

## 1979 No. 23

## LOCAL GOVERNMENT

**Local Government (Superannuation) (Amendment) Regulations  
(Northern Ireland) 1979**

*Made* . . . . . 31st January 1979

*Coming into operation* . . . . . 16th March 1979

The Department of the Environment in exercise of powers conferred by Articles 9 and 14 of the Superannuation (Northern Ireland) Order 1972(a), and now vested in it (b), and of all other powers enabling it in that behalf, and after consultation with the Association of Local Authorities of Northern Ireland, the Northern Ireland Local Government Officers' Superannuation Committee, and such representatives of other persons likely to be affected by the regulations as appeared to it to be appropriate, hereby makes the following regulations—

*Citation, commencement and retrospective application*

1. These regulations may be cited as the Local Government (Superannuation) (Amendment) Regulations (Northern Ireland) 1979 and shall come into operation on 16th March 1979 and shall have effect as from 5th April 1978 with the exception of regulations 7, 8 and 13 which shall have effect as from 16th March 1979.

*Interpretation*

2. In these regulations—

“the Committee” means the Northern Ireland Local Government Officers' Superannuation Committee;

“contracted-out employment” shall be construed in accordance with article 32 of the Pensions Order;

“guaranteed minimum pension” has the meaning assigned to it by article 28 of the Pensions Order;

“pension” means a pension payable under regulation 9 of the principal regulations other than a pension payable under paragraph (1A) of that regulation;

“the Pensions Order” means the Social Security Pensions (Northern Ireland) Order 1975(c);

“the principal regulations” means the Local Government (Superannuation) Regulations (Northern Ireland) 1962(d);

(a) S.I. 1972/1073 (N.I. 10)

(b) S.R. & O. (N.I.) 1973 No. 504 Art. 7(1) (II, p. 2992); 1973 c. 36 Sch. 5 para. 8(1) and S.I. 1976/424 (N.I. 6)

(c) S.I. 1975/1503 (N.I. 15)

(d) S.R. & O. (N.I.) 1962 No. 210 (p. 793) as amended by the following relevant regulations:—S.R. & O. (N.I.) 1966 No. 274 (p. 871) S.R. & O. (N.I.) 1968 No. 153 (p. 588); S.R. & O. (N.I.) 1971 No. 108 (p. 539); S.R. & O. (N.I.) 1973 No. 216 (I, p. 1108); S.R. & O. (N.I.) 1973 No. 242 (I, p. 1207); S.R. 1974 No. 72 (I, p. 211); S.R. 1975 No. 187 (II, p. 984); S.R. 1975 No. 347 (II, p. 1695); S.R. 1977 No. 205 (II, p. 1159); S.R. 1978 No. 386

“the scheme” means the provisions of the principal regulations; and other words and expressions have the same meaning as in the principal regulations.

*Guaranteed minimum pension for certain officers and their widows*

3.—(1) This regulation shall apply if the service of an officer in any employment in which he is an officer becomes contracted-out employment by reference to the scheme and it shall then override any other provisions of the scheme which are inconsistent with it, except regulation 9 (officer's pension and retiring allowance) and the following provisions of the principal regulations, namely, regulation 16 (power to compound small annual benefits) and regulation 35 (reduction of pension or injury allowance in certain cases).

(2) If an officer has a guaranteed minimum under article 37 of the Pensions Order in relation to the pension to which the officer is entitled—

- (a) the officer shall, as from the date on which he attains the age of 65 years in the case of a male officer or 60 years in the case of a female officer, be entitled to receive, in relation to that pension, not less than his or her guaranteed minimum pension, the weekly rate of which shall be not less than his or her guaranteed minimum under that article; and
- (b) if a male officer dies at any time and leaves a widow, the weekly rate of the widow's pension shall, during any such period as is mentioned in article 38(6) of the Pensions Order, be not less than half his guaranteed minimum.

(3) Where this regulation applies in the case of an officer who on ceasing to hold the employment in which he or she is an officer does not become entitled to a pension or in the case of a male officer, on whose death no widow's pension is payable to his widow, then—

- (a) the officer on attaining the age of 65 years in the case of a male officer or 60 years in the case of a female officer shall be entitled to a pension under the scheme, the weekly rate of which is equal to his or her guaranteed minimum; and
- (b) in the case of a male officer, if he dies at any time and leaves a widow, she shall during any such period as is mentioned in article 38(6) of the Pensions Order be entitled to a pension under the scheme, the weekly rate of which is equal to half his guaranteed minimum.

