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STATUTORY RULES OF NORTHERN IRELAND

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**2022 No. 196**

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

**PART 5**

**Amendments to the Health and Personal Social Services (Superannuation)  
(Additional Voluntary Contributions) Regulations (Northern Ireland) 1999**

**General**

**69.** The Health and Personal Social Services (Superannuation) (Additional Voluntary Contributions) Regulations (Northern Ireland) 1999(1) are amended as provided by regulations 70 to 72.

**70.**—(1) Regulation 2 (Interpretation) is amended as provided by paragraphs (2) and (3).

(2) In paragraph (1), in the definition of “dependent”(2) in sub-paragraph (d), for “nominated partner” substitute “scheme partner”;

(3) For paragraphs (1A) to (1C)(3), substitute—

“(1A) A person (P) is the scheme partner of a participator if —

- (a) the participator and P are living together as if they were husband and wife or civil partners,
- (b) the participator and P are not prevented from marrying or entering into a civil partnership,
- (c) the participator and P are financially interdependent or P is financially dependent on the participator, and
- (d) neither the participator nor P is living with a third person as if they were husband and wife or as if they were civil partners.

(1B) A person is a surviving scheme partner of a participator, if the Department is satisfied that for a continuous period of at least two years, ending with the participator’s death, the person was the scheme partner of that participator”.

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(1) S.R. 1999 No.294 as amended by S.R. 2002 No.129; S.R. 2004 No.104; S.R. 2005 Nos.154 and 533; S.R. 2006 No.470; S.R. 2008 Nos.130 and 350; S.R. 2010 Nos.22 and 286; S.R. 2012 No.42; S.R. 2013 No.259 and S.R. 2015 No.121  
(2) This definition was inserted by S.R. 2008 No.350, regulation 2(2)(b) and amended by S.R. 2015 No.121, regulation 49(2)(d)  
(3) Paragraphs (1A) to (1C) were inserted by S.R. 2015 No.121, regulation 49(3)

### **Amendment of regulation 15**

**71.** In paragraph (3) of regulation 15 (Payments by the Department), in sub-paragraphs (a) and (b)(4) in each place for “nominated partner” substitute “surviving scheme partner”.

### **Amendment of Schedule 2**

**72.** In Schedule 2 (Pension Sharing On Divorce Or Nullity Of Marriage), in paragraph 11 (Payment of lump sum on death), in sub-paragraph (2)(5), in each place for “nominated partner” substitute “surviving scheme partner”.

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(4) Paragraph (3) was substituted by [S.R. 2015 No.121](#), regulation 56(3)

(5) The expression “nominated partner” was inserted by [S.R. 2008 No.350](#), regulation 2(15)(d)