

1990 No. 39

HEALTH AND PERSONAL SOCIAL SERVICES**The Health and Medicines (Northern Ireland) Order 1988
(Superannuation) (Savings for Retired Practitioners)
Regulations (Northern Ireland) 1990***Made* 5th February 1990*Coming into operation* 1st April 1990

The Department of Health and Social Services, in exercise of the powers conferred by Article 1(5) of the Health and Medicines (Northern Ireland) Order 1988(a) and of all other powers enabling it in that behalf, hereby makes the following regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Health and Medicines (Northern Ireland) Order 1988 (Superannuation) (Savings for Retired Practitioners) Regulations (Northern Ireland) 1990 and shall come into operation on 1st April 1990.

(2) In these Regulations “the Superannuation Regulations” means the Health and Personal Social Services (Superannuation) Regulations (Northern Ireland) 1984(b) and other words and expressions used have the same meaning as in the Superannuation Regulations.

Savings in respect of practitioners’ superannuation

2. Notwithstanding the provisions of Article 5 of the Health and Medicines (Northern Ireland) Order 1988(c) (revocation of regulation 69 of the Superannuation Regulations and consequent reduction of pension on re-employment as a practitioner after attaining the age of 65 years), where at any time in the period beginning on 1st March 1990 and ending on 31st March 1990—

- (a) a practitioner between the ages of 65 and 70 years, who became entitled to a pension as a practitioner on or after attaining the age of 65 years, was engaged in further employment as a practitioner, and
- (b) regulation 69 of the Superannuation Regulations operated in his case with the result that such further employment was disregarded for the purpose of determining whether the pension payable to him under the Superannuation Regulations should be reduced,

(a) S.I. 1988/2249 (N.I. 24). The powers are exercised in connection with the coming into operation of Article 5

(b) S.R. 1984 No. 336 as amended by S.R. 1988 No. 271 and S.R. 1989 No. 173

(c) S.I. 1988/2249 (N.I. 24): the day appointed, by the Health and Medicines (1988 Order) (Commencement No. 3) Order (Northern Ireland) 1989 (S.R. 1989 No. 197 (c. 6)), for the coming into operation of Article 5 is 1st April 1990

any further employment, between the ages of 65 and 70 years, by that practitioner shall continue to be disregarded as if regulation 69 had not been revoked.

Sealed with the Official Seal of the Department of Health and Social Services on 5th February 1990.

(L.S.)

J. Scott

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations make savings in connection with the coming into operation of Article 5 of the Health and Medicines (Northern Ireland) Order 1988 ("the Order"). That Article revokes regulation 69 of the Health and Personal Social Services (Superannuation) Regulations (Northern Ireland) 1984 under which further employment as a medical or dental practitioner within the Health and Personal Social Services, between the ages of 65 and 70 years, is disregarded for the purpose of determining whether there should be a reduction in a pension payable under those Regulations. Regulation 2 of these Regulations, however, enables those practitioners who, in the month preceding the coming into operation of Article 5 of the Order, were taking advantage of regulation 69 to continue to do so as if that provision had not been revoked.