
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 182

73.—(1) Regulation 182 (Early retirement on ill-health (active members and non-contributing members)) is amended as provided by paragraphs (2) to (4).

(2) For paragraph (5)(b), substitute—

- “(b) is not increased by the enhancement period in the circumstances referred to in (a) if—
- (i) the member’s pensionable service before and after the break is treated separately under regulation 237, or
 - (ii) the member’s pensionable service in respect of an earlier service credit is treated separately under regulation 260G.”.

(3) In paragraph (17) for the definition of “permanently”, substitute—

““permanently” means—

- (a) the period until age 65; and
- (b) in the case of a 2008 Section Optant who, before joining this Section of the Scheme, was assessed by a medical adviser as being—
 - (i) permanently incapable of efficiently discharging their duties for the purposes of regulation 13A(2)(b)(i) of the 1995 Regulations (Ill-health pension on early retirement), that Optant shall be deemed to be permanently incapable of discharging the duties of the Optant’s employment efficiently for the purposes of paragraph (2)(a),
 - (ii) permanently incapable of regular employment of like duration for the purposes of regulation 13A(2)(b)(ii) of the 1995 Regulations, that Optant shall be deemed to be permanently incapable of engaging in regular employment of like duration for the purposes of paragraph (3)(a);”.

(4) After paragraph (17), add—

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

“(18) In the case of a 2008 Section Optant, this regulation is subject to regulations 260K, 260M to 260P and 260R.”.