
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 120

**The Health and Social Care Pension Scheme
Regulations (Northern Ireland) 2015**

PART 5

Member's benefits

CHAPTER 5

Ill-Health pension

Re-assessment of entitlement

92.—(1) This regulation applies if—

- (a) in respect of a member (M) the scheme manager is satisfied as mentioned in regulation 89(2)(c); and
- (b) at the time M is awarded a pension the scheme manager gives M notice in writing as mentioned in paragraph (2).

(2) The notice is that M's case may be considered once within a period of three years beginning with the date of the award to determine whether, at the date of the consideration, M meets the condition in regulation 89(3)(b).

(3) M may apply to the scheme manager for a review of whether M subsequently meets the condition in regulation 89(3)(b) if—

- (a) M makes the application in writing not later than the relevant date;
- (b) the application is accompanied by further written medical evidence—
 - (i) relating to whether, at the date of the scheme manager's review, M has the physical or mental infirmity mentioned in regulation 89(3)(b); and
 - (ii) that relates to the same physical or mental infirmity as a result of which M met the condition in regulation 89(2)(c);
- (c) no previous application for a review has been made under this paragraph; and
- (d) M has not become entitled to a Tier 2 IHP in respect of any later service under regulation 96.

(4) The relevant date in paragraph (3)(a) is—

- (a) the last day of the period of three years after the giving of notice under paragraph (1)(b); or
- (b) if M engages in further HSC employment during that period, the first anniversary of the day on which the employment commences or, if sooner, the last day of that period.

(5) If, after considering the further medical evidence the scheme manager determines that M has the physical or mental infirmity for the purposes of regulation 89(3)(b), with effect from the date the determination is made, M—

Status: Point in time view as at 29/09/2023.

Changes to legislation: There are currently no known outstanding effects for the The Health and Social Care Pension Scheme Regulations (Northern Ireland) 2015, Section 92. (See end of Document for details)

- (a) ceases to be entitled to a Tier 1 IHP; and
- (b) becomes entitled to a Tier 2 IHP.

(6) If a determination is made under paragraph (5), in calculating the Tier 2 addition pursuant to regulation 91(3), in the explanation of factor E for “period starting on L+1” substitute “ period starting on day of the determination under regulation 92(5) ”.

Status:

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Changes to legislation:

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