
STATUTORY RULES OF NORTHERN IRELAND

2022 No. 67

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

New regulations 2A, 2B and 2C

4. After regulation 2 (Interpretation), insert—

“Active Membership

2A.—(1) A person (P) is an active member of this scheme if—

- (a) P is in pensionable service under this scheme; or
- (b) P is not in pensionable service under this scheme and paragraph (2) or (3) applies.

(2) This paragraph applies if P is on unpaid authorised absence.

(3) This paragraph applies if—

- (a) P is in scheme employment;
- (b) P is on unpaid sick leave or on unpaid child-related leave; and
- (c) P was an active member of this scheme, the PCSPS(NI) or another permitted pension scheme immediately before that leave began.

(4) In this regulation “another permitted pension scheme” means, in relation to P, a pension scheme approved by the scheme manager for the purposes of this regulation.

Connected Schemes

2B.—(1) Subject to paragraph (2), “connected scheme” means another statutory pension scheme that is connected, within the meaning of section 4(6) of the Act, with this scheme.

(2) The following schemes are not connected schemes—

- (a) an injury or compensation scheme established under section 1 of the Act;
- (b) an injury or compensation scheme established under Article 3 of the 1972 Order;
and
- (c) a statutory pension scheme that is a defined contributions scheme.

Partnership Pension Account

2C.—(1) In these Regulations, “partnership pension account”, in relation to a person in scheme employment, means a pension scheme that has been approved by the scheme manager for the purposes of this regulation.

(2) The scheme manager must not approve a pension scheme for the purposes of this regulation unless it is—

- (a) an occupational pension scheme, a stakeholder pension scheme or a personal pension scheme;

- (b) a defined contributions scheme; and
- (c) a pension scheme to which the person's employer is—
 - (i) paying contributions; or
 - (ii) not paying contributions because the person is not receiving earnings which are pensionable earnings for the purposes of the person's pension scheme (other than because the person is on an unauthorised absence); or
 - (iii) not paying contributions because the person received benefits under section 2 (Compulsory and Redundancy category (1972 Section members)) of the Civil Service Compensation Scheme or section 3 (Flexible category (1972 Section members)) of that Scheme on the basis that the person's reckonable service within the meaning of those sections was enhanced and the period by which that service was enhanced exceeds the period beginning with the day on which the person's retirement under those sections began and ending with the day before the person was re-employed in the scheme employment.”.