180. Partial retirement (members aged at least 55)

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Health and Social Care (Pension Scheme) Regulations (Northern Ireland) 2008. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- 181. Increase in level of engagement following exercise of option under regulation 180
- 182. Early retirement on ill-health (active members and non-contributing members)
- 183. Re-assessment of entitlement to an ill-health pension determined under regulation 182
- 184. Early retirement on ill-health (deferred members)

Options to exchange pension for lump sum

- 185. General option to exchange part of pension for lump sum
- 186. Option for members in serious ill-health to exchange whole pension for lump sum

Pension debit members and pension credit members

- 187. Reduction in pension debit member's benefits
- 188. Pension credit member's rights

Allocation

- 189. Election to allocate pension
- 190. Procedure for election under regulation 189
- 191. Effect of allocation

Dual capacity membership

- 192. Dual capacity membership

Contracting-out obligations (GMPs, etc.)

- 193. Guaranteed minimum pensions etc
- 193A Exceptions to requirement that HSC employment must have ceased

CHAPTER 5

DEATH BENEFITS

Pensions for surviving adults

- 194. Surviving adult dependants' pensions
- 195. Meaning of "surviving scheme partner"
- 196. Amount of pensions under regulation 194: active and non-contributing members
- 197. Amount of pensions under regulation 194: pensioner members
- 198. Amount of pensions under regulation 194: deferred members
- 199. Recent leavers
- 200. Re-employed pensioners: adult survivor pensions in initial period

Pensions for dependent children

- 201. Surviving children's pensions
- 202. Meaning of "dependent child"
- 203. Amount of children's pension under regulation 201: deceased active members and deceased non-contributing members

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Health and Social Care (Pension Scheme) Regulations (Northern Ireland) 2008. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- 204. Amount of children's pension under regulation 201: deceased pensioner members
- 205. Amount of children's pension under regulation 201: deceased deferred members
- 206. Amount of children's pension under regulation 201: recent leavers
- 207. Power to increase pension in respect of children not maintained by surviving parent etc
- 208. Amount of children's pension under regulation 201: re-employed pensioners

Lump sum death benefits

- 209. Lump sum benefits on death: introduction
- 210. Amount of lump sum: single capacity members and recent leavers (disregarding regulation 180 employments)
- 211. Amount of lump sum: dual capacity members (disregarding regulation 180 employments)
- 212. Amount of lump sum: dual capacity members: members with pensions under regulation 180
- 213. Amount of lump sum: pension credit members
- 213A Pension payable when member dies on or after reaching age 75
- 214. Payment of lump sums or pensions on death
- 215. Tax treatment under the Finance Act 2004 of lump sums payable on pensioners' deaths

Miscellaneous and general provisions

- 216. Death during period of absence
- 217. Polygamous marriages
- 218. Dual capacity membership: death benefits
- 219. Guaranteed minimum pensions for surviving spouses and civil partners

CHAPTER 6

TRANSFERS

Transfers out

- 220. Introduction: rights to transfer value payment
- 221. Applications for statements of entitlement
- 222. Applications for transfer value payments: general
- 223. Applications for transfer value payments: time limits
- 224. Ways in which transfer value payments may be applied
- 225. Calculating amounts of transfer value payments
- 226. Effect of transfers-out

Transfers in

- 227. Right to apply for acceptance of transfer value payment from another scheme
- 228. Procedure for applications under regulation 227
- 229. Acceptance of transfer value payments
- 230. Calculation of increase to pensionable earnings as the result of a transfer-in

- 231. Meaning of “Capped increase to pensionable earnings”
- 232. Public sector transfer arrangements
- 233. Bulk transfers out
- 234. Bulk transfers in
- 235. EU and other overseas transfers

Transfers across

- 235A Transfers across from the 1995 Section
- 235B Right to transfer a deferred pension to the 2015 Scheme

CHAPTER 7

RE-EMPLOYMENT AND REJOINING THE SCHEME

Preliminary

- 236. Application of Chapter 7

General rule: separate treatment of service etc except where unfavourable to member

- 237. General rule: separate treatment of service etc
- 238. Exception to general rule in regulation 237

Special rules about re-employment of ill-health pensioners

- 239. Effect of re-employment on tier 2 ill-health pensions
- 240. Re-employed tier 1 ill-health pensioners

CHAPTER 8

ABATEMENT

- 241. Application of Chapter 8
- 242. Information
- 243. Reduction of pension
- 244. Meaning of “relevant income”
- 245. Meaning of “previous earnings”: general
- 246. Employed pensioners with more than one pension
- 247. Provisional reductions and later adjustments

CHAPTER 9

MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

Scheme administrator

- 248. Appointment of Scheme administrator

Claims

- 249. Claims for benefits
- 249A Provision of information: continuing entitlement to benefit

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Health and Social Care (Pension Scheme) Regulations (Northern Ireland) 2008. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Power to extend time limits

