
STATUTORY RULES OF NORTHERN IRELAND

2014 No. 188

The Local Government Pension Scheme
Regulations (Northern Ireland) 2014

PART 2

ADMINISTRATION

DECISIONS

Deduction and recovery of member's contributions

95.—(1) An employing authority may deduct from a person's pay any contributions payable by that person under these Regulations or the former regulations.

(2) Sums payable under regulation 15 (contributions during reserve forces service leave) may be deducted from any payment made under Part 5 of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951(1), to the extent that they are payable in respect of the same period.

(3) The Committee may recover any contributions or sum remaining due and not deducted under paragraph (1) or (2)—

- (a) as a simple contract debt in a court of competent jurisdiction; or
- (b) by deducting it from any payment by way of benefits to or in respect of the person in question under these Regulations.

(4) But the sums mentioned in paragraph (2) are only recoverable under paragraph (3) if unpaid for twelve months after the person ceases to perform relevant reserve forces service.

(5) If—

- (a) an employing authority deducts in error any amount in respect of contributions from a person's pay or any other sum due to that person; and
- (b) the amount has not been repaid before the expiry of the period of one month beginning with the date of the deduction,

the appropriate body shall pay interest on the amount, and the due date for the calculation of the interest payable is the date of the deduction.

(6) Where the employee's contributions have been paid into a pension fund, the repayment and any interest shall be made out of that pension fund.

(7) Interest shall be calculated at one per cent above base rate on a day to day basis from the due date to the date of payment and compounded with three-monthly rests.

(8) The "appropriate body" for the purposes of paragraph (5) is—

- (a) the Committee, where the employee's contributions have been paid into the pension fund; and

- (b) the person's employing authority, where the employee's contributions have not yet been paid into the pension fund.