
STATUTORY RULES OF NORTHERN IRELAND

1992 No. 547

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

**PART E
BENEFITS**

Pay restraint not to affect pensionable remuneration in certain cases

E20.—(1) Paragraph (4) applies to a person if his pensionable remuneration would, apart from this regulation, be less than it would have been but for a relevant limitation.

(2) In this regulation, “relevant limitation” means a limitation of remuneration—

- (a) which was necessary in order to comply with limits referred to in section 1 of the Remuneration, Charges and Grants Act 1975(1); and
- (b) the effect of which was that any relevant remuneration was less than would, apart from that section, have been payable under an agreement entered into before 1st August 1975.

(3) In paragraph (2), “relevant remuneration” means any remuneration which is material for any of the purposes of regulation E19 (pensionable remuneration).

(4) The pensionable remuneration of a person to whom this paragraph applies shall be taken to be what it would have been but for the relevant limitation.

(5) Paragraph (7) applies to a person who is affected by a staging agreement.

(6) A person is affected by a staging agreement if—

- (a) there has been an agreement or award—
 - (i) which gave rise to rights enforceable by every member of a class or description of employees to which he belonged at a material time;
 - (ii) which, whether or not it entitled him to any interim increase, entitled him to the payment of remuneration from a specified date at an increased rate (“the final rate”) which was either specified in or to be determined by a method or in a manner specified in the agreement or award; and
 - (iii) under the terms of which the final rate, or an interim increase, or the first of two or more interim increases, became payable on or before 1st January 1980;
- (b) but for considerations of economy the final rate would have been made payable from a date (“the relevant date”) earlier than the date mentioned in sub-paragraph (a)(ii); and
- (c) his remuneration at a material time was less than it would have been if the final rate had become payable from the relevant date.

(1) 1975 c. 57; section 1 was amended, and the period for which it had effect extended, by the Price Commission Act 1977 (c. 33), section 17; references to limits set out in documents laid before Parliament in 1976 and 1977 were added by [The Limits on Remuneration Order 1976 \(S. I. 1976/1097\)](#), [The Limits on Remuneration Order 1977 \(S.I. 1977/1294\)](#)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(7) Subject to paragraph (8), where this paragraph applies to a person the amount of any remuneration that is material for the purposes of regulation E19 shall for those purposes be taken to be what it would have been if the final rate had become payable from the relevant date.

(8) Paragraph (7) does not apply to the calculation of a person's pensionable remuneration for the purposes of regulations E6(1)(b), E7 and E10.

(9) For the purposes of this regulation—

- (a) a material time is a time material for the purpose of calculating the person's pensionable remuneration under regulation E19; and
- (b) a class or description of employees may include persons who neither are nor are deemed to be employees of a scheduled body.