
STATUTORY RULES OF NORTHERN IRELAND

2008 No. 256

The Health and Social Care (Pension Scheme) Regulations (Northern Ireland) 2008

PART 2

BENEFITS FOR OFFICERS

CHAPTER 2

MEMBERSHIP

Joining and leaving the Scheme

Opting out of [^{F1}this Section of] the Scheme

25.—(1) A person who is an active member of [^{F1}this Section of] the Scheme in any [^{F2}HSC] employment may opt at any time to cease to be such a member by giving notice in writing to the person's employing authority.

(2) A person who so opts ceases to be such a member on the date the notice takes effect.

(3) The notice takes effect—

- (a) from the beginning of the first pay period to begin after the notice is received by the employing authority, or
- (b) if the notice specifies a later date, from the beginning of the first pay period after that in which the specified date falls.

[^{F3}(4) A person to whom paragraph (1)(a) of regulation 24 applies in respect of an employment who gives notice in writing under paragraph (1) of this regulation within one month of the date of commencing that HSC employment, is treated as not having become an active member by virtue of that regulation.

(5) A notice under paragraph (1) shall cease to have effect on the day immediately preceding, as the case may be, the person's—

- (a) automatic enrolment date; or
- (b) automatic re-enrolment date: this does not apply where the notice was given within the 12 months immediately preceding that date.

(6) This regulation does not apply to a person to whom sections 3, 5 or 8 of the 2008 Act) and regulations 9 or 15 of the 2010 Regulations) applies (that is, a person who is subject to automatic enrolment or automatic re-enrolment in this Section of the Scheme as a qualifying scheme who does not wish to participate in it): this paragraph does not affect the rights of such a person who subsequently becomes a member of this Section of the Scheme in circumstances where those provisions of the 2008 Act and 2010 Regulations do not apply.]

Textual Amendments

- F1** Words in [reg. 25](#) inserted (with effect in accordance with [reg. 1\(2\)](#) of the amending Rule) by [The Health and Personal Social Services \(Superannuation Scheme, Compensation for Premature Retirement and Additional Voluntary Contributions\), and Health and Social Care \(Pension Scheme\) \(Amendment\) Regulations \(Northern Ireland\) 2010 \(S.R. 2010/22\)](#), [reg. 1\(2\)](#), **Sch. 2 Pt. 1**
- F2** Word in [reg. 25\(1\)](#) inserted (with effect in accordance with [reg. 1\(3\)\(b\)](#) of the amending Rule) by [The Health and Personal Social Services \(Superannuation\), Health and Social Care \(Pension Scheme\) \(Amendment\) Regulations \(Northern Ireland\) 2013 \(S.R. 2013/73\)](#), [regs. 1\(2\)](#), **11(2)**
- F3** [Reg. 25\(4\)-\(6\)](#) substituted (with effect in accordance with [reg. 1\(3\)\(b\)](#) of the amending Rule) by [The Health and Personal Social Services \(Superannuation\), Health and Social Care \(Pension Scheme\) \(Amendment\) Regulations \(Northern Ireland\) 2013 \(S.R. 2013/73\)](#), [regs. 1\(2\)](#), **11(3)**

Changes to legislation:

There are currently no known outstanding effects for the The Health and Social Care (Pension Scheme) Regulations (Northern Ireland) 2008, Section 25.