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STATUTORY RULES OF NORTHERN IRELAND

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**2022 No. 245**

**HEALTH AND PERSONAL SOCIAL SERVICES**  
**PUBLIC SERVICE PENSIONS**

**The Health and Social Care Pensions (Abatement)**  
**(No 2) Regulations (Northern Ireland) 2022**

*Made* - - - - *10 October 2022*

*Coming into operation* *1 November 2022*

The Department of Health makes the following Regulations in exercise of the powers conferred by Articles 12(1), (2) and (3) and 14(1) and (2) of, and Schedule 3 to, the Superannuation (Northern Ireland) Order 1972<sup>(1)</sup> and sections 1(1) and (2)(e), 3(1), (2) and (3) and 18(5) of, and paragraph 5 of Schedule 2 and Schedule 3 to, the Public Service Pensions Act (Northern Ireland) 2014<sup>(2)</sup>.

In accordance with Article 12(4) of the Superannuation (Northern Ireland) Order 1972 and section 21(1) of the Public Service Pensions Act (Northern Ireland) 2014, the Department has consulted the representatives of such persons as appear to the Department likely to be affected by these Regulations.

In accordance with Article 12(1) of the Superannuation (Northern Ireland) Order 1972 and section 3(5) of the Public Service Pensions Act (Northern Ireland) 2014, these Regulations are made with the consent of the Department of Finance.

**PART 1**

**Introductory**

**Citation and commencement**

1.—(1) These Regulations may be cited as the Health and Social Care Pensions (Abatement) (No 2) Regulations (Northern Ireland) 2022.

(2) These Regulations come into operation on 1 November 2022.

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(1) 1972/1073 (N.I. 10) as amended by S.I. 1990/1509 (N.I. 13); 1993 c.49 and S.I. 2002/1555

(2) 2014 c.2 (N.I.) section 3 was amended by section 94(11) to (14) of the Public Service Pensions and Judicial Offices Act 2022 (c 7)

**Commencement Information**

**I1** Reg. 1 in operation at 1.11.2022, see [reg. 1\(2\)](#)

## PART 2

### Amendment of the Health and Personal Social Services (Superannuation) Regulations (Northern Ireland) 1995

#### General

**2.** The Health and Personal Social Services (Superannuation) Regulations (Northern Ireland) 1995 are amended as provided by regulations 3 and 4.

**Commencement Information**

**I2** Reg. 2 in operation at 1.11.2022, see [reg. 1\(2\)](#)

#### Amendment to regulations 84

**3.** These Regulations have effect as if, for the period 1 November 2022 to 31 March 2024, (both dates inclusive) regulation 84 (suspension of pension on return to HPSS employment) were omitted.

**Commencement Information**

**I3** Reg. 3 in operation at 1.11.2022, see [reg. 1\(2\)](#)

#### Amendment to regulations 85

**4.** These Regulations have effect for the period 1 November 2022 to 31 March 2025 (both dates inclusive) as if in the opening words of regulation 85(3) (reduction of pension on return to HPSS employment) the words “or (c)” were omitted.

**Commencement Information**

**I4** Reg. 4 in operation at 1.11.2022, see [reg. 1\(2\)](#)

## PART 3

### Amendments to the Health and Social Care (Pension Scheme) Regulations (Northern Ireland) 2008

#### General

5. The Health and Social Care (Pension Scheme) Regulations (Northern Ireland) 2008(3) are amended as provided by regulation 6.

#### Commencement Information

**I5** Reg. 5 in operation at 1.11.2022, see [reg. 1\(2\)](#)

#### Amendment to regulations 50 and 181

6. These Regulations have effect as if for the period 1 November 2022 to 31 March 2023 ( both dates inclusive) –

- (a) in regulation 50 (abatement of pension following increase in pensionable pay) paragraph (2) (a) were omitted; and
- (b) in regulation 181 (abatement of pension following increase in engagement in employment) paragraph (2) (a) were omitted.

#### Commencement Information

**I6** Reg. 6 in operation at 1.11.2022, see [reg. 1\(2\)](#)

## PART 4

### Amendments to the Health and Social Care Pension Scheme Regulations (Northern Ireland) 2015

#### General

7. The Health and Social Care Pension Scheme Regulations (Northern Ireland) 2015b are amended as provided by regulation 8.

#### Commencement Information

**I7** Reg. 7 in operation at 1.11.2022, see [reg. 1\(2\)](#)

(3) [S.R. 2008 No.256](#) as amended by [S.R. 2009 Nos.65 and 188](#); [S.R. 2010 Nos.22, 286 and 420](#); [S.R. 2011 No.256](#); [S.R. 2012 Nos.42 and 78](#); [S.R. 2013 Nos.40, 73, 247 and 259](#); [S.R. 2014 Nos.59 and 225](#); [S.R. 2015 Nos.56, 121 and 122](#); [S.R. 2016 No.384](#) and [S.R. 2019 No.62](#)  
[S.R. 2015 No.120](#) as amended by [S.R. 2016 No.384](#) and [S.R. 2019 No.62](#)

### Amendment to regulation 85

8. These Regulations have effect for the period 1 November 2022 to 31 March 2023 (both dates inclusive) as if in regulation 85 (abatement of pension following continuation of employment) paragraph (3) were omitted.

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#### Commencement Information

**18** Reg. 8 in operation at 1.11.2022, see [reg. 1\(2\)](#)

Sealed with the Official Seal of the Department of Health on 10 October 2022

(L.S.)

*Philip Rodgers*  
A senior officer of the Department of Health

The Department of Finance consents to the foregoing Regulations.  
Sealed with the Official Seal of the Department of Finance on 10 October 2022

(L.S.)

*Patrick Neeson*  
A senior officer of the Department of Finance

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations remove the abatement provisions of the Health and Personal Social Services (Superannuation) Regulations (Northern Ireland) 1995 ([S.R. 1995 No.95](#)) (“the 1995 Regulations”), the Health and Social Care (Pension Scheme) Regulations (Northern Ireland) 2008 ([S.R. 2008 No.256](#)) (“the 2008 Regulations”), the Health and Social Care Pension Scheme Regulations (Northern Ireland) 2015 ([S.R. 2015 No.120](#)) (“the 2015 Regulations”) for specified periods of time.

**Changes to legislation:**

There are currently no known outstanding effects for the The Health and Social Care Pensions (Abatement) (No 2) Regulations (Northern Ireland) 2022.