(4) Where an officer on attaining the age of 65 years in the case of a male officer or 60 years in the case of a female officer is in employment in which he or she is an officer and continues without any break of service in that employment until the expiration of 5 years from the date on which he or she attains the age of 65 years or 60 years, as the case may be, then, notwithstanding that he or she does not cease to hold that employment, if he or she has a guaranteed minimum in relation to the pension to which he or she would become entitled, if he or she were to cease to hold that employment, he or she shall be entitled as from the expiration of the said 5 years to such part of that pension as equals his or her guaranteed minimum:

Provided that if the officer consents to the non-application to him or her of this paragraph, this paragraph shall not apply to him or her so long as the consent continues in force.

(5) In paragraphs (2) and (3) “weekly rate” means, in relation to a pension which is paid otherwise than at weekly intervals, a rate which is equivalent to the guaranteed minimum of the officer in question having regard to the period in respect of which the pension is paid.

*Rate of pension of certain officers and restriction on right to elect for early payment thereof*

4.—(1) This regulation shall apply to an officer who on ceasing to hold an employment in which he is an officer and which in relation to him is contracted-out employment by reference to the scheme becomes entitled to a pension by virtue of regulation 9(1)(c) or (e) of the principal regulations.

(2) The provisions of regulation 10(5) of the principal regulations (scales of pension and retiring allowance) shall not operate so as to reduce the annual rate of the pension to which a female officer to whom this regulation applies becomes entitled on ceasing to hold the employment mentioned in paragraph (1) below an annual rate determined by multiplying one eightieth of her average remuneration by the length in years of the whole period of her service in contracted-out employment by reference to the scheme.

(3) Notwithstanding anything in regulation 9A(1)(a)(iv) or (2)(b) of the principal regulations, an officer to whom this regulation applies may not make an election under the said regulation 9A(1)(a)(iv) or (2)(b) if the pension to which he becomes entitled on ceasing to hold the employment mentioned in paragraph (1)—

- (a) is a pension in relation to which he has a guaranteed minimum under article 37 of the Pensions Order; and
- (b) on reduction under regulation 10(5) of the principal regulations, would, but for the provisions of regulation 3(2), be less than his guaranteed minimum pension.

*Postponement and suspension of guaranteed minimum pension*

5. Where the commencement of the guaranteed minimum pension to which an officer is entitled under the scheme is postponed for any period or the whole or part of that pension is suspended during any period his guaranteed minimum shall be increased to the extent, if any, specified in article 37(6) of the Pensions Order, as amended from time to time.

*Provisions with respect to widow's pension of certain widows*

6.—(1) This regulation shall apply to the widow of an officer who dies—

- (a) while serving in an employment which in relation to him is contracted-out employment by reference to the scheme; or
- (b) after termination of his service in that employment,

who becomes entitled on her deceased husband's death to a widow's pension.

(2) Where the annual rate of the widow's pension to which a widow to whom this regulation applies is entitled as mentioned in paragraph (1) would be higher if it were determined in accordance with paragraph (3) instead of regulation 15 of the principal regulations (widow's pension), then that pension shall be payable at the higher rate.

(3) For the purposes of paragraph (2) the annual rate of the widow's pension of a widow to whom this regulation applies shall be determined by multiplying one one hundred and sixtieth of the average remuneration of her deceased husband by the length in years of the whole period of his service in contracted-out employment by reference to the scheme.

*Further restriction on allocation of part of pension*

7. Notwithstanding anything in regulation 13 of and the first schedule to the principal regulations (allocation of part of pension or injury allowance to spouse or dependant), an officer whose service in an employment in which he is an officer is or was contracted-out employment by reference to the scheme shall not surrender under the said regulation 13 and the said first schedule, any such part of the pension to which he would, if he ceased to hold that employment, or has, on ceasing to hold that employment, become entitled as would result in that pension—

- (a) becoming payable at an annual rate less than an annual rate determined by multiplying one eightieth of his average remuneration by the length in years of the whole period of his service in contracted-out employment by reference to the scheme; and
- (b) if he has a guaranteed minimum under article 37 of the Pensions Order in relation to that pension, being, but for the provisions of regulation 3(2), less than his guaranteed minimum pension.

