
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 120

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

PART 7

Transfers

CHAPTER 2

Transfers values

SECTION 4

Bulk transfers

Bulk transfers out

146.—(1) This regulation applies if—

- (a) the employment of one or more active members (the transferring employees) is transferred without consent to a new employer;
- (b) on the transfer the transferring employees cease to be eligible to be members of this scheme;
- (c) after the transfer the transferring employees become active members of another occupational pension scheme (the new employer's scheme);
- (d) the Department has agreed special terms for the making of transfer value payments in respect of the transferring employees to the new employer's scheme, after consultation with the scheme actuary; and
- (e) the transferring employees have consented in writing to their rights being transferred in accordance with those terms.

(2) In the case of the transferring members or the transferred members, the transfer value payment to be paid—

- (a) is not calculated in accordance with regulation 135; but
- (b) is to be such amount as the Department, after consulting the scheme actuary, determines to be appropriate in accordance with the special terms.

(3) This Part has effect with such modifications as are necessary to give effect to those terms.

(4) If the transfer is directly or indirectly attributable to an enactment, this Part has effect with such modifications as the Department thinks necessary in consequence of the transfer.

Bulk transfers in

147.—(1) This regulation applies if—

- (a) the employment of one or more persons (the transferred employees) is transferred without their consent to a new employer;
 - (b) on the transfer the transferred employees cease to be active members of an occupational pension scheme (the former employer's scheme);
 - (c) after the transfer the transferred employees become active members of this scheme;
 - (d) the Department, after consulting the scheme actuary, has agreed special terms for the acceptance of transfer value payments in respect of the transferred employees from the former employer's scheme; and
 - (e) the transferred employees have consented in writing to their rights being transferred in accordance with those terms.
- (2) This scheme has effect with such modifications as are necessary to give effect to the terms mentioned in paragraph (1)(d).
- (3) If the transfer is directly or indirectly attributable to an enactment, this scheme has effect with such modifications as the Department thinks necessary in consequence of the transfer.