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STATUTORY RULES OF NORTHERN IRELAND

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**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

**Insertion of new regulation 213A**

67. After regulation 213 (Amount of lump sum: pension credit members), insert—

**“Pension payable when member dies on or after reaching age 75**

**213A.**—(1) If a pensioner member or a pension credit member dies—

- (a) on or after reaching age 75; and
- (b) before the fifth anniversary of the date on which the member’s pension became payable,

an annual pension, calculated in accordance with paragraph (2), may be payable from the day following the date of the member’s death until the anniversary referred to in sub-paragraph (b).

(2) The pension payable under paragraph (1) is determined by—

- (a) calculating the amount of the lump sum that would have been payable to the pensioner member or pension credit member under regulation 210(2) or, as the case may be, 213 as if on the day the member died the member had not reached the age of 75; and
- (b) converting any amount determined in sub-paragraph (a) to an annual pension payable for the period specified in paragraph (1), by reference to guidance and tables provided by the Scheme actuary for the purpose.

(3) The “beginning date” of the pension calculated in paragraph (2) will, for the purposes of the Pensions (Increase) Act (Northern Ireland) 1971, be the day immediately following the date of death of the pensioner member or pension credit member.

(4) The pension calculated under this regulation will be payable in accordance with regulation 214.”