
STATUTORY RULES OF NORTHERN IRELAND

2010 No. 22

The Health and Personal Social Services (Superannuation Scheme, Compensation for Premature Retirement and Additional Voluntary Contributions), and Health and Social Care (Pension Scheme) (Amendment) Regulations (Northern Ireland) 2010

PART 3

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

New regulation 21A

21. After regulation 21 (Eligibility: general), insert—

“Eligibility: transitional

21A

- (1) A person is eligible to be an active member of this Section of the Scheme if—
- (a) the Department has accepted that person’s option to join this Section of the Scheme under Chapter 10 of this Part; and
 - (b) that person is not prevented by regulation 22, 23 or 26 from so joining or continuing to be such an active member.
- (2) If a person referred to in paragraph (1)—
- (a) is entitled to a tier 1 ill-health pension under regulation 13A(3)(a) of the 1995 Regulations (Ill health pension on early retirement); and
 - (b) as the result of a determination made by the Department under regulation 13B(3) of those Regulations (Re-assessment of ill health condition determined under regulation 13A), that person becomes entitled to a tier 2 ill-health pension in place of that tier 1 ill-health pension,

that person shall cease to be eligible to be an active member of this Section of the Scheme from the date the Department makes that determination.”.