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STATUTORY RULES OF NORTHERN IRELAND

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**2013 No. 259**

The Health and Personal Social Services (Superannuation Scheme and Additional Voluntary Contributions),  
Health and Social Care (Pension Scheme)  
(Amendment) Regulations (Northern Ireland) 2013

PART 2

AMENDMENT OF THE HEALTH AND PERSONAL SOCIAL SERVICES  
(SUPERANNUATION) REGULATIONS (NORTHERN IRELAND) 1995

**Amendment of regulation 35**

**8.** In regulation 35 (Member dies after pension becomes payable)(**1**), for paragraph (4) substitute—

“(4) If the member dies leaving a dependent child and there is no surviving parent or no surviving spouse or civil partner or nominated partner of a parent, the allowance—

- (a) for the period of 6 months beginning with the member’s death, will be the greater of—
  - (i) the amount of the member’s pension calculated without regard to any reduction made under regulation 85 (Reduction of pension on return to HSC employment), and
  - (ii) the amount of child allowance that would otherwise be payable under these Regulations;
- (b) following the period referred to in sub-paragraph (a), will be equal to—
  - (i) one-third of the pension described in paragraph (2) if there is only one dependent child,
  - (ii) two-thirds of the pension described in paragraph (2) if there are two or more dependent children.”.

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(1) Regulation 35 as amended by [S.R. 2005 No.533](#), regulation 3(8); [S.R. 2008 No.163](#), regulation 32 and [S.R. 2009 No.188](#), regulation 8