
STATUTORY RULES OF NORTHERN IRELAND

2010 No. 22

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

PART 3

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

Amendment of regulation 98

49.—(1) Regulation 98 (Calculating amounts of transfer value payments) is amended as provided by paragraphs (2) and (3).

(2) For paragraph (4), substitute—

“(4) In paragraph (3) “minimum transfer value” means—

- (a) in the case of a person other than a 2008 Section Optant, the sum of—
 - (i) any transfer value payments that have been made to this Section of the Scheme in respect of the person as a result of which the person is entitled to count any pensionable service under this Section of the Scheme by reference to which the accrued rights subject to the transfer are calculated, and
 - (ii) any contributions paid by the person under Chapter 3 of this Part as a result of which the person is entitled to count such service;
- (b) in the case of a 2008 Section Optant, the sum of—
 - (i) any transfer value payments that have been made to this Section of the Scheme in respect of the person as a result of which the person is entitled to count any pensionable service under this Section of the Scheme by reference to which the accrued rights subject to the transfer are calculated,
 - (ii) any contributions paid by the person under Chapter 3 of this Part as a result of which the person is entitled to count such service, and
 - (iii) the aggregate of any—
 - (aa) transfer value payments that have been made to the 1995 Section in respect of the Optant;
 - (bb) any contributions paid by the Optant under regulation 10 of the 1995 Regulations (Contributions by members) in respect of superannuable employment in that Section on or before 31st March 2008; and

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(cc) any payments made by the Optant under regulation 67 of the 1995 Regulations (Right to buy additional service) for the purchase of additional service,

which entitle the Optant to count, under Chapter 10 of this Part, any pensionable service by reference to which the accrued rights subject to the transfer are calculated.”.

(3) After paragraph (5), add—

“(6) In the case of a 2008 Section Optant, this regulation is subject to regulation 136L.”.