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STATUTORY RULES OF NORTHERN IRELAND

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**2008 No. 130**

**The Health and Personal Social Services (Superannuation Scheme, Injury Benefits, Additional Voluntary Contributions and Compensation for Premature Retirement) (Amendment) Regulations (Northern Ireland) 2008**

**Amendments to the Health and Personal Social Services (Injury Benefits) Regulations**

- 4.—(1) The Injury Benefits Regulations shall be amended as provided by paragraphs (2) to (7);
- (2) In regulation 2(1) (Interpretation) in the definition of “employing authority” after paragraph (g) add—
- “; and
- (h) as regards a person who is subject to a direction made under Article 12(6) of the Superannuation (Northern Ireland) Order 1972, and subject to such modifications to these Regulations as the Department may in any particular case direct, any employer of such a person that the Department agrees to treat as an employing authority for the purposes of these Regulations.”
- (3) In regulation 4(4)(b) (Scale of benefit) omit “permanent”.
- (4) In regulation 5(2) (Recovery of costs)—
- (a) for “claim is made for” substitute “person is entitled to”; and
- (b) omit “pursuant to that claim”.
- (5) After regulation 5(7) (Recovery of costs) add—
- “(8) In any particular case the Department may direct that, for the purposes of this regulation, “employing authority” includes one or more of—
- (a) a successor, transmittee or assignee of an employing authority’s business or functions; and
- (b) the last employing authority of a person to whom these Regulations apply.”.
- (6) For regulation 19A (Claim for benefits) substitute—
- “**19A.** A person claiming to be entitled to benefits under these Regulations and his employing authority, including any previous employing authority of his, shall provide such—
- (a) evidence of entitlement; and
- (b) authority or permission as may be necessary for the release by third parties of information in their possession relating to that person or that entitlement,
- as the Department may from time to time require for the purposes of these Regulations.”.
- (7) In regulation 23 (Determination of questions) after “Department” insert “and any dispute shall be resolved by the Department in accordance with the dispute resolution procedure issued from time to time by it in conformity with Article 50 of the Pensions (Northern Ireland) Order 1995”.