
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 167

The Health Service Workers (Consequential Provisions) Regulations (Northern Ireland) 2015

PART 3

Modification of early leaver and other provisions

Application of this Part

- 5.—(1) This Part applies where a person (P)—
- (a) is a member of the old scheme by virtue of pensionable service for that scheme or deemed transfer scheme service under paragraph 2 of Schedule 7 to the 2014 Act (final salary link);
 - (b) is a member of the new scheme by virtue of pensionable service for the new scheme; and
 - (c) is—
 - (i) a person to whom paragraph 1 or 2 of Schedule 7 to the 2014 Act applies by virtue of that person's pensionable service for the new scheme, and whose final salary falls to be determined by reference to either of those paragraphs; or
 - (ii) a person to whom—
 - (aa) Schedule 2 to the Health and Personal Social Services (Superannuation) Regulations (Northern Ireland) 1995; or
 - (bb) Part 3 of the Health and Social Care (Pension Scheme) Regulations (Northern Ireland) 2008,applies and who has pensionable service for the old scheme and pensionable service for the new scheme which are continuous.
- (2) For the purpose of paragraph (1)(c)(ii)—
- (a) paragraph 3 of Schedule 7 to the 2014 Act (continuity of employment) applies as it applies for the purposes of paragraphs 1(2)(a) and 2(2)(a) of that Schedule; and
 - (b) P'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(1) (references to "service": relevant old scheme pension in payment) apply to P.