

EXPLANATORY MEMORANDUM TO

The Health and Personal Social Services (Superannuation Scheme, Injury Benefits and Additional Voluntary Contributions), Health and Social Care (Pension Scheme) (Amendment) Regulations (Northern Ireland) 2010

S.R. 2010 No. 286

1. Introduction

- 1.1. This Explanatory Memorandum has been prepared by the Department of Health, Social Services and Public Safety to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under Articles 12(1), (2), 14(1), (2) and (3) of, and Schedule 3 to, the Superannuation (Northern Ireland) Order 1972 and is subject to the negative resolution procedure.

2. Purpose

- 2.1. The main purpose of the rule is to allow certain pensioner members of the 1995 Section of the HSC Pension Scheme to join the 2008 Section of that Scheme if they are re-employed in the HSC/NHS following retirement.
- 2.2. This instrument also makes various miscellaneous amendments to four statutory rules relating to pensions and benefits provided to Health and Social Care staff.

3. Background

- *What is being done and why*

To allow certain pensioner members of the 1995 Section of the HSC Pension Scheme to be able to join the 2008 Section of that Scheme if they are re-employed in the HSC/NHS following retirement

- 3.1. These changes follow on from the reforms already introduced as a result of the review of the NHS Pension Scheme in E&W (led by the NHS Employers Organisation in partnership with the NHS Trade unions (the Review Partners)), which aims to ensure long-term affordability of pension provision. In particular the introduction of a new section of the HSC Pension Scheme for new entrant HSC staff from 1 April 2008, (the '2008 Section').
- 3.2. The Review Partners had wanted all members who were active at 1 April 2008 to have the opportunity to transfer to the more flexible 2008 Section, including members retiring from the 1995 Section between then and 30 September 2009. However, scheme advisors warned that allowing age 60 retirement benefits under the 1995 Section to this member group **AND** early access to the 2008 Section, would very significantly increase the risk of behavioural change and unaffordable Scheme costs. In effect, members would have been able to withdraw their benefits from the 1995 Section significantly earlier than they would normally have done, without losing any ability to earn further benefits under the 2008 Section. The Review Partners concluded that the best way to control behavioural changes and costs, whilst mitigating the risk of legal challenge, would be to allow these

pensioners to accrue further benefits in the 2008 Section after an agreed period of elapsed time following retirement from the 1995 Section (“a waiting period”). Such pensioners are referred to as “Waiting Period Joiners” once they have joined the 2008 Section, and the detail of the arrangements that apply to this group are covered at paragraphs 3.3(1) to (8) below.

Amendments relating to “Waiting Periods” for 1995 Section Pensioners in detail
(Amending regulations 3(e), 5, 8, 9, 10, 11, 17(d), 20, 21, 24, 25, 26, 27, 28, 29, 30, 34, 35(e), 38, 39, 41, 42, 43, 44, 45, 46, 47, and 51)

3.3. (1) Regulations dealing with eligibility to join the 2008 Section after a period of elapsed time following retirement from the 1995 Section

Amending regulation 20 amends regulation 21A (Eligibility: transitional)

Amending regulation 38 amends regulation 153A (Eligibility: transitional)

New paragraphs (3) to (8) provide for 1995 Section pensioners retiring between 1 April 2008 and 30 September 2009, to be eligible to join the 2008 Section on re-employment in the HSC/NHS after a period of time has passed since their retirement (“a waiting period”)¹.

The length of the “waiting period” will depend on the kind of 1995 Section pension being paid to each pensioner.

If the pensioner is being paid:

- a normal (age) retirement pension,
- an actuarially reduced early retirement pension,
- a redundancy or an ill health pension that has not been increased by any extra service,

“Waiting Period A” will apply and will last for two years following the date of retirement from the 1995 Section.

If the 1995 Section pensioner is being paid a redundancy or ill health pension that has been permanently increased by any extra service, “Waiting Period B” will apply and will start at the pensioner’s retirement date and continue for the longest of the following two periods:

- two years, or
- the calendar length of the extra service included in the pension.

¹ These new provisions will not apply to 1995 pensioners who are eligible to re-join the 1995 Section from the first day of their further employment (all members in receipt of an old style ill health or a new style tier 1 ill health pension who are under 50 years of age)

If the pensioner is receiving a tier 2 new style ill-health pension² the “waiting period“ will continue until the end of whichever of the following periods finishes last:

- two years following the date of retirement, or
- one year following the date the further HSC/NHS employment begins (on this date the pensioner’s higher rate tier 2 pension will revert permanently to a lower rate tier 1 ill-health pension³)

New paragraph (6) prevents a Waiting Period Joiner from accruing further service in the 2008 Section if, on review, their 1995 Section tier 1 ill-health pension is converted into a higher rate tier 2 ill-health pension.