*Further restriction on return of contributions*

8. Notwithstanding anything in regulation 33 of the principal regulations (return of contributions), an officer who ceases to be employed in the circumstances mentioned in regulation 9(1)(c) of the principal regulations or who satisfies the requirements of regulation 9(1)(e) of those regulations shall not be entitled by virtue of the said regulation 33 to receive any sum by way of return of contributions in respect of any period of his service in contracted-out employment by reference to the scheme.

*Further restriction on forfeiture of rights*

9. Notwithstanding anything in regulation 48 of the principal regulations (forfeiture of rights), no direction shall be given under that regulation which would deprive an officer of his guaranteed minimum pension and, in the event of his dying leaving a widow, his widow of her widow's guaranteed minimum pension, unless the offence in consequence of which he has been dismissed or resigned or otherwise ceased to hold his employment is—

- (a) an offence of treason; or
- (b) one or more offences under the Official Secrets Acts 1911 to 1939(e) for which he has been sentenced on the same occasion to a term of imprisonment of, or to two or more consecutive terms amounting in the aggregate to, at least 10 years.

*Consequential amendment of the principal regulations*

10.—(1) Regulation 2 of the principal regulations (interpretation) shall be amended as follows—

- (a) in paragraph (1) in the definition of the word “service” for the words “does not include” to the end of the definition there shall be substituted the words “but subject to the exclusion of such employment or periods of employment as are specified in paragraph (5A);”;
- (b) after paragraph (5) there shall be added the following paragraph—  
“(5A) In these regulations, unless the context otherwise requires, references to service do not include—

- (a) any period of employment as an officer mentioned in regulation 8(2) or in respect of which the Committee have paid the contributions authorised or required by any pension scheme referred to in regulation 39; or
- (b) in the case of an officer who has entered the employment in which he is an officer—
- (i) after becoming entitled to receive payment of or payments in respect of any superannuation benefit under these regulations or otherwise; or
  - (ii) after becoming entitled to a benefit under regulation 9(1)(c), if he gives notice under regulation 9A(e); or
  - (iii) after an interval not exceeding one month after ceasing on or after 6th April 1975 to hold an employment in which he was an officer and in respect of his so ceasing a return of contributions has been made under these regulations and he had become an officer within the said period,

any employment or period of employment in respect of which account has been taken for the purpose of determining whether he was entitled to that benefit or has been, or will be, taken for the purpose of calculating the amount of that benefit or in respect of which the return of contributions was made; or

- (c) in the case of an officer who has entered the employment in which he is an officer after becoming entitled to a benefit under regulation 9(1)(c) on ceasing to hold an employment in which he was an officer and in respect of his so ceasing a return of the whole or a part of the aggregate amount of his contributions has been made, any employment or period of employment in respect of which the return of contributions was made; or
- (d) in the case of an officer who before entering the employment in which he is an officer was previously an officer of an employing authority and by reason of his ceasing to be an officer of that authority a transfer value was paid by the Committee, any employment or period of employment in respect of which that transfer value was paid:

Provided that in the case of an officer who entered the employment in which he is an officer in the circumstances mentioned in sub-paragraph (b)(iii), the employment or period of employment in respect of which the return of contributions was made shall be reckonable as service for the purpose of determining whether any benefit is payable to or in respect of the officer under these regulations.”

(2) In regulation 9 of the principal regulations (officer's pension and retiring allowance) at the end of paragraph (1) for the full stop there shall be substituted a semi-colon and there shall be added the words—

“or

- (e) he is not entitled to a benefit under sub-paragraph (a), (b), (c) or (d) and has attained the age of 65 years in the case of a man or 60 years in the case of a woman or ceases to hold that employment during the 12 months beginning 6th April in which the 65th anniversary in the case of a man or the 60th anniversary in the case of a woman of his or her birthday will occur.”

