
STATUTORY RULES OF NORTHERN IRELAND

2010 No. 286

The Health and Personal Social Services (Superannuation Scheme, Injury Benefits and Additional Voluntary Contributions), 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 153

37. After paragraph (5)(f) of regulation 153 (Eligibility: general), add—

- “(g) the person is a deferred member of the 1995 Section who has given notice for the purposes of paragraph (1) or (1A) of regulation 9 of the 1995 Regulations (Opting out of the Scheme) and—
 - (i) as result of that notice has been treated as ceasing to be an active member of that Section, and
 - (ii) pursuant to that notice remains opted-out of that Section for five years or more.
- (h) the person is a deferred member of the 1995 Section who has given notice for the purposes of paragraph (1) or (1A) of regulation 9 of the 1995 Regulations (Opting out of the Scheme) and following that notice, has ceased to be an active member of that Section for any one period of five or more years comprising the aggregate of—
 - (i) any period during which the person leaves HSC employment, and
 - (ii) any period during which the person is treated as never having been an active member of that Section in accordance with paragraph (3) of regulation 9 of those Regulations in respect of one or more later periods of HSC employment entered into after having given the notice for the purposes of paragraph (1) or (1A) of that regulation;
- (i) the person—
 - (i) has given notice for the purposes of regulation 9 of the 1995 Regulations (Opting-out of the scheme) and as a result of that notice all of that person’s HSC employments ceased to be superannuable employment for the purposes of those Regulations,
 - (ii) is not entitled to a pension (including a deferred pension) under those Regulations, and
 - (iii) has been treated as ceasing to be in superannuable employment under the 1995 Regulations for a period of 12 months or more;

- (j) the person—
 - (i) has given notice for the purposes of regulation 9 of the 1995 Regulations (Opting-out of the scheme) and as a result of that notice all of that person’s HSC employments ceased to be superannuable employment for the purposes of those Regulations,
 - (ii) is not entitled to a pension (including a deferred pension) under those Regulations, and
 - (iii) has, in respect of the HSC employments referred to in head (i), either received a repayment of contributions or exercised the right to a transfer payment under Part VI of those Regulations”.