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STATUTORY RULES OF NORTHERN IRELAND

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**2008 No. 163**

**The Health and Personal Social Services (Superannuation)  
(Amendment) Regulations (Northern Ireland) 2008**

**Amendment of regulation 24**

**20.**—(1) Regulation 24 (Member dies in superannuable employment) is amended as provided by paragraphs (2) to (5).

(2) After paragraph (3) insert—

“(3A) Paragraphs (3B) to (5) apply if a member dies on or after 1st April 2008.

(3B) The widow’s pension for the first 6 months after the member’s death will be equal to the rate of the member’s superannuable pay when he died if that amount is greater than the amount of widow’s pension that would otherwise be payable under these Regulations.

(3C) Except while the widow’s pension is payable at the rate mentioned in paragraph (3B), if the member dies with 2 years or more qualifying service, the widow’s pension will be equal to one-half of the pension to which the member would have been entitled if, on the date of death, the member had become entitled to a tier 2 pension under regulation 13A.”.

(3) In paragraphs (4) and (5), after “paragraph (2)” insert “or (3B)”.

(4) In paragraph (6)(c) after “pay contributions”, insert “on or before 1st April 2008”.

(5) After paragraph (7) add—

“(8) The widow’s pension payable on a member’s death if, on the day the member died, the member is—

- (a) under the age of 75 if not a special class officer or under the age of 70 if a special class officer;
- (b) in HSC employment;
- (c) no longer required to pay contributions on or after 2nd April 2008 pursuant to regulation 10(3) or (4) (Contributions by members); and
- (d) except where regulation 77(6) (Member’s doing more than one job) applies, not in receipt of a pension under any of regulations 12 to 16,

will be as described in paragraphs (3B) and (3C), but with the modifications set out in paragraph (9).

(9) The modifications referred to in paragraph (8) are—

- (a) in paragraph (3B), for “member’s superannuable pay when he died” substitute “member’s final year’s superannuable pay”, and
- (b) in paragraph (3C), for “on the date of death” substitute “on the member’s last day of superannuable employment”.”.

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**Changes to legislation:** *There are currently no known outstanding effects for the The Health and Personal Social Services (Superannuation) (Amendment) Regulations (Northern Ireland) 2008, Section 20. (See end of Document for details)*

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**Commencement Information**

**II** Reg. 20 in operation at 9.4.2008 with effect in accordance with reg. 1(1)

**Changes to legislation:**

There are currently no known outstanding effects for the The Health and Personal Social Services (Superannuation) (Amendment) Regulations (Northern Ireland) 2008, Section 20.