(3) In regulation 9A of the principal regulations (deferment of pension, etc., rights)—

- (a) after “9A” there shall be inserted the figure “(1)”; and

(b) for sub-paragraph (c) there shall be substituted the following sub-paragraph—

“(c) if the whole of the aggregate amount of the officer’s contributions within the meaning of regulation 33 has been returned to him, whether with or without interest, under that regulation;” and

(c) at the end there shall be added the following paragraph—

“(2) An officer who satisfies the requirement of regulation 9(1)(e) shall not on that account be entitled to receive payment of or payments in respect of a benefit under these regulations—

(a) unless on ceasing to hold his employment he has attained the age of 65 years or until he attains that age; or

(b) in the case of a male officer who has not attained that age, unless, not later than 3 months after ceasing to hold his employment by notice in writing to the Committee he elects to be entitled to receive benefits under this regulation from the date on which he so ceases; or

(c) in the case of a female officer, until she retires and attains or has attained the age of 60 years.”.

(4) In regulation 10 of the principal regulations (scales of pension and retiring allowance)—

(a) after paragraph (4) there shall be inserted the following paragraph—

“(4A) Where an officer becomes entitled to benefits under these regulations by virtue of regulation 9(1)(c) and a part of the aggregate amount of his contributions within the meaning of regulation 33 has been returned to him under that regulation, for the purpose of calculating the amount of a benefit under this regulation no account shall be taken of service in respect of which the return of contributions has been made.”; and

(b) for paragraph (5) there shall be substituted the following paragraph—

“(5) Where an officer becomes entitled to benefits under these regulations by virtue of regulation 9(1)(c) or (e) and—

(a) in the case of a male officer, elects as mentioned in regulation 9A(1)(a)(iv) or, as the case may be, regulation 9A(2)(b) to be entitled to receive benefits from the date on which he ceased to hold his employment; or

(b) in the case of a female officer to whom regulation 9A(1)(b)(ii) or, as the case may be, regulation 9A(2)(c) applies,

the amount of any benefit calculated under the preceding provisions of this regulation shall be reduced by the percentage shown in the appropriate column of the Table set out in the tenth schedule opposite to the number of years the person would have had to remain an officer without any break in service in order to become entitled to benefits by virtue of regulation 9(1)(a), or (b)(i) or (d) on ceasing to be employed:

Provided that a pension payable in respect of any period of service shall not be reduced under this paragraph to less than the minimum rate of equivalent pension benefits applicable in respect of that period under the National Insurance Act (Northern Ireland) 1966(f).”.

(5) In regulation 13 of the principal regulations (allocation of part of pension or injury allowance to spouse or dependant), at the end there shall be added the following paragraph—

“(3) For the purposes of this regulation an officer who ceases to be employed in the circumstances mentioned in regulation 9(1)(c) or who satisfies the requirements of regulation 9(1)(e) shall not be treated as ceasing to be employed until the date immediately preceding the date (if any) on which he becomes entitled to receive payments in respect of the pension or as having become entitled to a pension until the last mentioned date.”.

(6) At the end of regulation 14(3) of the principal regulations (death gratuity) there shall be added the words, “, other than service in respect of which a return of contributions has been made.”.

(7) In regulation 15 of the principal regulations (widow’s pension)—

(a) for sub-paragraph (b) of paragraph (1) there shall be inserted—

“(b) was at the time of his death employed in employment in which he was an officer; and

(i) had completed not less than 5 years’ service; or

(ii) if he had ceased to be employed otherwise than by reason of his death, would have become entitled on so ceasing to benefits under these regulations by virtue of regulation 9(1)(e); or”;

(b) in sub-paragraph (a) of paragraph (2), after the word “officer” where it first occurs, there shall be inserted the words “who had completed not less than 5 years’ service”; and

(c) in sub-paragraph (c) of paragraph (2), after the word “of”, in the second place where it occurs, there shall be inserted the words “either such a person who was at the time of his death employed in an employment in which he was an officer who had completed less than 5 years’ service or”.

(8) In regulation 15B(1) of the principal regulations (widow’s limited pension)—

(a) at the end the full stop shall be deleted; and

(b) after the word “service” there shall be inserted the words “and, if he had ceased to be employed otherwise than by reason of his death would not have become entitled to benefits under these regulations by virtue of regulation 9(1)(e).”.

