STATUTORY RULES OF NORTHERN IRELAND

2016 No. 384

HEALTH AND PERSONAL SOCIAL SERVICES

PUBLIC SERVICE PENSIONS

The Health and Personal Social Services (Superannuation), Health and Social Care (Pension Schemes) (Amendment) Regulations (Northern Ireland) 2016

Made - - - -	*21st October 2016*
Coming into operation	*17th November 2016*

The Department of Health, with the consent of the Department of Finance, makes the following Regulations in exercise of the powers conferred by Articles 12(1) and (2) and 14(1), (2) and (3) 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 Schedules 1 and 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 persons likely to be affected by these Regulations, as appeared to the Department to be appropriate.

PART 1

Introductory

Citation, commencement and effect

1.—(1) These Regulations may be cited as the Health and Personal Social Services (Superannuation), Health and Social Care (Pension Schemes) (Amendment) Regulations (Northern Ireland) 2016.

(2) These Regulations shall come into operation on the 17th November 2016 and shall have effect from 1st June 2016.

(**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.)

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 2

3.—(1) Regulation 2 (Interpretation) is amended as provided by paragraphs (2) to (4).

(2) After the definition of "GOS arrangements" insert—

""GP Federation" means a community interest company limited by guarantee, all the members of which are fully registered persons within the meaning of section 55 of the Medical Act 1983(**4**) and whose names are included in the medical performers list;".

(3) In the definition of "employing authority" after paragraph (e) insert—

"(ja) a GP Federation which the Department agrees to treat as an employing authority for the purposes of this section of the scheme;"

(4) In the definition of "practice staff" for the words "or an OOH provider" substitute ", an OOH provider or a GP Federation".

Amendment of regulation 7

4. After paragraph (1)(s) of regulation 7 (Restrictions on membership)(**5**) add—

"(t) 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 11

5. In paragraph (8) of regulation 11 (Contributions by employing authorities)(**6**) for sub-paragraph (c) substitute—

"(c) an OOH provider, or

(d) a GP Federation.".

(**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 and S.R. 2015 Nos.56, 121 and 122

(**4**) 1983 c.54

(**5**) Regulation 7 was substituted by S.R. 2008 No.163, regulation 5 and amended by S.R. 2009 No.65, regulation 5(2); S.R. 2010 No.286, regulation 4(2); S.R. 2012 No.42, regulation 4; S.R. 2013 No.40, regulation 4 and S.R. 2015 No.122, Schedule 2 paragraph 3

(**6**) Regulation 11 as amended by S.R. 2005 No.533, regulation 3(2); S.R. 2005 No.565, regulation 8; S.R. 2008 No.96, regulation 3(2); S.R. 2008 No.130, regulation 3(3); S.R. 2008 No.163, regulation 8; S.R. 2010 No.420, regulation 4 and S.R. 2015 No.121, regulation 6

PART 3

Amendment of 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 10.

Amendment of regulation 6

7.—(1) Regulation 6 (Interpretation) is amended as provided by paragraphs (2) to (4).

(2) After the definition of "GOS arrangements" insert—

""GP Federation" means a community interest company limited by guarantee, all the members of which are fully registered persons within the meaning of section 55 of the Medical Act 1983(**8**) and whose names are included in the medical performers list;".

(3) In the definition of "employing authority" after paragraph (g) insert—

"(ga) a GP Federation which the Department agrees to treat as an employing authority for the purposes of this section of the scheme;".

(4) In the definition of "practice staff" for the words "or an OOH provider" substitute ", an OOH provider or a GP Federation".

Amendment of regulation 22

8. After paragraph (10) of regulation 22 (Restrictions on eligibility: general)(**9**), add—

"(11) 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 33

9. In paragraph 1(b) of regulation 33 (Guarantees, indemnities and bonds)(**10**), for sub-paragraph (iii) substitute—

"(iii) an OOH provider; or

(iv) a GP Federation.".

Amendment of regulation 137

10.—(1) Regulation 137 (Interpretation of Part 3: general), is amended as provided by paragraphs (2) to (4).

(2) After the definition of "GOS arrangements" insert—

""GP Federation" means a community interest company limited by guarantee, all the members of which are fully registered persons within the meaning of section 55 of the Medical Act 1983(**11**) and whose names are included in the medical performers list;".

(**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 and S.R. 2015 Nos.56, 121122

(**8**) 1983 c.54

(**9**) Regulation 22 as amended by S.R. 2009 No.65, regulation 30; S.R. 2009 No.188, regulation 17; S.R. 2010 No.286, regulation 21 and S.R. 2013 No.40, regulation 11 and S.R. 2015 No. 121, regulation 21

(**10**) Regulation 33 as amended by S.R.2014 No.225, regulation 12

(**11**) 1983 c.54