

2015 No. 56

HEALTH AND PERSONAL SOCIAL SERVICES

**The Health and Personal Social Services (Superannuation),
Health and Social Care (Pension Scheme) (Amendment)
Regulations (Northern Ireland) 2015**

Made - - - - *12th February 2015*

Coming into operation - *16th March 2015*

The Department of Health, Social Services and Public Safety, with the consent of the Department of Finance and Personnel, makes the following Regulations in exercise of the powers conferred by Articles 12(1) and (2), 14(1), (2) and (3) of, and Schedule 3 to, the Superannuation (Northern Ireland) Order 1972(a).

In accordance with Article 12(4) of that Order, 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 Scheme) (Amendment) Regulations (Northern Ireland) 2015.

(2) These Regulations come into operation on 16th March 2015 and shall have effect from 1st April 2014.

PART 2

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

2. The Health and Personal Social Services (Superannuation) Regulations (Northern Ireland) 1995(b) are amended as provided by regulations 3 and 4.

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

(b) 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;

Amendment of regulation 10

3. For the table in paragraph (1B) of regulation 10 (Contributions by members)(a), substitute—

“Scheme Year 2014-2015

<i>Column 1</i> <i>Superannuable Pay band</i>	<i>Column 2</i> <i>Contribution percentage rate</i>
Up to £15,431	5%
£15,432 to £21,477	5.6%
£21,478 to £26,823	7.1%
£26,824 to £49,472	9.3%
£49,473 to £70,630	12.5%
£70,631 to £111,376	13.5%
£111,377 to any higher amount	14.5%”.

Amendment of Schedule 2

4.—(1) Schedule 2 (Medical and dental practitioners) is amended as provided by paragraphs (2) and (3).

(2) For Table 2 in sub-paragraph (1A) of paragraph 10 (Contributions to this Section of the scheme)(b), substitute—

“Table 2

Scheme Year 2014-15

<i>Column 1</i> <i>Superannuable Earnings band</i>	<i>Column 2</i> <i>Contribution percentage rate</i>
Up to £15,431	5%
£15,432 to £21,477	5.6%
£21,478 to £26,823	7.1%
£26,824 to £49,472	9.3%
£49,473 to £70,630	12.5%
£70,631 to £111,376	13.5%
£111,377 to any higher amount	14.5%”.

(3) In sub-paragraph (6) of paragraph 23 (Accounts and actuarial reports)(c), for “In respect of” to “of any” substitute “Each employing authority must, in respect of each scheme year, provide the Department with a statement of estimated contributions due under regulations 10, 11, 72 and 73A in respect of any”.

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 and S.R. 2014 Nos.59 and 225

- (a) Paragraph (1B) was inserted by S.R. 2013 No.247, regulation 3(2) and amended by S.R. 2014 No.59, regulation 3(4) and (5)
- (b) Sub-paragraph (1A) was inserted by S.R. 2010 No.420, regulation 8; substituted by S.R. 2012 No.78, regulation 8 and S.R. 2013 No.73, regulation 7; amended by S.R. 2013 No.247, regulation 4 and substituted by S.R. 2014 No.59, regulation 4
- (c) Sub-paragraph (6) was inserted by S.R. 2009 No.188, regulation 11(4) and substituted by S.R. 2012 No.42, regulation 10(4)(e)

PART 3

Amendment of the Health and Social Care (Pension Scheme) Regulations (Northern Ireland) 2008

5. The Health and Social Care (Pension Scheme) Regulations (Northern Ireland) 2008(a) are amended as provided by regulations 6 to 8.

Amendment of regulation 28

6. For the table in paragraph (2A) of regulation 28 (Contribution rate for members other than non-GP providers)(b), substitute—

“Scheme Year 2014-2015

<i>Column 1</i> <i>Pensionable Pay band</i>	<i>Column 2</i> <i>Contribution percentage rate</i>
Up to £15,431	5%
£15,432 to £21,477	5.6%
£21,478 to £26,823	7.1%
£26,824 to £49,472	9.3%
£49,473 to £70,630	12.5%
£70,631 to £111,376	13.5%
£111,377 to any higher amount	14.5%”.