(9) In regulation 31(1) of the principal regulations (calculation of service) after paragraph (a) there shall be inserted the following sub-paragraph—

“(aa) any period of service in respect of which he has become entitled to a pension by virtue of regulation 9(1)(c) and in respect of which on ceasing to be employed he has received a return of contributions, shall on his again becoming an officer be reckonable at its full length for the purpose of determining whether any benefit is payable to or in respect of him under these regulations;”;

(10) In regulation 33(2)(a) of the principal regulations (return of contributions) after the words “injury allowance” there shall be inserted the words “or who satisfies the requirements of regulation 9(1)(e) (other than a person who elects under regulation 9A (2)(b))”.

(11) In the fourth schedule to the principal regulations—

- (a) in paragraph 1—
- (i) in sub-paragraph (a) after the words “accrued modification” for the semi-colon there shall be substituted a comma and there shall be added the words “accrued guaranteed minimum pension and any contributions equivalent premium which the Committee have paid and not recovered in respect of a period of service included in the calculation of the accrued pension;”;
  - (ii) for sub-paragraph (b) there shall be substituted—  
“(b) compound interest at such rates and in respect of such periods between the day on which the person ceases to be an officer and the day on which the transfer value is paid as the Department may from time to time specify.”;
- (b) for sub-paragraph 2(1) there shall be substituted—  
“(1) The sums in respect of accrued pension, accrued retiring allowance, accrued modification and accrued guaranteed minimum pension shall be calculated by multiplying the accrued pension by the pension factor, the accrued retiring allowance by the retiring allowance factor, the accrued modification by the modification factor and the accrued guaranteed minimum pension by the guaranteed minimum pension factor, such factors being the factors in the appropriate table in this schedule in relation to the person’s age at the date on which he ceased to be an officer.”;
- (c) in paragraph 3, after the definition of “accrued modification”, there shall be added—  
“accrued guaranteed minimum pension” means the amount of the guaranteed minimum pension in respect of the period of contracted-out employment to which an officer was entitled under regulation 3 of the Local Government (Superannuation) (Amendment) Regulations (Northern Ireland) 1979 on the date he ceased to be an officer.”;
- (d) for the tables following paragraph 3 there shall be substituted the tables set out in schedule A;
- (e) in paragraph 5—
- (i) for the full stop at the end of sub-paragraph (d) there shall be substituted a semi-colon;
  - (ii) after sub-paragraph (d) there shall be inserted—  
“(e) where the amount of a transfer value has been reduced by a sum in respect of accrued guaranteed minimum pension, the amount of the transfer value received shall be deemed to have been the amount that would have been received had it not been so reduced and in calculating under paragraph 4 the transfer value under regulation 50 equivalent to the amount of the transfer value received by the Committee, no reduction shall be made in respect of accrued guaranteed minimum pension.”;
- (f) the expression “contributions equivalent premium” shall be construed in accordance with article 44 of the Pensions Order.
- (12) For the tenth schedule to the principal regulations (reduction of benefits under regulation 10(5)) there shall be substituted the tenth schedule set out in schedule B to these regulations.



*Application and modification of regulation 15 of the principal regulations in relation to certain widows*

11.—(1) This regulation shall apply to the widow of an officer who dies after termination of his service in an employment which in relation to him was contracted-out employment by reference to the scheme and the marriage took place after the termination of her deceased husband's service in that employment.

(2) In relation to a widow to whom this regulation applies who, but for proviso (i) to regulation 15(1) of the principal regulations, would have become entitled on her deceased husband's death to a widow's pension regulation 15 shall have effect as if that proviso were omitted; and as if—

(a) in paragraph (2)—

(i) in sub-paragraph (b), after the words "half of" there were inserted the words "that part of" and after the word "pension" in the second place where it occurs there were added the words "which was attributable to the whole period of his service in contracted-out employment within the meaning of the Social Security Pensions (Northern Ireland) Order 1975 by reference to the scheme"; and

(ii) in sub-paragraph (c), after the words "half of" there were inserted the words "that part of" and at the end of that sub-paragraph there were inserted the words "and which would have been attributable to the whole period of his service in contracted-out employment within the meaning of the Social Security Pensions (Northern Ireland) Order 1975 by reference to the scheme"; and

(b) in paragraph (3)(a), after the words "at the rate" there were inserted the words "of one half of the rate" and for the words "his pension" there were substituted the words "that part of his pension which was attributable to the whole period of his service in contracted-out employment within the meaning of the Social Security Pensions (Northern Ireland) Order 1975 by reference to the scheme"; and

(c) at the end of the regulation there were added the following paragraph—

"(6) In this regulation "scheme" means the provisions of the principal regulations."

