
EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations amend the Health and Personal Social Services (Superannuation) Regulations (Northern Ireland) 1995 (S.R. 1995 No. 95), (“the Superannuation Scheme Regulations”) and, the Health and Personal Social Services (Injury Benefits) Regulations (Northern Ireland) 2001 (S.R. 2001 No. 367), (“the Injury Benefits Regulations”).

The Regulations shall have retrospective effect from 1st April 2004 as authorised by Article 14(1) of the Superannuation (Northern Ireland) Order 1972.

Regulation 1 provides for the citation, commencement and retrospective effect of the Regulations.

Regulation 2 provides for interpretation of the Regulations.

Regulation 3 corrects drafting errors in paragraph 10 of Schedule 2 to the Superannuation Scheme Regulations (Medical and dental practitioners).

Regulation 4 amends the Injury Benefits Regulations as follows—

regulation 3(4) is amended to provide that the Regulations shall not apply to a person whose injury or disease is wholly or mainly due, or seriously aggravated, by his own culpable negligence or misconduct, nor, to persons eligible to participate in the Civil Service Superannuation Scheme;

a new regulation 19A “(Claim for benefits)” is inserted to provide that a person eligible must provide evidence of entitlement as the Department may require from time to time;

a new regulation 22A is inserted to provide that functions of the Department in relation as to whether a person has sustained an injury or contracted a disease in the course of his employment and the scale of benefit payable, where his earnings have been temporarily reduced, may be discharged by his employing authority; and

a minor amendment is made to sub-paragraph 7(f)(ii) of regulation 5 (Recovery of costs).