New paragraph (8) ensures that the waiting periods also apply to other health service scheme pensioners⁴ who are employed by HSC employing authorities if their retirement took place between 1 April 2008 and 30 September 2009.

Consequential Amendments – amendments made to regulations 21A and 153A have consequential amendments in 2 amending regulations.

Regulation 21 amends **regulation 22** (Restrictions on eligibility: general)

Regulation 39 amends **regulation 154** (Restrictions on eligibility: general) so that restrictions that would prevent a Waiting Period Joiner (including those joining from other health service schemes) from becoming a member of the 2008 Section of the Scheme are removed.

(2) Variations to benefits and consequential amendments

Regulation 34 inserts new Chapter 11 of Part 2 “Waiting Period Joiners”

Regulation 51 inserts new Chapter 11 of Part 3 “Waiting Period Joiners”

Waiting Period Joiners have entitlement to benefits under the two discrete sections of the HSC Pension Scheme. The New Chapter 11’s contain provisions that ensure they are treated consistently with members whose service pre- and post retirement has accrued in the same section of the HSC Pension Scheme.

(3) New Regulations 136Y and 260X (Application of Chapters 11 of Parts 2 and 3)

These regulations provide a short introduction to new Chapters 11 of Parts 2 and 3. They coin the phrase “Waiting Period Joiner” and that is how 1995 pensioners who join the 2008 Section under the new provisions are referred to throughout new Chapters 11.

Consequential Amendments – regulations 136Y and 260X have consequential amendments in three amending regulations.

² Tier 2 ill health pensions include extra service equal to 2/3rds the members prospective service to normal retirement age

³ Tier 1 ill-health pensions do not include any extra service, they are based on the member’s service at retirement

⁴ NHS Schemes in England & Wales, Scotland and the Isle of Man

Regulation 3(e) inserts “Waiting Period Joiner” into the definitions in 1995 Regulation 2 (Interpretation),

Regulation 17(d) inserts “Waiting Period Joiner” into the definitions in 2008 Regulation 6 (Interpretation general), and

Regulation 35(e) inserts “Waiting Period Joiner” into the definitions in 2008 regulation 137 (Interpretation of part 3: general).

(4) **New Regulations 136Z and 260Y** (Nominations and notices accepted by the Department under the 1995 Regulations and Chapter 5 of this Part of these Regulations)

These regulations provide for Waiting Period Joiners who have made nominations or given notices in the 1995 Section for:

- a lump sum nomination under regulations 18 to 21 of that Section,
- a notice under regulation 22(3)(a) that the member’s surviving partner is not to receive a lump sum under regulations 18 to 21, or
- a notice for the purposes of regulation 31E of that Section nominating a partner to receive a surviving nominated partner pension

to have those notices or nominations treated as if they were notices or nominations made under the 2008 Section.

These new regulations also work in tandem with the amendments made by:

- **amending regulation 8** (changes to 1995 regulation 22 (Payment of lump sum)) and
- **amending regulation 10** (changes to 1995 regulation 31E (Surviving nominated partner’s pension))

to ensure that any new notices, nominations or declarations given by a Waiting Period Joiner in respect of potential recipients of death benefits will apply to such benefits in both the 1995 and the 2008 Sections of the Scheme.

Consequential Amendments – 136Z and 260Y have two consequential amendments each.

“In the case of a Waiting Period Joiner, this regulation is subject to regulation 136Z” is inserted by:

Regulation 25 at paragraph (4) of 68 (Meaning of “surviving nominated partner”), and

Regulation 30 at paragraph (14) of 87 (Payment of lump sums or pensions on death)

“In the case of a Waiting Period Joiner, this regulation is subject to regulation 260Y” is inserted by:

Regulation 42 at paragraph (4) of 195 (Meaning of “surviving nominated partner”), and

Regulation 47 at paragraph (14) of 214 (Payment of lump sums or pensions on death)

(5) **New Regulations 136ZA and 260Z** (Waiting Period Joiners who are in receipt of a tier 1 ill-health pension under Regulation 13A of the 1995 Regulations)

These new regulations ensure that a tier 2 ill-health pension cannot be paid twice in respect of 1995 and 2008 Section service.