*Determination of questions*

12. The provisions of regulation 53 of the principal regulations (determination of questions) shall apply in relation to rights and liabilities under these regulations as they apply in relation to rights and liabilities under the principal regulations.

*Right to opt out*

13. No provision of these regulations shall apply to any person to whom at any time before 16th March 1979 any benefit (including a return of contributions and any pension payable to a widow or any dependant by virtue of a surrender) was or is being paid or became or may become payable if—

(a) he is placed by that provision in a worse position than he would have been in if it had not applied in relation to that benefit; and

(b) that provision relates to a benefit paid or payable in respect of a person who—

(i) ceased before 16th March 1979 to hold an employment in respect of which he was an officer, or

- (ii) died before that date while still in such an employment; and
- (c) the first mentioned person, by notice in writing given to the Committee within 3 months after 16th March 1979, elects that that provision shall not apply to him.

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 31st January 1979.

(L.S.)

*J. A. D. Higgins*

Senior Assistant Secretary

## SCHEDULE A

Regulation 10(11)

## "TRANSFER FACTORS

TABLE I—MALES

<i>Age</i>	<i>Pension Factor</i>	<i>Retiring Allowance Factor</i>	<i>Modification Factor</i>	<i>Guaranteed Minimum Pension Factor</i>
Under 20	5.00	.60	.25	1.47
20	5.05	.60	.25	1.50
21	5.10	.61	.25	1.53
22	5.15	.61	.30	1.56
23	5.20	.61	.30	1.59
24	5.25	.62	.30	1.62
25	5.30	.62	.35	1.65
26	5.35	.63	.40	1.68
27	5.40	.63	.40	1.71
28	5.45	.63	.45	1.74
29	5.50	.64	.50	1.78
30	5.55	.64	.50	1.81
31	5.60	.65	.55	1.85
32	5.65	.66	.60	1.88
33	5.70	.66	.65	1.92
34	5.75	.67	.70	1.95
35	5.80	.67	.80	1.99
36	5.85	.68	.90	2.02
37	5.90	.68	1.00	2.06
38	5.95	.68	1.10	2.10
39	6.00	.69	1.20	2.14
40	6.05	.69	1.30	2.18
41	6.10	.70	1.40	2.22
42	6.15	.70	1.50	2.26
43	6.20	.71	1.60	2.30
44	6.25	.72	1.70	2.34
45	6.30	.72	1.80	2.39
46	6.40	.73	1.90	2.44
47	6.50	.74	2.00	2.48
48	6.60	.74	2.20	2.53
49	6.70	.75	2.40	2.58
50	6.80	.75	2.60	2.62
51	6.90	.76	2.90	2.67
52	7.10	.76	3.20	2.72
53	7.30	.77	3.50	2.78
54	7.50	.78	3.80	2.84
55	7.70	.79	4.20	2.90
56	8.00	.80	4.60	2.97
57	8.30	.81	5.00	3.04
58	8.60	.82	5.40	3.12
59	9.00	.84	5.80	3.20
60	9.50	.86	6.30	3.28
61	9.50	.88	6.80	3.36
62	9.50	.91	7.40	3.44
63	9.50	.94	8.10	3.53
64	9.50	.98	9.00	3.64
65	9.50	1.00	9.50	3.80
66	9.15	1.00	9.15	4.10
67	8.80	1.00	8.80	4.50
68	8.50	1.00	8.50	4.90
69	8.15	1.00	8.15	5.30
70	7.80	1.00	7.80	5.70

