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STATUTORY RULES OF NORTHERN IRELAND

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**1999 No. 294**

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

**PART II**

**Additional Voluntary Contributions**

**Inward transfers: mis-sold pensions**

9.—(1) This Regulation shall apply to a person to whom regulation 9A(1) (Opting into the Scheme: Mis-sold Pensions) of the 1995 Regulations applies in respect of whom a transfer payment within the meaning of regulation 62A(2) (Transfers in respect of members to whom regulation 9A applies who elect to join or rejoin the scheme) of those Regulations has been paid by a personal pension scheme to the Department.

(2) Subject to paragraph (3), where, at any time, a person to whom this regulation applies elects to rejoin the scheme under regulation 9(5) (Opting out of the scheme) of the 1995 Regulations, that person, whether or not he becomes a contributor within the meaning of these Regulations may, within 12 months of rejoining the scheme, or such longer period as the Department may in any particular case allow, give written notice to the Department that he wishes it to accept, for the purposes of these Regulations, a transfer value.

(3) For the purposes of paragraph (2), the transfer value shall be of an amount representing the difference between—

- (a) the capitalised value of the accrued rights to benefit in the personal pension scheme from which the transfer value is paid which is attributable to contributions made to that scheme by the person referred to in paragraph (1) during his opted-out service; and
- (b) the total of the amounts referred to in regulation 62A(2)(i) and (ii) of the 1995 Regulations.

(4) Where a transfer value is accepted by the Department it shall be invested by the Department, in accordance with the wishes of the person referred to in paragraph (1), in one or more of the authorised funds.

(5) Where a transfer value is invested under paragraph (4) the person referred to in paragraph (1) may at any time, by giving written notice to the Department, require the Department to realise the whole or part of the sums so invested and to reinvest the proceeds in a different way.

(6) In this regulation—

“opted-out service” means the period of HPSS employment in respect of which the Department has approved an additional period of superannuable service for the purposes of regulation 62A(2)(i) of the 1995 Regulations; and

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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“personal pension scheme” has the meaning given by section 1 of the Pensions Schemes (Northern Ireland) Act 1993.