
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 120

**The Health and Social Care Pension Scheme
Regulations (Northern Ireland) 2015**

PART 2

Governance

CHAPTER 1

Management

Scheme Manager

3.—(1) The Department is the scheme manager and is responsible for managing or administering—

- (a) this scheme, and
- (b) any statutory pension scheme that is connected with it.

(2) The Department may make arrangements for any or all of the functions and responsibilities as scheme manager under these Regulations to be performed on the Department's behalf by the Regional Business Services Organisation (RBSO)(1),

but any such arrangements do not affect the Department's liability for those functions and responsibilities.

Pension Board

4. There is to be a Pension Board constituted in accordance with Schedule 1 which has responsibility for assisting the scheme manager in relation to—

- (a) securing compliance with these Regulations and other legislation relating to the governance and administration of—
 - (i) this scheme, and
 - (ii) any statutory pension scheme that is connected with it;
- (b) securing compliance with any requirements imposed by the Pensions Regulator in relation to—
 - (i) this scheme, and
 - (ii) any statutory pension scheme that is connected with it.

(1) Established by section 14 of and Schedule 3 to the Health and Social Care (Reform) Act (Northern Ireland) 2009 (2009 c.1 (N.I.))

Scheme Advisory Board

5. There is to be a Scheme Advisory Board constituted in accordance with Schedule 2 which has responsibility for providing advice where requested to the Department on the desirability of changes to—

- (a) this scheme; and
- (b) any statutory pension scheme that is connected with it.

CHAPTER 2

Actuary and valuation

Appointment of scheme actuary

6.—(1) The Department must appoint a person (the scheme actuary) for the purposes of carrying out—

- (a) actuarial valuations of this scheme and connected schemes required by the Department of Finance and Personnel directions given under section 11 of the 2014 Act; and
- (b) such other actuarial functions as may be required in relation to this scheme or a connected scheme.

(2) Before making an appointment under paragraph (1), the Department must be satisfied that the person to be appointed is appropriately qualified.

Actuarial valuation

7.—(1) The scheme actuary must carry out an actuarial valuation of this scheme and connected schemes as at the effective date.

(2) The scheme actuary must provide a valuation report to the scheme manager not later than such date as may be agreed by the Department.

(3) The effective date is—

- (a) in respect of the first valuation under paragraph (1), 31st March 2016;
- (b) in respect of subsequent valuations, such dates as enable the scheme to comply with Department of Finance and Personnel directions at to valuations.

Employer cost cap

8.—(1) The employer cost cap for this scheme is 12.9% of the pensionable earnings of members of the scheme.

(2) “Employer cost cap” has the same meaning as in section 12 of the 2014 Act.

Cost of scheme exceeds margins

9. The scheme actuary must give notice to the Department if the actuarial valuation shows that the cost of this scheme would be outside the margins specified in regulations made by the Department of Finance and Personnel pursuant to section 12(5) of the 2014 Act.

Procedure for agreeing steps to achieve target cost

10.—(1) This regulation applies if notice is given under regulation 9.

(2) The Department must make a request to the Scheme Advisory Board—

- (a) to consider the matter; and

- (b) give advice to the Department as to means by which the target cost is to be achieved.
- (3) The Department must consider the advice and seek to reach agreement with the Scheme Advisory Board as to the means by which the target cost is to be achieved.
- (4) In acting under paragraphs (2) and (3), the Department must specify the date before which—
 - (a) the advice must be provided; and
 - (b) agreement must be reached.

No agreement reached

- 11.—(1) This regulation applies if no agreement is reached as mentioned in regulation 10.
- (2) If the costs of the scheme are outside the margins as mentioned in regulation 9, the Department must adjust the fraction specified in paragraph 13(3) of Schedule 7 so as to achieve the target cost.

Approval mechanism

- 12. An agreement under regulation 10 or an adjustment or reduction under regulation 11 must not be implemented unless—
 - (a) the scheme actuary certifies that the agreement or adjustment (as the case may be) will have the effect of enabling the scheme to meet the target cost; and
 - (b) the Department of Finance and Personnel approves the agreement or adjustment.

Target cost

- 13. In regulations 10 to 12, “target cost” must be construed in accordance with section 12(5)(b) of the 2014 Act.

CHAPTER 3

General

Administrative matters

- 14. Schedule 3 makes provision in relation to—
 - (a) scheme accounts and information;
 - (b) claims for, and payments of, benefits;
 - (c) interest on late payments;
 - (d) assignment, offset and forfeiture;
 - (e) insolvency of persons entitled to benefits;
 - (f) determination of questions; and
 - (g) taxation.