
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 188

The Health and Personal Social Services
(Superannuation Scheme and Injury Benefits)
and Health and Social Care (Pension Scheme)
(Amendment) Regulations (Northern Ireland) 2009

PART 3

AMENDMENT OF THE HEALTH AND SOCIAL CARE (PENSION
SCHEME) REGULATIONS (NORTHERN IRELAND) 2008

Amendment of regulation 46

21.—(1) Regulation 46 (Pension credit members) is amended as provided by paragraphs (2) and (3).

(2) In paragraph (2) at the end, add (as full-out words) “This is subject to paragraphs (5) and (8)”.

(3) After paragraph (4), add—

“(5) A pension credit member who has not reached the age of 65 is entitled to immediate payment of a reduced pension payable for life if the pension credit member has—

- (a) reached the age of 55; and
- (b) claimed the payment of the pension.

(6) The amount of the annual pension under paragraph (5)—

- (a) is first calculated as mentioned in paragraph (3); and
- (b) then that amount is reduced by such amount as the Department determines, after consulting the Scheme actuary, to be appropriate by reason of the payment of the pension before the member reaches 65.

(7) A claim under paragraph (5) must be made by notice in writing in such form as the Department requires and takes effect from the date specified in the claim as the date on which the pension is to become payable.

(8) A pension credit member who has not reached the age of 65 is entitled to immediate payment of a pension payable for life if, in the opinion of the Department, the pension credit member—

- (a) meets the ill-health condition specified in paragraph 1 of Schedule 28 to the Finance Act 2004;
- (b) had previously been engaged in regular employment but is now permanently incapable of engaging in such employment due to mental or physical infirmity; and
- (c) has claimed the pension.

Status: This is the original version (as it was originally made).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

(9) The amount of the pension under paragraph (8) is calculated as specified in paragraph (3).

(10) For the purpose of paragraph (8), the Department may require whatever medical evidence that it considers necessary.”.