
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 120

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

PART 3

Scheme membership

CHAPTER 2

Membership

Restrictions on membership

19. A person is not eligible to be a member of this scheme if the person—

- (a) is under the age of 16 or over the age of 75;
- (b) is eligible to be an active member of—
 - (i) a superannuation scheme established under Article 3 or 11 of the Superannuation (Northern Ireland) Order 1972⁽¹⁾; or
 - (ii) a public service pension scheme established under section 1(2)(a) or 1(2)(d) of the 2014 Act,

in respect of service in such a scheme and is such a member;

- (c) is, other than by virtue of regulation 6 of the Health and Social Care Pension Scheme (Transitional and Consequential Provisions) Regulations (Northern Ireland) 2015⁽²⁾, eligible to be an active member of the 1995 section or the 2008 Section in respect of service in that scheme;
- (d) is a pensioner member of the 1995 Section or the 2008 Section except so far as otherwise provided pursuant to the Health and Social Care Pension Scheme (Transitional and Consequential Provisions) Regulations (Northern Ireland) 2015;
- (e) holds an honorary appointment and is not at the same time otherwise entitled to join this scheme;
- (f) is employed by a GDS provider but is not a dental practitioner;
- (g) is employed by—
 - (i) a GMS practice; or
 - (ii) an APMS contractor,

but does not assist the employer in the provision of services for the purposes of the GMS contract or APMS contract (as the case may be);

- (h) is a person—

(1) [S.I. 1972/1073 \(N.I.\)](#) Article 3 deals with pension schemes for civil servants and Article 11 deals with pensions for teachers
(2) [S.R. 2015 No.122](#)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (i) who—
 - (aa) becomes entitled to a Tier 2 IHP (see regulation 89), and
 - (bb) opts to exchange the Tier 2 IHP for a lump sum pursuant to regulation 108;
or
- (ii) to whom regulation 95(5)(b) applies.