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STATUTORY RULES OF NORTHERN IRELAND

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**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

**New regulation 153A**

63. After regulation 153 (Eligibility: general), insert—

**“Eligibility: transitional**

**153A**

- (1) A person is eligible to be an active member of this Section of the Scheme if—
- (a) the Department has accepted that person’s option to join this Section of the Scheme under Chapter 10 of this Part; and
  - (b) that person is not prevented by regulation 154 or 158 from doing so.
- (2) If a person referred to in paragraph (1)—
- (a) is entitled to a tier 1 ill-health pension under regulations 13A(3)(a) of the 1995 Regulations (Ill-health pension on early retirement); and
  - (b) as the result of a determination made by the Department under regulation 13B(3) of those Regulations, that person becomes entitled to a tier 2 ill-health pension in place of that tier 1 ill-health pension,

that person shall cease to be eligible to be an active member of this Section of the Scheme from the date the Department makes that determination.”.