250. Power to extend time limits

Beneficiaries who are incapable of looking after their affairs

251. Beneficiaries who are incapable of looking after their affairs

Commutation of small pensions

252. Commutation of small pensions

Reduction in and forfeiture of benefits

253. Reduction in benefits in cases where loss caused by member's crime, negligence or fraud

254. Forfeiture of rights to benefits

Provisions about tax

255. Deduction of tax

Interest on delayed payments

256. Interest on late payment of benefits and refunds of contributions

256A Interest and Administration Charges: Late paid contributions

Determinations

257. Determination of questions

General prohibition on unauthorised payments

258. General prohibition on unauthorised payments

Prohibition on assignment or charging of benefits

259. Prohibition on assignment or charging of benefits

Record keeping and contribution estimates

260. Employing authority and certain member record keeping and contribution estimates

260ZA Benefit information statements

CHAPTER 10

Section 2008 Optants

260A Application of Chapter 10 of this Part

260B Options for 1995 Section members to join this Section of the Scheme under Chapter 10 of this Part

Transfer of service and pensionable earnings from the 1995 Section

260C Service and pensionable earnings credited from the 1995 Section

260D Treatment of Additional Pension

260E Treatment of Additional Service and pensionable earnings

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Health and Social Care (Pension Scheme) Regulations (Northern Ireland) 2008. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- 260F Treatment of unreduced retirement lump sum
- 260G Treatment of 2008 Section Optants to whom regulation 52(3) of the 1995 Regulations applied immediately before 1st April 2008
- 260H Pension debit members
- 260I Pensionable earnings credited under regulations 260C and 260E to be treated as capped Optant pensionable earnings

Miscellaneous provisions

- 260J Transfers in: transitional provision
- 260K Amount of pension and lump sum to be paid to a 2008 Section Optant
- 260L Nominations and notices accepted by the Department under the 1995 Regulations to apply under Chapter 5 of this Part of these Regulations
- 260M 2008 Section Optants: Transitional Tier 2 ill-health pension
- 260N Treatment of ill-health retirement applications made by 2008 Section Optants within one year of joining this Section
- 260O Application of regulation 183 where a 2008 Section Optant has submitted an application for ill-health retirement under the 1995 Section
- 260P Application of regulation 183 where a 2008 Section Optant has submitted an application for ill-health retirement under the 2008 Section within a year of joining the 2008 Section
- 260Q Late payment of pension with actuarial increase for a 2008 Optant
- 260R Transitional Provision: Treatment of additional service and pensionable earnings in respect of Optants retiring on the grounds of ill Health
- 260S Treatment of service credited from the 1995 Section when benefits in cases of mixed service are payable
- 260T Circumstances in which a 1995 Section member may defer making an option to join this Section of the Scheme under regulation 260B
- 260U 2008 Section Optants who are in receipt of a tier 1 ill-health pension under Regulation 13A of the 1995 Regulations
- 260V Lump sum payable on the death of a 2008 Section Optant who is in receipt of a tier 1 ill-health pension under regulation 13A of the 1995 Regulations
- 260W Children's pensions payable on the death of a 2008 Section Optant who is in receipt of a tier 1 ill-health pension under regulation 13A of the 1995 Regulations.

CHAPTER 11

Waiting Period Joiners

- 260X Application of Chapter 11 of this Part
- 260Y Nominations and notices accepted by the Department under the 1995 Regulations and Chapter 5 of this Part of these Regulations
- 260Z Waiting Period Joiners who are in receipt of a tier 1 ill-health pension under Regulation 13A of the 1995 Regulations
- 260ZA Lump sum payable on the death of a Waiting Period Joiner
- 260ZB Children's pensions payable on the death of a Waiting Period Joiner

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Health and Social Care (Pension Scheme) Regulations (Northern Ireland) 2008. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

PART 4

BENEFITS IN CASES OF MIXED SERVICE

CHAPTER 1

INTRODUCTION

Application of Part 4

261. Application of Part 4

Preliminary

262. Interpretation: general

CHAPTER 2

COMPARISON OF ENTITLEMENTS

Application of Chapter 2

263. Application of Chapter 2

Officer service before practitioner service

264. Cases with up to 10 years of officer service

265. Cases with more than 10 years of officer service

Officer service after practitioner service

266. Cases with less than 1 year of officer service

267. Cases with 1 year or more of officer service

Concurrent officer and practitioner service

268. Cases with less than 1 year of concurrent officer service

269. Cases with 1 year or more of concurrent officer service

Non-concurrent Officer and Practitioner Service

269A Cases with non-concurrent officer service between periods of practitioner service

Calculation methods

270. Calculation method A

271. Calculation method B

272. Calculation method C

272A Calculation method D

CHAPTER 3

MODIFICATION OF BENEFITS

Members' retirement benefits

273. Top-up where reference amount greater than base amount

Death benefits

274. Death benefits where member entitled to top-up

CHAPTER 4

GENERAL MODIFICATIONS

45 year service limit

275. Pensionable service limit

Claims and notices

276. Applications, claims and notices

Abatement

277. Reduction of pension
Signature
Explanatory Note

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Health and Social Care (Pension Scheme) Regulations (Northern Ireland) 2008. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- reg. 49(6)(b)(c) omitted by [S.R. 2024/50 reg. 23](#)
- reg. 57(2A) words inserted by [S.R. 2024/50 reg. 24](#)
- reg. 180(5)(b) omitted by [S.R. 2024/50 reg. 25](#)