
STATUTORY RULES OF NORTHERN IRELAND

1992 No. 547

**Local Government (Superannuation)
Regulations (Northern Ireland) 1992**

PART R

MISCELLANEOUS POWERS AND DUTIES OF AUTHORITIES

Information to be supplied by certain employees

R1.—(1) Subject to paragraph (4)—

- (a) within 3 months after a person enters the employment of a scheduled body; and
- (b) within 6 months after any change which is material for the purposes of these regulations occurs in or in relation to a person's employment under a scheduled body;

the body are to request the person in writing to provide them with the documents specified in paragraph (2).

(2) The documents mentioned in paragraph (1) are—

- (a) a statement in writing of all his previous periods of employment (whether by a scheduled body or by any other person) and any national service and war service; and
- (b) copies of all notifications previously given to him under these regulations or the former regulations.

(3) A request under paragraph (1) is to include a conspicuous statement directing the attention of the employee to the importance of his providing full and accurate information and warning him that any omission or inaccuracy may prejudice the ascertainment of his rights under these regulations.

(4) Paragraph (1) does not apply where the body are satisfied—

- (a) that the person is not a pensionable employee; or
- (b) that they, or the Committee, already have a complete and accurate record of any previous service or employment which is material for the purposes of these regulations.

Records to be kept by authorities

R2.—(1) A scheduled body are to keep, in such form as they think fit, a record of—

- (a) the name of; and
- (b) all their decisions under regulation N2 in relation to,

each of their pensionable employees.

(2) The Committee are to keep, in such form as they think fit, a record of—

- (a) the name of; and
- (b) all their decisions under regulation N3 or N4 in relation to,

every pensionable employee.

Transmission of documents and information

R3.—(1) A scheduled body are to send to the Committee as soon as is reasonably practicable—

- (a) copies of all documents provided under regulation R1;
- (b) copies of all notifications of decisions made under regulation N2;
- (c) copies of all statements and statutory declarations provided under regulation C13; and
- (d) such other documents and information as the Committee may reasonably require for the purpose of discharging their functions under these regulations.

(2) A scheduled body other than the Committee—

- (a) on receiving from a pensionable employee notice of his intended retirement; or
- (b) on giving an employee notice to terminate his employment in circumstances in which he may become entitled to a return of contributions or to a benefit payable out of the fund; or
- (c) on becoming aware of any other circumstances which may necessitate any payment out of that fund,

are to comply, as soon as is reasonably practicable, with the requirements in paragraph (3).

(3) The requirements mentioned in paragraph (2) are to inform the Committee of the notice or other circumstances and—

- (a) send them particulars of the employee’s remuneration during the period that is relevant to a decision on the amount of the benefit that may become payable to or in respect of him; and
- (b) send them a copy of any relevant medical or death certificate and of any certificate issued by the body under regulation E21 (reduction in remuneration).

(4) The Committee when notifying a person who is not in their employment of a decision under regulations N3 or N4 are to send a copy of the notification to the body, if any, who are the employing authority in relation to that person.

(5) If the Committee decide, or the county court determines under regulation N8, that the conditions specified in regulation F3(2) to (9) are satisfied in relation to a person, and regulation F3(2)(d) applies and the scheme designated under regulation F5(2)(b) is not a scheme specified in Schedule 14, the Committee shall as soon as is reasonably practicable—

- (a) inform the scheme managers of the designated scheme that on receipt by the Committee of a transfer value (calculated in accordance with Part V of Schedule 16) regulation F6(1) (reckonable service and benefits in respect of war service) would apply to the person; and
- (b) inform them of the rate or amount, as the case may be, to be used in ascertaining C of the formula set out in that Part.

Payments due in respect of deceased persons

R4.—(1) This regulation applies where a person dies and the total of—

- (a) any sums that were due to him under these regulations; and
- (b) any other sums payable under these regulations to his personal representatives

(“the amount due”) does not exceed the amount specified in any order for the time being in force under section 6 of the Administration of Estates (Small Payments) Act (Northern Ireland) 1967(1) and applying in relation to the death.

(2) Where this regulation applies the Committee may, without requiring the production of probate or letters of administration of the estate of the deceased person, pay out of the fund—

- (a) to the personal representatives; or

- (b) to the person, or to or among any one or more of any persons, appearing to the Committee to be beneficially entitled to the estate,
the whole or any part of the amount due.
- (3) A person to whom a payment is made under paragraph (2) is, and the Committee are not, liable to account for the amount paid to him.

Pensions Order premiums

R5.—(1) Where a contributions equivalent premium under Part III of the Pensions Order is paid in respect of any pensionable employee, the Committee shall be entitled to charge to the fund a sum not exceeding the amount of that premium, less the amount (if any) which the Committee could recover or retain under Article 48 of that Order in respect of the premium.

(2) Where such a contributions equivalent premium is refunded under regulation 23(3)(c) of the Occupational Pension Schemes (Contracting-out) Regulations (Northern Ireland) 1985⁽²⁾, the Committee shall credit to the fund a sum equal to the amount of the premium.

(3) Where a transfer premium under Article 46A⁽³⁾ or a limited revaluation premium under Article 47 of the Pensions Order is paid in respect of any officer the Committee shall be entitled to charge to the fund a sum not exceeding the amount of that premium.

(2) [S.R. 1985 No. 259](#)

(3) Article 46A was inserted by the Social Security (Northern Ireland) Order 1985 ([S.I. 1985/1209 \(N.I. 16\)](#)), Schedule 1, paragraph 1 and amended by the Social Security (Northern Ireland) Order 1989 ([S.I. 1989/1342 \(N.I. 13\)](#)) Article 26, Schedule 6