
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 188

The Health and Personal Social Services
(Superannuation Scheme and Injury Benefits)
and Health and Social Care (Pension Scheme)
(Amendment) Regulations (Northern Ireland) 2009

PART 3

AMENDMENT OF THE HEALTH AND SOCIAL CARE (PENSION
SCHEME) REGULATIONS (NORTHERN IRELAND) 2008

Amendment of regulation 30

20. For regulation 30 (Part-time employees), substitute—

“Non-GP providers

30.—(1) If, in respect of a scheme year, a member who is a non-GP provider—

- (a) has certified their pensionable earnings in accordance with regulation 136 and forwarded a record of those earnings to the host Board; or
- (b) was not required to certify their earnings in accordance with that regulation but the host Board has the figure that represents the non-GP provider’s pensionable earnings for that scheme year,

contributions payable for that scheme year, shall be those specified in column 2 of the table in paragraph (2) of regulation 28, in respect of the amount of pensionable earnings referred to in column 1 of that table which corresponds to the certified or final pensionable earnings from all non-GP provider sources and any additional pensionable earnings the non-GP provider is treated as having received during a break in service in accordance with regulation 14.

(2) If paragraph (1) does not apply to a non-GP provider in respect of a scheme year, that non-GP provider shall pay contributions at the rate in column 2 of the table in paragraph (2) of regulation 28, which—

- (a) has been agreed between the host Board on the one hand and the non-GP provider on the other hand; or
- (b) corresponds to the non-GP provider’s most recent certified or final pensionable earnings referred to in paragraph (1); or
- (c) corresponds to the host Board’s estimate of the non-GP provider’s pensionable earnings from all non-GP provider sources for that year.

This is subject to paragraph (3).

(3) If paragraph (2) applies to a non-GP provider in respect of a scheme year and paragraph (1) (a) or (b) is subsequently satisfied in respect of that scheme year, that non-GP provider shall pay contributions at the rate determined in accordance with paragraph (1).

(4) A host Board may adjust a non-GP provider's contribution rate for any scheme year determined in accordance with paragraph (2)—

- (a) by agreement between the host Board on the one hand and the non-GP provider on the other hand; or
- (b) without such agreement, if the host Board is satisfied that pensionable earnings will exceed the amount used to determine the contribution rate in accordance with that paragraph.

(5) If a member is in non-GP provider service and concurrently in HSC employment in respect of which the member is liable to pay contributions in accordance with regulation 29, contributions payable in respect of the member's non-GP provider service shall be determined under this regulation and contributions payable in respect of the member's HSC employment shall be determined under regulation 29.

(6) In determining the contributions payable in accordance with this regulation, a host Board must take account of pensionable earnings as a non-GP provider from all non-GP provider sources, including any pensionable earnings as a non-GP provider determined by another host Board.

(7) An employing authority that is not a host Board shall, in respect of any pensionable earnings it pays to a non-GP provider, take advice from any relevant host Board in determining the contributions payable in accordance with this regulation.

(8) If, apart from this paragraph, the earnings for a scheme year in respect of a member's non-GP provider service would not be a whole number of pounds, those earnings must be rounded down to the nearest whole pound.”