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STATUTORY RULES OF NORTHERN IRELAND

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**2015 No. 122**

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

**PART 1**

**Introductory**

**Citation and commencement**

**1.—(1)** These Regulations may be cited as the Health and Social Care Pension Scheme (Transitional and Consequential Provisions) Regulations (Northern Ireland) 2015 and shall come into operation on the 1st April 2015.

**Commencement Information**

**11** Reg. 1 in operation at 1.4.2015, see [reg. 1\(1\)](#)

**Interpretation**

**2.—(1)** In these Regulations—

“1995 officer transition member” means a person who is an officer transition member by virtue of having superannuable service in the 1995 Section;

“1995 Regulations” means the Health and Personal Social Services (Superannuation) Regulations (Northern Ireland) 1995(1);

“1995 Section” means the section of the Health and Social Care Pension Scheme as set out in the 1995 Regulations;

“2008 officer transition member” means a person who is an officer transition member by virtue of having pensionable service in the 2008 Section;

“2008 Regulations” means the Health and Social Care (Pension Scheme) Regulations (Northern Ireland) 2008(2);

“2008 Section” means the section of the Health and Social Care Pension Scheme as set out in the 2008 Regulations;

“2014 Act” means the Public Service Pensions Act (Northern Ireland) 2014(3);

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(1) S.R. 1995 No.95 as amended by S.R. 1997 Nos.217 and 390; S.R. 1998 No.299; S.R. 1999 No.293; S.R. 2002 No.69; S.R. 2004 Nos.103 and 104; S.R. 2005 Nos.155, 533, 534 and 565; S.R. 2006 Nos.159 and 410; S.R. 2008 Nos.96, 130 and 163; S.R. 2009 Nos.65 and 188; S.R. 2010 Nos.22, 286 and 420; S.R. 2011 No.256; S.R. 2012 Nos.42 and 78; S.R. 2013 Nos.40, 73, 247 and 259; S.R. 2014 Nos.59 and 225 and S.R. 2015 Nos.56 and 121

(2) S.R. 2008 No.256 as amended by S.R. 2009 Nos.65 and 188; S.R. 2010 Nos.22, 286 and 420; S.R. 2011 No.256; S.R. 2012 Nos.42 and 78; S.R. 2013 Nos.40, 73, 247 and 259; S.R. 2014 Nos.59 and 225 and S.R. 2015 Nos.56 and 121

(3) 2014 c.2 (N.I.)

**Status:** Point in time view as at 01/04/2015.

**Changes to legislation:** There are outstanding changes not yet made by the [legislation.gov.uk](http://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)

“2015 Regulations” means the Health and Social Care Pension Scheme Regulations (Northern Ireland) 2015<sup>(4)</sup>;

“new scheme” means the scheme set out in the 2015 Regulations;

“HSC employment”, in relation to the old scheme and the new scheme has the meaning given in the respective Regulations;

“officer transition member” means a person who is both a member of—

- (a) the old scheme by virtue of having pensionable service in that scheme to which paragraphs 1(2)(b)(i) and (ii) or paragraphs 2(2)(b)(i) and (ii) of Schedule 7 (final salary link) to the 2014 Act applies; and
- (b) the new scheme by virtue of having pensionable service in that scheme that would have been treated as officer service for the purposes of the old scheme had it been service in the old scheme;

“old scheme” means the Health and Social Care Pension Scheme, as set out in the 1995 Regulations and the 2008 Regulations;

“practitioner transition member” means a person—

- (a) who is both a member of—
  - (i) the old scheme by virtue of having pensionable service to which Schedule 2 to the 1995 Regulations or Part 3 of the 2008 Regulations applies;
  - (ii) the new scheme by virtue of having pensionable service in that scheme that would have been treated as practitioner service for the purposes of the old scheme had it been service in the old scheme; and
- (b) whose pensionable service for the old scheme and pensionable service for the new scheme are continuous, where—
  - (i) paragraphs 3 and 4 of Schedule 7 to the 2014 Act (continuity of employment etc.) apply as they apply for the purposes of paragraphs 1(2) and 2(2) of that Schedule; and
  - (ii) the person’s pensionable service for the old scheme and pensionable service for the new scheme are not continuous if scheme regulations made pursuant to section 8A(4)(b) of the Pensions (Increase) Act (Northern Ireland) 1971<sup>(5)</sup> (references to “service”: relevant old scheme pension in payment) apply to the person;

“scheme manager” has the meaning given in regulation 3 of the 2015 Regulations;

“transition member” means a person who is either an officer transition member or a practitioner transition member.

(2) In these Regulations any reference to pensionable employment, pensionable pay or pensionable service in relation to the old scheme, the 1995 Regulations or the 1995 Section includes a reference to superannuable employment, superannuable pay or superannuable service as respectively defined in the 1995 regulations.

#### Commencement Information

**I2** Reg. 2 in operation at 1.4.2015, see [reg. 1\(1\)](#)

<sup>(4)</sup> S.R. 2015 No.120

<sup>(5)</sup> 1971 c.35 (N.I.) Section 8A was inserted by paragraph 2 of Schedule 8 to the [Public Service Pensions Act \(Northern Ireland\) 2014](#) (c.2 N.I.)

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