Where a Waiting Period Joiner’s 1995 tier 1 ill-health pension converts to a higher rate tier 2 pension under 1995 Regulation 13B, any further ill health pension for service in the 2008 section is restricted to a tier 1 pension.

Conversely, these regulations also work in tandem with the amendments made by **amending regulation 5** to 1995 Regulation 13B to ensure that if a Waiting Period Joiner becomes entitled to a tier 2 ill-health pension in respect of service in the 2008 Section, they cannot also be paid a tier 2 ill-health pension in respect of their service in the 1995 Section following a review of their 1995 Section tier 1 ill-health pension.

Consequential Amendments – 136ZA and 260Z have one consequential amendment each.

“In the case of a Waiting Period Joiner, this regulation is subject to regulation 136ZA” and

“In the case of a Waiting Period Joiner, this regulation is subject to regulation 260Z” are inserted by:

Regulation 24 at paragraph (19) of regulation 52 (Early retirement on ill health (active members and non-contributing members))

Regulation 41 at paragraph (19) of regulation 182 (Early retirement on ill health (active members and non-contributing members))

(6) **New Regulations 136ZB and 260ZA** (Lump sum payable on the death of a Waiting Period Joiner).

These new regulations ensure that the death benefit lump sum in respect of a Waiting Period Joiner’s later (2008 Section) service is not twice annual reckonable pay. Instead, if a Waiting Period Joiner dies ‘in service’, the death benefit lump sum will be equal to five times the tier 2 ill-health pension for service in the 2008 Section or five times the normal retirement pension if they are over age 65 or have more than 45 years service at the time of their death.

If the Waiting Period Joiner has ‘drawn down’ part of their 2008 Section benefits, the Department will decide the benefits to be paid following advice from the Scheme Actuary.

Consequential Amendments – 136ZB and 260ZA have one consequential amendment each.

“and in the case of a Waiting Period Joiner, this is subject to regulation 136ZB” and

“and in the case of a Waiting Period Joiner, this is subject to regulation 260ZA” is inserted by:

Regulation 29 at the end of paragraph (1) of regulation 83 (Amount of lump sum: single capacity members and recent leavers (disregarding regulation 49 employments)), and

Regulation 46 inserts at the end of paragraph (1) of regulation 210 (Amount of lump sum: single capacity members and recent leavers (disregarding regulation 180 employments)).

(7) New Regulations 136ZC and 260ZB (Children's pensions payable on the death of a Waiting Period Joiner)

Children's pensions are based on a proportion of the member's pension based on a minimum of 10 years service. In the case of re-employed pensioners the minimum only applies if both the earlier and the later service (in reemployment) combined is less than ten years. If the member's combined service is less than 10 years the later service is increased by the difference. These new regulations work in tandem with the amendments made by **amending regulation 11** to 1995 Section regulation 35 (Member dies after pension becomes payable) to ensure that, in the case of a Waiting Period Joiner, service is not increased to 10 years in both Sections of the Scheme (so that a child allowance would be based on a minimum of 20 years service). The children's pension from the 1995 Section will be based on a proportion of the member's actual service in that Section and, where the member's combined service is less than 10 years, service in the 2008 Section will be increased by the shortfall.

Consequential Amendments – 136ZC and 260ZB have three consequential amendments each.

“and in the case of a Waiting Period Joiner, this is subject to regulation 136ZC” is inserted by,

Regulation 26 at the end of paragraph (4) of regulation 76 (Amount of children's pension under regulation 74: deceased active members and deceased non-contributing members)

Regulation 27 at the end of paragraph (3) of regulation 77 (Amount of children's pension under regulation 74: deceased pensioner members)

Regulation 28 at the end of paragraph (3) of regulation 78 (Amount of children's pension under regulation 74: deceased deferred members),

“and in the case of a Waiting Period Joiner, this is subject to regulation 260ZB” is inserted by,

Regulation 43 at the end of paragraph (3) of regulation 203 (Amount of children's pension under regulation 201: deceased active members and deceased non-contributing members)

Regulation 44 at the end of paragraph (3) of regulation 204 (Amount of children’s pension under regulation 201: deceased pensioner members)
Regulation 45 at the end of paragraph (3) of regulation 205 (Amount of children’s pension under regulation 201: deceased deferred members).

