
STATUTORY RULES OF NORTHERN IRELAND

2010 No. 22

The Health and Personal Social Services (Superannuation Scheme, Compensation for Premature Retirement and Additional Voluntary Contributions), and Health and Social Care (Pension Scheme) (Amendment) Regulations (Northern Ireland) 2010

PART 3

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

Amendment of regulation 225

89.—(1) Regulation 225 (Calculating amounts of transfer value payments) is amended as provided by paragraphs (2) to (4).

(2) For paragraph (4), substitute—

“(4) In paragraph (3), “minimum transfer value” means—

(a) in the case of a person other than a 2008 Section Optant, the sum of—

- (i) any transfer value payments that have been made to this Section of the Scheme in respect of the person as a result of which the person is entitled to count any pensionable service under this Section of the Scheme by reference to which the accrued rights subject to the transfer are calculated, and
- (ii) any contributions paid by the person under Chapter 3 of this Part as a result of which the person is entitled to count such service;

(b) in the case of a 2008 Section Optant, the sum of—

- (i) any transfer value payments that have been made to the 1995 Section in respect of the Optant,
- (ii) any contributions paid by the Optant under regulation 10 as modified by paragraph 10 of Schedule 2 to the 1995 Regulations (Contributions by members) in respect of superannuable employment in that Section on or before 31st March 2008, and
- (iii) any payments made by the Optant under regulation 67 as modified by paragraph 20 of Schedule 2 to the 1995 Regulations (Right to buy additional service) for the purchase of additional service,

which entitle the Optant to count, under Chapter 10 of this Part, any pensionable service by reference to which the accrued rights subject to the transfer are calculated.”.

(3) At the end of paragraph (5)(b), add—

“; and

(c) separately in respect of—

(i) the aggregate of any amounts of pensionable earnings that the member is entitled to count for the purpose of calculating benefits payable to, or in respect of, the member that fall to be treated as—

(aa) a capped increase to pensionable earnings in accordance with regulation 231;
or

(bb) an amount of capped Optant pensionable earnings in accordance with regulation 260I, and

(ii) any amount of pensionable earnings that do not fall to be so treated.”.

(4) After paragraph (5), add—

“(6) In the case of a 2008 Section Optant, this regulation is subject to regulation 260K.”.