
STATUTORY RULES OF NORTHERN IRELAND

2022 No. 196

**The Health and Social Care Pension Schemes,
Additional Voluntary Contributions and Injury Benefits
(Amendment) Regulations (Northern Ireland) 2022**

PART 4

**Amendments to the Health and Social Care Pension
Scheme Regulations (Northern Ireland) 2015**

General

57. The Health and Social Care Pension Scheme Regulations (Northern Ireland) 2015(1) are amended as provided by regulations 58 to 68.

Amendment to regulation 37

58. In paragraph (3)(a) of regulation 37 (Members contributions: supplementary: medical practitioners and non-GP providers) for “NDPS is the number of days of group D service from the date the M’s service commenced in the scheme year to the end of the scheme year”, substitute “NDPS is the number of days of M’s group D service in the scheme year”.

Amendment to regulation 38

59. In paragraph (3)(a) of regulation 38 (Members’ contributions: supplementary: dental practitioners) for “NDPS is the number of days of dental practitioner service from the date the dental practitioner service commenced in the scheme year to the end of the scheme year”, substitute “NDPS is the number of days of dental practitioner service in the scheme year”.

Amendment of regulation 112

60. In regulation 112 (Surviving adult dependant pension), in paragraph (2), for sub-paragraph (c) substitute—

“(c) a surviving scheme partner.”.

Substitution of regulation 113

61. For regulation 113 (Surviving nominated partner) substitute—

“Surviving scheme partner

113.—(1) A person (P) is the scheme partner of a member if –

- (a) the member and P are living together as if they are husband and wife or civil partners,
- (b) the member and P are not prevented from marrying or entering a civil partnership,
- (c) the member and P are financially interdependent or P is financially dependent on the member, and
- (d) neither the member or P is living with a third person as if they are husband and wife or civil partners.

(2) A person is a surviving scheme partner of a member if the Department is satisfied that for a continuous period of at least two years, ending with the member's death, the person was the scheme partner of that member."

Amendment of regulation 121

62.—(1) Paragraph (2) of regulation 121 (Eligible child), is amended as provided by paragraphs (2) to (4).

(2) In sub-paragraph (d)—

- (a) for "nominated partner" substitute "scheme partner";
- (b) for "regulation 113(1)(b)(i)" substitute "regulation 113(1)(a) and (d)".

(3) In sub-paragraph (e), in paragraph (ii), for "nominated partner" substitute "surviving scheme partner".

(4) In sub-paragraph (f), in paragraph (ii), for "nominated partner" substitute "surviving scheme partner".

Amendment of regulation 134

63. In regulation 134 (Application for statement of entitlement), for paragraph (3)(d) substitute—
 "(d) is within the period of 10 days ending with the date on which the member is provided with the statement of entitlement."

Amendment of Schedule 3

64. In Schedule 3 (Administrative matters), in paragraph 12(5)(a) (Forfeiture of rights to benefits), for "nominated partner" substitute "surviving scheme partner".

Amendment of Schedule 5

65. In Schedule 5 (Membership gateways)(2), paragraph 7(a), for "practitioner" substitute "performer".

Amendment to Schedule 10

66. In sub-paragraph (2)(b) of paragraph 10 of Schedule 10 (Practitioner contribution payments), for "such a deduction must be to the member's advantage and is subject to the member's consent" substitute "such a deduction may only be made where the Department has notified the member of an intention to do so".

Amendment of Schedule 12

67. In Schedule 12 (Lump sum on death), in paragraph 8 (Death of pension credit member)—

- (a) in sub-paragraph (5)(a), omit “at the date of death”;
- (b) in sub-paragraph (6), omit the definitions of “annual amount of pension” and “the beginning date”.

Amendment of Schedule 13

68. In Schedule 13 (Definitions), after the expression “deferred member” in Column 1 insert a new expression “dental performer” and for the corresponding entry in column 2 insert—

“a dentist who has undertaken to provide general dental services (GDS) and whose name is included in a list of dentists prepared by the Regional Business Services Organisation (RBSO) under regulation 4 of the Health and Personal Social Services General Dental services Regulations (Northern Ireland) 1993”.