(8) The final amendment made in respect of Waiting Period Joiners is made by **amending regulation 9**.

This amendment to 1995 Section regulation 25 (Member dies after pension becomes payable) ensures that the initial rate of any partner pension paid in respect of 1995 Section service will take account of any abatement in force if a Waiting Period Joiner dies whilst an active member of the 2008 Section. (This ensures consistency with the treatment of re- employed pensioners whose pensionable service is all within one Section of the Scheme).

Miscellaneous changes made by this rule to both the HSC Pension Scheme Regulations governing the 1995 Section and the 2008 Section

3.4. (1) Clarification of the definition of “Ophthalmic Provider”

Amending regulations 3(a) to (e) amend 1995 Regulation 2

Amending regulations 17 (a) to (d) and 35(a) to (e) amend 2008 Regulations 6 and 137

These amendments further clarify the definitions of ophthalmic provider (OP) and “practitioner”. The changes confirm that an OP who is:

- a “registered medical practitioner” (but not necessarily a general medical practitioner) and
- who holds a “general ophthalmic services” contract,

will be pensionable in the HSC Scheme as a “principal medical practitioner”.

In addition, 1995 regulation 2 gains a new definition for “registered medical practitioner” and consequential amendments for the existing definitions of “GMS practice” “host Health and Social Services Board” and “practitioner”.

2008 regulation 6 gains new definitions for “general ophthalmic services” “(GOS) arrangements”, “GP provider”, “ophthalmic provider” and “registered medical practitioner” and consequential amendments for the existing definitions of “host Board”, “practitioner” and “GMS practice”.

2008 regulation 137 gains a new definition for “registered medical practitioner”, and consequential amendments for the existing definitions of “GMS practice”, “host Board”, “practitioner” and “registered medical practitioner”.

(2) Future access to the 1995 Section –

Amending regulation 4(2)(f) inserts new sub-paragraphs (l) to (q) into paragraph (1) of 1995 Regulation 7

Amending regulation 12 amends 1995 regulation 59, and **Amending regulations 19 and 37** insert new paragraphs (g), (h), (i) and (j) into paragraph (5) of 2008 regulations 21 and 153

Pensioner members of other Health Service Schemes

Amending regulation 4(2)(f) inserts new sub-paragraph (l) to 1995 regulation 7.

This new sub-paragraph ensures that pensioners from other health service pension schemes are only able to join the 1995 Section after retirement if they would be able to do so had their pension been paid as a result of HSC pensionable employment in Northern Ireland. This ensures consistency of treatment of re-employed pensioners across all health service schemes.

Persons who have opted out of the 1995 Section

Deferred 1995 Section Members

1995 Regulations - Amending regulation 4(2)(f) inserts new sub-paragraphs (m) and (n) into regulation 7(1)
Amending regulation 12 amends regulation 59.

2008 Regulations- Amending regulations 19 and 37 insert new subparagraphs (g) and (h) into regulations 21(5) and 153(5)

From 1 April 2010 if a deferred member of the 1995 Section applies to join the HSC Pension Scheme after having opted out of that Section for a period of five years or more, they will be eligible to join the 2008 Section only. They will have an opportunity to transfer any deferred 1995 Section benefits to the 2008 Section on a cash equivalent basis.

Members who opt out of the 1995 Section before securing deferred benefits

1995 Regulations - Amending regulation 4(2)(f) inserts new sub-paragraphs (o) to (q) into regulation 7(1)

2008 Regulations- Amending regulations 19 and 37 insert new subparagraphs (i) and (j) into regulations 21(5) and 153(5)

These amendments are made with retrospective effect from 1 April 2008.

They apply to former members who started HSC employment before 1 April 2008 but had either:

- chosen to opt out of the 1995 Section immediately on starting that employment, or

- chosen to do so shortly after starting that employment and either taken a refund or transfer of any contributions paid (or are compelled to take a refund of contributions paid because they have not been active in the 1995 Section for a period of twelve months or more),

In these circumstances, former members who have opted out of the 1995 Section and who apply to join or re-join the HSC Scheme will be treated in the same way as new staff who first work in the HSC on or after 1 April 2008. This means they will be able to join the 2008 Section but will not be able to join the 1995 Section of the Scheme.

