
STATUTORY RULES OF NORTHERN IRELAND

2022 No. 67

**The Public Service (Civil Servants and Others) Pensions
(Amendment) Regulations (Northern Ireland) 2022**

Amendment of regulation 26

13. In regulation 26 (Pensionable Earnings)—

- (a) in paragraph (4), in the definition of “permanent pensionable earnings” at the end of paragraph (a) insert “(not including pay received in respect of a period of sick leave on reduced pay at a rate determined by the member’s employer to be appropriate because it is equivalent to the annual rate of an ill-health pension)”;
- (b) for regulation 26(5) substitute—
 - “(5) In this regulation—
 - (a) the total fluctuating pensionable earnings in respect of any period must not exceed one third of the total permanent pensionable earnings in respect of the same period.
 - (b) for the purposes of this regulation “total fluctuating pensionable earnings” applies only to industrial employees of the Northern Ireland Civil Service, and means—
 - (i) to the extent (if any) that the Department has determined that they are to be treated as fluctuating pensionable earnings for the purposes of these Regulations, bonuses, and
 - (ii) to that extent (if any) allowances not granted on a permanent basis.”.