
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make transitional and consequential provision in relation to the Health and Social Care Pension Scheme Regulations (Northern Ireland) 2015 ([S.R. 2015 No.120](#)) (“the new scheme”) for persons who have previous service under the Health and Social Care Pension Scheme contained in Health and Personal Social Services (Superannuation) Regulations (Northern Ireland) 1995 ([S.R. 1995 No.95](#)) (“the 1995 Regulations”) and the Health and Social Care (Pension Scheme) Regulations (Northern Ireland) 2008 ([S.R. 2008 No.256](#)) (“the 2008 Regulations”) (the latter two Regulations together referred to here as “the old scheme”).

Part 1 deals with introductory matters and sets out definitions used in the Regulations.

Part 2 sets out transitional provisions by way of modification of the operation of the old scheme and the new scheme.

Chapter 1 introduces Schedule 1, which sets out when existing pensioners of the old scheme are eligible to become members of the new scheme.

Chapter 2 provides for nominations, notices and declarations given in the old scheme to have effect in the new scheme and vice versa.

Chapter 3 provides for members of the old scheme who are transferred to the new scheme to remain active members of the old scheme, and sets out when a break in service affects that continuing active membership.

Chapter 4 makes transitional provision in respect of contributions and final pay.

Chapter 5 deals with arrangements for existing contracts for additional service, unreduced lump sums and additional pension.

Chapter 6 provides for part of bulk transfer payments received into the new scheme to be paid into the old scheme in certain circumstances.

Chapter 7 makes transitional provision in respect of retirement benefits.

Chapter 8 deals with death in service benefits.

Chapter 9 provides for certain members to be able to elect to convert their service under the 1995 Regulations into service under the 2008 Regulations.

Part 3 introduces Schedule 2, which makes a number of amendments to the old scheme.

Parts 1 and 2 of Schedule 2 make similar amendments in respect of both the 1995 Regulations and the 2008 Regulations. They also introduce amendments specific to either the 1995 Regulations or the 2008 Regulations.

The changes dealing with similar issues in Parts 1 and 2—

- (i) amend the provision governing participation in the old scheme so that participation is only open to those who benefit from full protection (members within 10 years of retirement age under the Scheme) or who benefit from tapered protection (members more than 10 years but less than 13 years and 5 months away from retirement age under the Scheme);
- (ii) amend provisions of the old scheme to allow deferred benefits in the old scheme to be paid at the normal retirement age for that scheme despite the member remaining in HSC employment;

Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Health and Social Care Pension Scheme (Transitional and Consequential Provisions) Regulations (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(iii) insert new provisions dealing with a member's right to an annual benefit statement.

Amendments specific to the 1995 Regulations—

(i) insert new provisions for crediting service in the 1995 Section in the 2008 Section.

Amendments specific to the 2008 Regulations—

(i) amend the provisions relating to applications for transfers;

(ii) insert new provisions (regulation 105 and 232) making provision for transfers between schemes that participate in the Public Sector Transfer Club.

An impact assessment has not been prepared for this rule as no impact on the costs of business or the voluntary sector is foreseen.

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Changes and effects yet to be applied to :

- Sch. 1 para. 1 words inserted by [S.R. 2024/50 reg. 41](#)
- reg. 2 words inserted by [S.R. 2024/117 reg. 27](#)
- reg. 2 words inserted by [S.R. 2024/50 reg. 31\(2\)](#)
- reg. 2 words inserted by [S.R. 2024/50 reg. 31\(3\)](#)
- reg. 2 words inserted by [S.R. 2024/50 reg. 31\(4\)](#)
- reg. 14(1) words inserted by [S.R. 2024/50 reg. 33\(2\)](#)
- reg. 14(2) words inserted by [S.R. 2024/50 reg. 33\(3\)](#)
- reg. 15 words substituted by [S.R. 2024/50 reg. 34](#)
- reg. 16 words inserted by [S.R. 2024/50 reg. 35](#)
- reg. 31(1) substituted by [S.R. 2024/50 reg. 37\(2\)](#)
- reg. 31(2) substituted by [S.R. 2024/50 reg. 37\(3\)](#)
- reg. 31(3) substituted by [S.R. 2024/50 reg. 37\(4\)](#)
- reg. 31(3)(b) words substituted by [S.R. 2024/117 reg. 28](#)
- reg. 35 heading words added by [S.R. 2024/50 reg. 38\(2\)](#)
- reg. 35(1) words added by [S.R. 2024/50 reg. 38\(3\)\(b\)](#)
- reg. 35(1) words substituted by [S.R. 2024/50 reg. 38\(3\)\(a\)](#)
- reg. 35(3) substituted by [S.R. 2024/50 reg. 38\(4\)](#)
- reg. 37 omitted by [S.R. 2024/117 reg. 30](#)
- reg. 38(1) words substituted by [S.R. 2024/50 reg. 40\(2\)\(a\)](#)
- reg. 38(1) heading words substituted by [S.R. 2024/50 reg. 40\(2\)\(b\)](#)
- reg. 38(2) words added by [S.R. 2024/50 reg. 40\(4\)\(b\)](#)
- reg. 38(2) words substituted by [S.R. 2024/50 reg. 40\(4\)\(a\)](#)

Changes and effects yet to be applied to the whole Rule associated Parts and Chapters:

Whole provisions yet to be inserted into this Rule (including any effects on those provisions):

- reg. 10A(1)(a) words inserted by [S.R. 2024/50 reg. 32](#)
- reg. 17A and cross heading inserted by [S.R. 2024/50 reg. 36](#)
- reg. 35A and cross heading inserted by [S.R. 2024/50 reg. 39\(1\)](#)
- reg. 35A(2)(a) words inserted by [S.R. 2024/117 reg. 29\(2\)\(a\)](#)
- reg. 35A(2)(aa) inserted by [S.R. 2024/117 reg. 29\(2\)\(b\)](#)
- reg. 35A(3A) inserted by [S.R. 2024/117 reg. 29\(3\)](#)
- reg. 38(1A) inserted by [S.R. 2024/50 reg. 40\(3\)](#)