(3) Adjustments for the revaluation of ‘Additional Pension’ when inflation is negative

Amending regulation 14 amends 1995 regulation 73J

Amending regulation 23 and 40 amend 2008 regulations 43 & 174

These amendments clarify the means by which Additional Pension (AP) is revalued to take account of inflation, and make technical adjustments in both Sections of the Scheme. The amendments will ensure that members always get at least the amount of Additional Pension they contracted to buy following a period(s) of ‘negative inflation’, and experience neither a “windfall gain”, nor an “unexpected loss”, if AP is purchased by lump sum payment close to retirement. The amendments are made to 1995 regulation 73J, and its 2008 Section equivalents at regulations 43 and 174, respectively.

New paragraph (2) of regulations 43 and 174 will ensure that AP is only revalued in line with the retail prices index (RPI) where the period between the purchase date and the payable date of the AP is greater than 2 months. New Step 4 of paragraph (5) of regulations 43 and 174 will remove any potential for ‘negative’ inflation during the revaluation period to cause a reduction in the basic amount of AP a member has contracted to buy.

(4) Practice Shareholders

Amending regulation 36 amends 2008 regulation 148 (Distribution of pensionable earnings between principal dental practitioners employed or engaged by the same GDS or PDS contractor). The changes add any practice shareholder involved to the range of interested parties declared, when returns are completed in connection with the distribution of pensionable earnings between principal dental practitioners.

Miscellaneous changes made only to the HSC Pension Scheme Regulations governing the 1995 Section

- 3.5. (1) **Former members of other health service pension schemes coming to work in Northern Ireland**

Amending regulation (4)(2)(a) to (e) amends sub-paragraphs (f) to (k) of 1995 regulation 7 (Restrictions on membership).

Sub-paragraphs (f) to (k) of regulation 7 make provision for former members of the 1995 Section and former members of the 1995 Section of other health service pension schemes to be excluded from the Northern Ireland 1995 Section on their return in certain circumstances. Such members are however able to join the 2008 Section for future service. These amendments clarify that the sub-paragraphs apply also to former members of the 1995 Section of other health service pension schemes who are coming to work in the HSC in Northern Ireland for the first time.

(2) Actuarially reduced pensions in the 1995 Section and “part payment for additional service or unreduced lump sum”

Amending regulations 6, 7 and 13 amend 1995 Regulations 16(2), 17(7)(b) and 73(6)

These amendments make technical changes only to 1995 regulations 16(2), 17(7)(b) and 73(6), in order to clarify that benefits resulting from a contract to purchase additional service are reduced as described in regulation 73(5) and (6), and are not also subject to the actuarial reduction mentioned in regulations 16(2) and 17(7)(b) when the member is retiring before normal pension age and claiming actuarially reduced benefits under those regulations.

(3) Contributions by host board

Amending regulation 15 amends regulation 10(8)(b) of Schedule 2 (Medical and Dental Practitioners) to the 1995 Regulations. This is a technical amendment only, clarifying the type of contributions to be paid by a host board, when paragraph 10(8)(a) does not apply.

Miscellaneous changes made only to the HSC Pension Scheme Regulations governing the 2008 Section

3.6 (1) Meaning of ‘reckonable pay’

Amending regulation 18 amends 2008 regulation 15 (Meaning of ‘reckonable pay’: general).

This amendment clarifies the meaning of ‘reckonable pay’ by fleshing out the aim and local definitions used for the calculation “ $IRP \times (RPa/RPi)$ ”, set out in paragraph (3) of the regulation. There are no changes in the way that regulation 15 operates and no impact for the related regulations 16 to 19.

(2) 2008 Section Optants and redundancy benefits

Amending regulation 22 amends 2008 regulation 32 (Contributions by employing authorities: members becoming entitled to pensions under regulation 55)

This amendment clarifies that if a 2008 Section Optant (a former 1995 Section member who has opted to join and transfer all membership to the 2008 Section) becomes entitled to redundancy benefits, their employing authority must pay a contribution to cover the cost of the early payment of the lump sum that Optant is required to take.

(3) 2008 Section Optants and abatement

Amending regulation 31 amends 2008 regulation 118 (Meaning of “relevant income”)

Amending regulation 48 amends 244 (Meaning of “relevant income”).

These amendments clarify that if a 2008 Section Optant is being assessed for abatement, it is the pension after it has been reduced to provide the mandatory lump sum that is taken into account.

