
STATUTORY RULES OF NORTHERN IRELAND

1992 No. 547

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

PART B

PENSIONABLE EMPLOYMENT

Pensionable employees

B1.—(1) Paragraphs (2) to (4) have effect subject to paragraphs (5) to (8) and regulations B2 to B4.

(2) A whole-time officer of a body described in Part I of Schedule 2 (“a scheduled body”) is a pensionable employee.

(3) A whole-time manual worker employed by a scheduled body is a pensionable employee if he—

- (a) has completed 12 months' continuous employment with that body in which the contractual hours were 15 or more; or
- (b) without having received a return of the whole of his contributions, entered or re-entered employment with that body after having been in other local government employment; or
- (c) satisfies the requirements of Part II of Schedule 2.

(4) A variable-time employee of a scheduled body who is also a pensionable employee in a whole-time or part-time employment with any such body—

- (a) is a pensionable employee in the variable-time employment; and
- (b) if he ceases to hold the whole-time or part-time employment, remains a pensionable employee while he continues in the variable-time employment.

(5) Part III of Schedule 2 has effect for determining whether in a part-time employment in which he is not already a pensionable employee by virtue of paragraphs (2) to (4) an employee of a scheduled body is for the time being a pensionable employee.

(6) A scheduled body may resolve that a person who falls within paragraph (2), (3), (4) or (5) shall not become a pensionable employee by virtue of an election under regulations B2 or B4 unless he has undergone a medical examination to their satisfaction; and a resolution under this paragraph may apply to any specified person or to any specified class of persons.

(7) A scheduled body may resolve that a variable-time employee who is not also in their whole-time employment may become a pensionable employee.

(8) Notwithstanding anything in paragraphs (2) to (5), the following are not pensionable employees:

- (a) an existing officer, unless he exercised the option conferred by regulation 23 of the 1950 regulations or the corresponding provision of the Belfast Corporation Superannuation Scheme;

- (b) any member of the fire brigade as defined in Article 2(2) of the Fire Services (Northern Ireland) Order 1984⁽¹⁾;
- (c) any officer in the employment of the Fire Authority of Northern Ireland who was employed by the Northern Ireland Fire Authority immediately before 1st May 1954, and who did not exercise the option available to him under the relevant proviso to regulation 3(1) of the 1950 regulations to avail himself of the benefits of those regulations;
- (d) a person who has not attained the age of 18 years;
- (e) a person who has attained the age of 65 years and has completed not less than 45 years' reckonable service;
- (f) any other person who has attained the age of 65 years, unless—
 - (i) there has become payable to him a pension which is liable to be reduced or suspended under regulation E13 or an ill-health retirement grant under regulation E4; or
 - (ii) under any enactment he has received or is entitled to receive compensation for loss of employment or loss or diminution of emoluments attributable to the provisions of an enactment, and the compensation is liable to be reduced or suspended, in consequence of his taking up employment with a scheduled body, in the like manner and to the like extent as it would have been if he had remained subject to the pension scheme to which he was subject immediately before suffering the loss;
- (g) a person who has attained the age of 70 years;
- (h) any person in contributory service within the meaning of the Teachers (Superannuation) Act (Northern Ireland) 1950⁽²⁾; and
- (i) any person who as a member of staff of the University of Ulster is eligible to participate in a superannuation scheme operated under the Federated Superannuation System for Universities.

(1) S.I. 1984/1821 (N.I. 11)

(2) 1950 c. 33 (N.I.)