

SCHEDULE 2

Transitional provisions

PART 7

Transitional provisions relating to the PCSPS(NI)

Ill health retirement certificate not given

36.—(1) This paragraph applies if a member of the PCSPS(NI) (or the member’s employer on behalf of the member)—

- (a) claimed payment of an ill-health pension under that scheme before the member’s transition date; and
- (b) the pension does not become payable before the member’s transition date.

(2) If the member is not entitled to immediate payment of an ill-health pension under the PCSPS(NI), the member joins this scheme on whichever is the later of—

- (a) the member’s transition date; and
- (b) the day after all relevant appeal rights in relation to the scheme medical adviser’s decision not to give an ill-health retirement certificate are exhausted.

(3) In this paragraph—

“all relevant appeal rights” includes the member’s appeal rights under section 2.04 (^{F1}... Retirement on Medical Grounds) of the Northern Ireland Civil Service HR Handbook; and

“ill-health retirement certificate” means a certificate given by the scheme medical adviser under the PCSPS(NI) stating that, in the opinion of the scheme medical adviser, the member has suffered a permanent breakdown in health involving incapacity for employment or total incapacity for employment.

Textual Amendments

- F1** Word in [Sch. 2 para. 36\(3\)](#) omitted (with effect in accordance with of the amending Rule) by virtue of [The Public Service \(Civil Servants and Others\) Pensions \(Amendment\) Regulations \(Northern Ireland\) 2022 \(S.R. 2022/67\)](#), regs. 1(2), **58(9)**

Commencement Information

- II** Sch. 2 para. 36 in operation at 18.12.2014, see [reg. 1\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Public Service (Civil Servants and Others) Pensions Regulations (Northern Ireland) 2014, Paragraph 36.