(4) Eligibility of 1995 Section members to choose to move to the 2008 Section

Persons who are both active and pensioner members of the 1995 Section

Amending regulation 32 amends regulation 136A (Application of chapter 10 of this Part)

Amending regulation 49 amends regulation 260A (application of chapter 10 of this Part)

These amendments clarify that 1995 Section members who are in receipt of a redundancy pension in respect of a post which ran concurrently with either another pensionable part-time HSC post or a pensionable post as a general practitioner are eligible to make an election to join and transfer to the 2008 Section. These amendments have retrospective effect to 1 October 2009.

Persons who have reached the service or age limits in the 1995 Section

Amending regulation 33 amends regulation 136B (Options for 1995 Section members to join this Section of the Scheme under Chapter 10 of this Part)

Amending regulation 50 amends regulation 260B (Options for 1995 Section members to join this Section of the Scheme under Chapter 10 of this Part)

These amendments ensure that the Department may accept an option to join and transfer to the 2008 Section given by a 1995 Section member who has reached the service or age limits in that section but who has not retired

from HSC work. These amendments have retrospective effect to 1 October 2009.

3.7 **Amendments made to the Injury Benefits Regulations -**

Amending regulations 53 and 54 make amendments to the (Injury Benefits) Regulations 2001, to update the definitions relating to HSC practitioners in the Injury Benefits regulations 2 and 2A. The changes bring these definitions into line with the similar changes made in the 1995 and 2008 Sections of the HSC Pension Scheme via amending regulations 3(a) and (e), and 17(a) and (d) and 35 (a) and (e) respectively, see Explanatory Memorandum paragraph 3.4.

3.8 **Amendments made to the Additional Voluntary Contributions Regulations**

Amending regulation 55 makes amendments to the (Additional Voluntary Contributions) Regulations 1999, to take advantage of new HMRC easements made under “The Registered Pension Schemes (Authorised Payments) Regulations 2009” (S.I. 2009 No 1171). This Instrument “authorises” a variety of payments that currently would not be permitted under Finance Act 2004 rules, including the release of “small” or “stranded” investments in the AVC schemes of public service and other occupational pension schemes.

Paragraphs (2), (4), (5) and (6), amend regulations 3, 11, 15 and paragraph (4) of Schedule 2 to the HSC AVC Regulations, so that a member with AVC proceeds totalling less than £2,000 (disregarding main scheme and other pension holdings) who is unable to secure an annuity, will be able to take the AVC payment as a stand-alone lump sum. The arrangement will have few restrictions, but HMRC rules will require members to be aged between 60 and 75 and will exclude AVC funds that have received transfers in within the previous 5 years or transfers out within the past 3 years.

Finally, paragraph (3) makes technical amendments correcting references to the main HSC Pension Scheme Regulations.

3.9 **Persons detrimentally affected by the changes**

Amending regulation 56 provides for a deferred member, or a member in receipt of a relevant benefit, whose position under these regulations would be worsened by any retrospective provision, to elect that that provision will not apply to them.

4. **Consultation**

- 4.1. A formal consultation exercise on the amending regulations began on the 6 May 2010 and ended on the 21 May 2010.

4.2. Amongst those consulted were: HSC Trades Union representatives, HSC Employers; HSC Pension Service (the Scheme Administrators); Government Actuary's Department and HM Treasury.

4.3. No responses were received

5. Equality Impact

5.1. The Department concluded that the new arrangements were not likely to have a significant impact on equality of opportunity for any group referred to in section 75 of the Northern Ireland Act 1998 and therefore a full EQIA was not recommended.

6. Regulatory Impact

6.1. The costs and benefits relating to this particular SR are subsumed in the overall costs and benefits of the root and branch review of the HSC Pension Scheme. These regulations represent the fifth phase of a series of statutory rules, which implement staged changes following the partnership review of the Scheme.

7. Financial Implications

7.1. The costs and benefits relating to this particular SR are subsumed in the overall costs and benefits of the root and branch review of the HSC Pension Scheme.

8. Section 24 of the Northern Ireland Act 1998

8.1. Legal advice confirms that the provisions of this rule comply with section 24 of the Northern Ireland Act 1998.

9. EU Implications

9.1. Not appropriate

10. Parity or Replicatory Measure

10.1. It is general policy to mirror arrangements in GB in relation to pensions legislation. This rule mirrors The National Health Service Pension Scheme, Injury Benefits and Additional Voluntary Contributions (Amendment) Regulations 2010 (S.I. 2010/492) for NHS employees in England and Wales. Similar provisions will also be provided for NHS employees in Scotland.

11. Additional Information

11.1. Not applicable