
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 33

**Local Government Pension Scheme (Administration)
Regulations (Northern Ireland) 2009**

**PART 3
CONTRIBUTIONS**

Contributions during trade dispute absence

16.—(1) If a person—

- (a) is away from work without permission for a period of one or more days during and because of a trade dispute (“a trade dispute absence”); and
- (b) was a member immediately before—
 - (i) that period; or
 - (ii) where two or more periods of absence have occurred because of one dispute, the first such period,

he may make a contribution for the relevant contribution period at the rate of 16% on his lost pensionable pay for that period.

(2) A person’s lost pensionable pay is the difference between—

- (a) his actual pensionable pay (if any); and
- (b) the pensionable pay he would have received but for any trade dispute absence,

and, in determining that difference, any guarantee payments under Part 3 of the Employment Rights (Northern Ireland) Order 1996 must be disregarded.

(3) A period is a person’s relevant contribution period if—

- (a) it is co-extensive with one of the intervals at which he is required under regulation 3 (contributions payable by active members) of the Benefits Regulations to make contributions; and
- (b) it includes all or part of his trade dispute absence.

(4) The termination of a person’s contract of employment because of a trade dispute does not prevent this regulation applying to him if he again becomes an employee of the same employing authority and a member not later than the day after the dispute ends.

(5) A member to whom paragraph (1) applies—

- (a) may continue to pay contributions under regulation 21 (additional voluntary contributions and shared cost additional voluntary contributions) which he was paying immediately before the trade dispute absence began; and
- (b) must continue to make any payments he was making under regulation 19 (payment of additional regular contributions) of these Regulations or regulation 57 (payments to

increase total membership) of the 2002 Regulations on the pensionable pay he would have received during the period but for his absence.

(6) In this regulation, “trade dispute” has the meaning given in Article 127 of the Trade Union and Labour Relations (Northern Ireland) Order 1995⁽¹⁾.

⁽¹⁾ S.I. 1995/1980 (N.I. 12).