
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 65

The Health and Personal Social Services (Superannuation),
Health and Social Care (Pension Scheme) and Health and
Personal Social Services (Injury Benefits) (Amendment and
Transitional Provisions) Regulations (Northern Ireland) 2009

PART 2

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

Amendment of regulation 31

32.—(1) Regulation 31 (Contributions by employing authorities: general), is amended as provided by paragraphs (2) and (3).

(2) For paragraph (2) substitute—

“(2) In specifying such a rate, the Department must—

- (a) obtain the consent of the Department of Finance and Personnel; and
- (b) take account of the advice of the Scheme actuary and the cost of providing for any increase in pensions under the Scheme as a result of orders made under the provisions of the Pensions (Increase) Act (Northern Ireland) 1971⁽¹⁾ and Article 69 of the Social Security Pensions (Northern Ireland) Order 1975⁽²⁾.”.

(3) After paragraph (5) add—

“(6) In any particular case the Department may direct that, for the purposes of this Chapter, “employing authority” includes one or more of—

- (a) the transferee under a transfer of staff order pursuant to—
 - (i) Article 3(4)(b) of the Health and Personal Social Services (Special Agencies) (Northern Ireland) Order 1990⁽³⁾, or
 - (ii) paragraph 24(2) of Schedule 3 to the Health and Personal Social Services (Northern Ireland) Order 1991⁽⁴⁾;
- (b) without limiting sub-paragraph (a), a successor, transmittee or assignee of an employing authority’s business or functions; and
- (c) the last employing authority of a person to whom these Regulations apply.”.

(1) 1971 c. 35 (N.I.)
(2) S.I. 1975/1503 (N.I. 15)
(3) S.I. 1990/247 (N.I. 3)
(4) S.I. 1991/194 (N.I. 1)

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*
