STATUTORY RULES OF NORTHERN IRELAND

# 2019 No. 62

# HEALTH AND PERSONAL SOCIAL SERVICES

## PUBLIC SERVICE PENSIONS

## The Health and Personal Social Services (Superannuation) and Health and Social Care Pension Scheme (Amendment) Regulations (Northern Ireland) 2019

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| *Made - - - -* | *26th March 2019* |
| *Coming into operation* | *1st April 2019* |

The Department of Health makes the following Regulations in exercise of the powers conferred by Articles 12(1), (2) and (2A), 14(1) and (2) of, and Schedule 3 to, the Superannuation (Northern Ireland) Order 1972(**1**) and sections 1(1) and (2)(e) and 3 of, and paragraph 5 of Schedule 2 and Schedule 3 to, the Public Service Pensions Act (Northern Ireland) 2014(**2**).

In accordance with Article 12(4) of the Superannuation (Northern Ireland) Order 1972 and section 21 of the Public Service Pensions Act (Northern Ireland) 2014, the Department has consulted with representatives of such persons as appear to the Department likely to be affected by these Regulations.

In accordance with Article 12(1) of the Superannuation (Northern Ireland) Order 1972 and section 3(5) of the Public Service Pensions Act (Northern Ireland) 2014, these Regulations are made with the consent of the Department of Finance.

## PART 1

## Introductory

### Citation, commencement and effect

**1.**—(1) These Regulations may be cited as the Health and Personal Social Services (Superannuation) and Health and Social Care Pension Scheme (Amendment) Regulations (Northern Ireland) 2019.

(**1**) 1972/1073 (N.I. 10) as amended by S.I. 1990/1509 (N.I. 13); 1993 c.49 and S.I. 2002/1555
(**2**) 2014 c.2 (N.I.)

(2) These Regulations shall come into operation on 1 April 2019 and save as provided in paragraph (3), have effect from that date.

(3) Regulation 7 has effect from 1 June 2016.

# PART 2

## Amendment of the Health and Personal Social Services (Superannuation) Regulations (Northern Ireland) 1995

### General

**2.** The Health and Personal Social Services (Superannuation) Regulations (Northern Ireland) 1995(**3**) are amended as provided by regulations 3 to 5.

### Amendment of regulation 10

**3.** In regulation 10 (Contributions by members), in paragraph (1A)(**4**), for—

(a) "of the scheme years 2015-2016 to 2018-2019 inclusive" substitute "scheme year from 2015-16";

(b) the heading to the Table, substitute "Scheme Years from 2015-16".

### Amendment of regulation 11

**4.** In regulation 11 (Contributions by employing authorities), in paragraph (2)(**5**), for "16.3%" substitute "22.5%".

### Amendment of Schedule 2

**5.** In paragraph 10 (Contributions to this Section of the scheme), in sub-paragraph (1A)(**6**) for—

(a) paragraph (b) substitute—

"(b) in respect of each scheme year from 2015-2016, Table 2.";

(b) the heading to Table 2 substitute "Scheme Years from 2015-2016".

(**3**) 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; S.R. 2015 Nos.56, 121 and 122; S.R. 2016 No.384

(**4**) Paragraph (1A) was inserted by S.R. 2008 No.163, regulation 7; relevant amendment is S.R. 2015 No.121, regulation 5

(**5**) Paragraph (2) was amended by S.R. 2015 No.121, regulation 6

(**6**) Paragraph 10(1A) was inserted by S.R. 2010 No.420, regulation 8; relevant amendment is S.R. 2015 No.121, regulation 15

# PART 3

## Amendments to the Health and Social Care (Pension Scheme) Regulations (Northern Ireland) 2008

### General

**6.** The Health and Social Care (Pension Scheme) Regulations (Northern Ireland) 2008(**7**) are amended as provided by regulations 7 to 12.

### Amendment of regulation 22

**7.** In regulation 22 (Restrictions on eligibility: general), for paragraph (11)(**8**) substitute—

"(11) A person is not eligible to be an active member of this Section of the Scheme if that person is employed by a GP Federation but does not assist in the provision of health and personal social services provided by that GP Federation.".

### Amendment of regulation 28

**8.** In regulation 28 (Contribution rate for members other than non-GP providers), in paragraph (2)(**9**), for—

(a) "of the scheme years 2015-2016 to 2018-2019 inclusive" substitute "scheme year from 2015-2016";

(b) the heading to the Table substitute "Scheme Years from 2015-2016".

### Amendment of regulation 30

**9.** In regulation 30 (Contribution rate and determination of pensionable earnings for non-GP providers), in paragraph(14)(**10**) for—

(a) sub-paragraph (b) substitute—

"(b) in respect of each scheme year from 2015-2016, Table 2.";

(b) the heading to Table 2, substitute "Scheme Years from 2015-2016".

### Amendment of regulation 31

**10.** In regulation 31 (Contributions by employing authorities: general), in paragraph (4)(**11**), for "16.3%" substitute "22.5%".

### Amendment of regulation 161

**11.** In regulation 161 (Members' contribution rate), in paragraph (17)(**12**) for—

(a) sub-paragraph (b) substitute—

"(b) in respect of each scheme year from 2015-2016, Table 2.";

(**7**) 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; S.R. 2015 Nos.56, 121 and 122 and S.R. 2016 No.384

(**8**) Paragraph (11) was inserted by S.R. 2016 No.384, regulation 8

(**9**) Relevant amending rule is S.R. 2015 No.121, regulation 22

(**10**) Relevant amending rule is S.R. 2015 No.121, regulation 24

(**11**) Paragraph (4) was amended by S.R. 2015 No.121, regulation 25

(**12**) Relevant amending rule is S.R. 2015 No.121, regulation 35