TABLE II — FEMALES

<i>Age</i>	<i>Pension Factor</i>	<i>Retiring Allowance Factor</i>	<i>Modification Factor</i>	<i>Guaranteed Minimum Pension Factor</i>
Under 20	7.00	.60	.50	2.20
20	7.05	.60	.50	2.24
21	7.10	.61	.55	2.28
22	7.15	.61	.60	2.32
23	7.20	.61	.65	2.36
24	7.25	.62	.70	2.40
25	7.35	.62	.75	2.45
26	7.40	.63	.80	2.50
27	7.45	.63	.85	2.55
28	7.50	.63	.90	2.60
29	7.55	.64	.95	2.66
30	7.65	.64	1.05	2.71
31	7.70	.65	1.15	2.77
32	7.80	.66	1.25	2.82
33	7.90	.66	1.35	2.88
34	7.95	.67	1.45	2.93
35	8.05	.67	1.55	2.99
36	8.15	.68	1.65	3.05
37	8.25	.68	1.75	3.11
38	8.35	.68	1.85	3.17
39	8.45	.69	1.95	3.24
40	8.55	.69	2.10	3.31
41	8.65	.70	2.25	3.38
42	8.75	.70	2.45	3.45
43	8.85	.71	2.65	3.52
44	8.95	.72	2.90	3.59
45	9.05	.73	3.15	3.66
46	9.15	.74	3.40	3.74
47	9.25	.75	3.70	3.82
48	9.35	.76	4.00	3.90
49	9.45	.77	4.35	3.98
50	9.55	.78	4.75	4.06
51	9.65	.79	5.15	4.15
52	9.80	.80	5.60	4.24
53	9.95	.81	6.10	4.33
54	10.10	.82	6.65	4.43
55	10.30	.83	7.25	4.53
56	10.50	.84	7.95	4.63
57	10.75	.85	8.75	4.74
58	11.05	.87	9.65	4.85
59	11.40	.89	10.65	4.97
60	11.75	.91	11.75	5.10
61	11.75	.93	11.75	5.30
62	11.75	.95	11.75	5.60
63	11.75	.97	11.75	6.00
64	11.75	.99	11.75	6.40
65	11.75	1.00	11.75	6.80
66	11.40	1.00	11.40	7.20
67	11.05	1.00	11.05	7.60
68	10.70	1.00	10.70	8.00
69	10.35	1.00	10.35	8.40
70	10.00	1.00	10.00	8.80

## SCHEDULE B

Regulation 10(12)

## "TENTH SCHEDULE

Regulation 10(5)

## REDUCTION OF BENEFITS UNDER REGULATION 10(5)

TABLE

(1) Number of years	<i>Percentage reduction to be made under regulation 10(5)</i>		
	<i>Annual Pension</i>		<i>Retiring Allowance</i>
	(2) Male	(3) Female	(4) Both sexes
0	0	0	0
1	9	7	3
2	16	14	6
3	23	19	8
4	29	24	10
5	35	29	13

Note: The necessary interpolations are to be made in the Table above where the period during which the person would have had to remain an officer without any break in service in order to become entitled to benefits by virtue of regulation 9(1)(a), (b)(ii), or (d) on ceasing to be employed, is not an exact number of years."

## EXPLANATORY NOTE

*(This Note is not part of the regulations but is intended to indicate their general purport.)*

These regulations introduce the overriding requirements which the local government superannuation scheme must contain in order to be contracted-out under the Social Security Pensions (Northern Ireland) Order 1975 in relation to local government employment.

The principal requirements are covered by regulation 3, which provides for guaranteed minimum pensions for officers and their widows, regulation 4, which ensures a minimum rate of deferred pension in respect of contracted-out service, and regulation 6, which guarantees a widow a pension based on 1/160th of average remuneration in respect of each year of her husband's contracted-out service.

Regulations 7 and 9 impose restrictions on allocations of and forfeiture of pension respectively, in relation to contracted-out service, whilst regulation 8 precludes the return of contributions in respect of the contracted-out service of officers who are entitled to preserved benefits. Regulation 10 amends the existing regulations in consequence of the contracting-out requirements and makes special provision for a person who becomes an officer after age 60 (55 in the case of a woman).

Regulation 11 provides for a widow's pension at half the husband's rate in respect of his contracted-out service where the marriage took place after the husband had become entitled to a pension and regulation 12 provides for questions concerning a person's rights and liabilities under the regulations to be determined as they would be under the existing regulations.

Retrospective application is authorised by article 14 of the Superannuation (Northern Ireland) Order 1972, provision being made for opting out if a person is thereby placed in a worse position (regulation 13).