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STATUTORY RULES OF NORTHERN IRELAND

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**2008 No. 256**

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

**PART 2**

**BENEFITS FOR OFFICERS**

**CHAPTER 3**

**CONTRIBUTIONS**

*Additional contributions to purchase additional pensions*

**Effect of member being absent or leaving and rejoining [<sup>F1</sup>this Section of] the Scheme during the contribution option period**

**35.**—(1) This paragraph applies if during the contribution option period a member who has exercised the option under regulation 34 is absent from work because of—

- (a) illness or injury,
- (b) maternity leave,
- (c) adoption leave,
- (d) paternity leave,
- (e) parental leave, [<sup>F2</sup>shared parental leave,]<sup>F3</sup>...
- (f) a leave of absence of the kind mentioned in regulation 9(3)<sup>F4</sup>, or]

[<sup>F5</sup>(g) parental bereavement leave.]

(2) If paragraph (1) applies—

- (a) the contributions under the option continue to be payable unless the member ceases paying contributions under regulation 27, and
- (b) where the member does so cease, the member may continue to make contributions in accordance with the option if the member resumes making contributions under regulation 27 before the end of the period of 12 months beginning with the day on which the member first ceased to pay those contributions.

(3) This paragraph applies if—

- (a) a member exercises the option under regulation 34,
- (b) the member ceases to be an active member during the contribution option period, and
- (c) the member becomes an active member again before the end of the period of 12 months beginning with the day on which the member ceased to be an active member.

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**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Health and Social Care (Pension Scheme) Regulations (Northern Ireland) 2008. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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(4) If paragraph (3) applies, the member may continue to make contributions in accordance with the option after becoming an active member again unless a repayment of contributions has been made to the member under regulation 44.

(5) For the purposes of paragraph (4) it does not matter whether the member has paid any of the repaid contributions back to the Department.

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#### Textual Amendments

- F1** Words in [reg. 35](#) heading 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** Words in [reg. 35\(1\)\(e\)](#) inserted (with effect in accordance with [reg. 1\(3\)](#) of the amending Rule) by [The Health and Social Care Pension Scheme \(Amendment\) Regulations \(Northern Ireland\) 2023 \(S.R. 2023/33\)](#), [regs. 1\(2\)](#), **9**
- F3** Word in [reg. 35\(1\)\(e\)](#) omitted (29.9.2023) by virtue of [The Parental Bereavement Leave and Pay \(Consequential Amendments to Subordinate Legislation\) \(No. 2\) Regulations \(Northern Ireland\) 2023 \(S.R. 2023/157\)](#), [regs. 1\(1\)](#), **15(5)(a)**, **34**
- F4** Words in [reg. 35\(1\)\(f\)](#) substituted (29.9.2023) by [The Parental Bereavement Leave and Pay \(Consequential Amendments to Subordinate Legislation\) \(No. 2\) Regulations \(Northern Ireland\) 2023 \(S.R. 2023/157\)](#), [regs. 1\(1\)](#), **15(5)(b)**, **34**
- F5** [Reg. 35\(1\)\(g\)](#) inserted (29.9.2023) by [The Parental Bereavement Leave and Pay \(Consequential Amendments to Subordinate Legislation\) \(No. 2\) Regulations \(Northern Ireland\) 2023 \(S.R. 2023/157\)](#), [regs. 1\(1\)](#), **15(5)(c)**, **34**
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#### Modifications etc. (not altering text)

- C1** [Regs. 34-41](#) applied (with modifications) (1.4.2015) by [The Health and Social Care Pension Scheme \(Transitional and Consequential Provisions\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/122\)](#), [regs. 1](#), **23(2)(a)(3)(b)(i)**

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**Changes and effects yet to be applied to the whole Rule associated Parts and Chapters:**

Whole provisions yet to be inserted into this Rule (including any effects on those provisions):

- [reg. 49\(9A\)](#) inserted by [S.R. 2024/117 reg. 12\(6\)](#)