Amendment of regulation 30

7. For Table 2 in paragraph (14) of regulation 30 (Contribution rate and determination of pensionable earnings for non-GP providers)(c), substitute—

“Table 2

Scheme Year 2014-2015

<i>Column 1</i> <i>Pensionable Earnings band</i>	<i>Column 2</i> <i>Contribution percentage rate</i>
Up to £15,431	5%
£15,432 to £21,477	5.6%
£21,478 to £26,823	7.1%
£26,824 to £49,472	9.3%
£49,473 to £70,630	12.5%
£70,631 to £111,376	13.5%
£111,377 to any higher amount	14.5%”

(a) 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 No.59

(b) Regulation 28 was substituted by S.R. 2010 No.420, regulation 12 and amended by S.R. 2012 No.78, regulation 12; S.R. 2013 No.40, regulation 12; S.R. 2013 No.73, regulation 12; S.R. 2013 No.247, regulation 6 and S.R. 2014 No.59, regulation 6

(c) Paragraph (14) was substituted by S.R. 2010 No.420, regulation 14; S.R. 2012 No.78, regulation 14; S.R. 2013 No.73, regulation 13; amended by S.R. 2013 No.247, regulation 8 and substituted by S.R. 2014 No.59, regulation 7

Amendment of regulation 161

8. For Table 2 in paragraph (17) of regulation 161 (Members contribution rate)(a), substitute—

“Table 2

Scheme Year 2014-2015

<i>Column 1</i> <i>Pensionable Earnings band</i>	<i>Column 2</i> <i>Contribution percentage rate</i>
Up to £15,431	5%
£15,432 to £21,477	5.6%
£21,478 to £26,823	7.1%
£26,824 to £49,472	9.3%
£49,473 to £70,630	12.5%
£70,631 to £111,376	13.5%
£111,377 to any higher amount	14.5%”.

Part 4

Miscellaneous

Option to persons detrimentally affected by these Regulations

9.—(1) This regulation applies in relation to any benefit which is being paid or may become payable under the regulations amended by these Regulations to or in respect of a person who, having served in an employment or office, service in which qualified the person to participate in the benefits provided under the regulations amended by these Regulations, ceased to serve therein before these Regulations came into operation.

(2) Where, in a case to which this regulation applies, any provision of these Regulations would operate in relation to any person so as to place that person in a worse position than that person would have been if that provision had not applied, that person may elect that the provision shall not apply by giving notice in accordance with paragraph (3).

(3) A notice given pursuant to paragraph (2) shall be in writing and shall be delivered to the Department within six months of the coming into operation of these Regulations or such longer period as the Department may allow.

(4) An election pursuant to paragraph (2) shall have effect in relation to the benefit referred to in paragraph (1) only to the extent that such benefit has accrued by virtue of periods of service rendered prior to the cessation referred to in paragraph (1) (or, if there has been more than one such cessation, the last of them before the coming into operation of these Regulations) and in determining entitlement to, and the amount of, the benefit to that extent, such person shall be treated as if that person had never recommenced service at any time after that cessation (or, as the case may be, the last such cessation).

(a) Paragraph (17) was inserted by S.R. 2010 No.420, regulation 17(4); substituted by S.R. 2012 No.78, regulation 18 and S.R. 2013 No.73, regulation 17; amended by S.R. 2013 No.247, regulation 9 and substituted by S.R.2014 No.59, regulation 8

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on
12th February 2015

(L.S.)

Peter Toogood

A senior officer of the Department of Health, Social Services and Public Safety

The Department of Finance and Personnel consents to the foregoing Regulations.

Sealed with the Official Seal of the Department of Finance and Personnel on 12th February 2015

(L.S.)

Emer Morelli

A senior officer of the Department of Finance and Personnel

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Health and Personal Social Services (Superannuation) Regulations (Northern Ireland) 1995 (S.R. 1995 No.95) (“the 1995 Regulations”) and the Health and Social Care (Pension Scheme) Regulations (Northern Ireland) 2008 (S.R. 2008 No.256) (“the 2008 Regulations”).

Part 1 provides for citation, commencement and effect, including that the provisions of this rule are to take effect from a date before the date of commencement. Article 14(1) of the Superannuation (Northern Ireland) Order 1972 (N.I. 10) provides authority for the regulations to take effect as from a date earlier than the making of these Regulations.

The remainder of the Regulations are divided into three Parts, with Parts 2 and 3 amending the 1995 and 2008 Regulations respectively, and Part 4 providing that certain persons detrimentally affected by these Regulations may elect for the provisions not to apply to them.

Parts 2 and 3 make similar amendments by substituting the tables setting out the pensionable pay and earnings bands and the applicable contribution rates for the scheme year 2014-15. (regulations 3, 4(2), 6, 7 and 8)

Part 4 provides that deferred members, or members in receipt of a relevant benefit, who are detrimentally affected by these Regulations may elect for the provisions not to apply to them by giving notice within six months of the coming into operation of these Regulations. (regulation 9)

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