
STATUTORY RULES OF NORTHERN IRELAND

2000 No. 177

LOCAL GOVERNMENT

Local Government Pension Scheme
Regulations (Northern Ireland) 2000

Made - - - - 19th May 2000

Coming into operation 1st August 2000

LOCAL GOVERNMENT PENSION SCHEME
REGULATIONS (NORTHERN IRELAND) 2000

Part A

Preliminary

- A1 Citation, commencement and retrospection
- A2 Interpretation

Part B

Membership

Eligibility

- B1 General eligibility of employees of LGPS employers
- B2 Age restrictions: meaning of “latest retirement age” and “LRD”
- B3 Restrictions by reference to working hours: “part-time” and “variable-time” employees
- B4 Certain office-holders etc. to be treated as employees of LGPS employers
- B5 Separate employments etc.
- B6 Power to extend eligibility to employees of other bodies (“admission agreements”)
- B7 Ineligibility of employees eligible to join other statutory schemes
- B8 Other cases of ineligibility

Joining and leaving the Scheme

- B9 Applications for membership
- B10 Admission to the Scheme
- B11 Leaving the Scheme

Status: This is the original version (as it was originally made).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

B12 Rejoining the Scheme

Membership periods

B13 Periods of membership: “total period of membership”
B14 Length of period of membership: calculation of benefit
B15 Special power of employing authority to increase period of membership

Part C

Members' Contributions

Preliminary definitions

C1 Meaning of “remuneration”
C2 Meaning of “normal retirement age” and “NRD”

Standard contributions

C3 Member’s standard contributions
C4 Contributions payable for previous part-time employment

Effect of absences on contributions

C5 Leave of absence from duty
C6 Maternity absence
C7 Absence owing to trade dispute
C8 Absence on reserve forces service

Additional payments to improve benefits

C9 Payments to increase membership: calculation of all benefits
C10 Maximum length of additional periods to be purchased under regulation C9
C11 Amounts of payments under regulation C9
C12 Purchase by part-time employees of additional periods under regulation C9
C13 Payments to avoid reduction of retirement grant and death grant
C14 Payments to increase widower’s pension by counting membership before 1st April 1972
C15 Amount of payments under regulation C13 and C14
C16 Further provisions as to making of payments under regulations C13 and C14
C17 No elections to make payments after 64

Incomplete payments and return of contributions

C18 Notice to discontinue payments
C19 Uncompleted periodical payments
C20 Effect of opting out of membership on certain additional payments
C21 Return of member’s contributions in certain cases
C22 Meaning of “aggregate amount of contributions” for purposes of regulation C21
C23 Effect of return to local government on right to a return of contributions

AVCs

C24 Additional voluntary contributions

Deduction and recovery of contributions

C25 Deduction and recovery of member's contributions

Limitations on payments

C26 Limitation of payments

Provisions concerning continuing payments under old legislation

C27 Provisions concerning outstanding payments due under previous regulations

Part D

Retirement Benefits

Preliminary definitions

- D1 "Pensionable remuneration"
- D2 "Standard retirement pension" and "standard retirement grant"
- D3 For the purposes of these regulations, a person has a...
- D4 References to members leaving employment to include optants-out

Entitlement to immediate payment of benefits on retirement

- D5 Retirement on or after NRD
- D6 Early entitlement to retirement benefits: redundancy etc.
- D7 Early entitlement to retirement benefits: ill-health
- D8 Ill-health retirement grants
- D9 Retirement at or after 60 but before NRD
- D10 No double entitlement

Entitlement to deferred benefits: ("preserved benefits")

- D11 Entitlement to deferred retirement benefits ("preserved benefits")
- D12 Further provisions about preserved benefits

Adjustments to standard benefits

- D13 Reduction of pensions payable early by virtue of elections etc.
- D14 Surrender of part of retirement pension in favour of spouse or dependant
- D15 Adjustments to retirement pensions and grants for certain re-employed pensioners

Overriding provisions (contracting-out and Finance Act requirements, etc.)

- D16 Guaranteed minimum pensions for members in contracted-out employment, etc.
- D17 Revaluation of guaranteed minimum in certain cases
- D18 Equivalent pension benefits
- D19 National insurance
- D20 Limitations on benefits etc.

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

Part E

Death Grants

Death of a member

E1 Death grant: members in service

Death of a deferred pensioner

E2 Death grant: deferred pensioners

Death of a pensioner

E3 Death grant: pensioners with 10 years' or more membership
E4 Death grant: pensioners with less than 10 years' membership

General provisions relating to death benefits

E5 Surviving spouse deductions from certain death grants
E6 Adjustments to death grants for certain re-employed pensioners
E7 Part-timers' pensionable remuneration for certain purposes of this Part
E8 Nomination of beneficiary of death grant

Part F

Surviving Spouses' Pensions

Death of a member

F1 Member's spouse's short-term pension
F2 Member's spouse's long-term pension

Death of a deferred pensioner

F3 Deferred pensioner's spouse's long-term pension

Death of a pensioner

F4 Pensioner's spouse's short-term pension
F5 Pensioner's spouse's long-term pension

General provisions relating to surviving spouses' pensions

F6 Post retirement marriages
F7 Widowers: requirement for post 31st March 1972 membership and consequent adjustments to "retirement pension"
F8 Widowers: elections in respect of pre 1st April 1972 membership etc.
F9 Adjustments to pensions of surviving spouses of certain re-employed pensioners

Contracting-out requirements: GMP rule

F10 Surviving spouse's guaranteed minimum pension

Cessation of membership before the commencement date

F11 Cessation of membership before the commencement date

Part G

Children's Pensions

Preliminary

G1 Meaning of "child"

G2 Meaning of "eligible child"

Death of a member

G3 Member's children's long-term pension

G4 Member's children's short-term pension

Death of a deferred pensioner

G5 Deferred pensioner's children's long-term pension

Death of a pensioner

G6 Pensioner's children's long-term pension

G7 Pensioner's children's short-term pension

General provisions relating to children's pensions

G8 Limitations on entitlement to children's short-term pensions

G9 Long-term pensions: increase of period of membership in certain cases

G10 Children over 17 in paid training

G11 Discretions as to payment of children's pensions

G12 Adjustments to children's pensions for certain re-employed pensioners etc.

Part H

General Provisions Concerning Benefits

H1 Interest on late payment of certain benefits

H2 National Insurance

H3 Benefits not assignable

H4 Forfeiture of pension rights after conviction of employment-related offences

H5 Commutation: small pensions

H6 Commutation : exceptional circumstances of ill-health

H7 Payments due in respect of deceased persons

Part J

Decisions and Appeals

J1 Initial decisions

J2 Decisions as to status of employees

J3 Decisions as to benefits

J4 Notification of decisions

J5 Appointment of persons to resolve disputes

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

- J6 Application for a decision
- J7 Notice of a decision
- J8 Referral of disagreement to the Committee
- J9 Notice of decision from the Committee
- J10 Referral of decisions under regulation J2(1) to the county court
- J11 Definitions

Part K

Interchange Etc.

Preliminary

- K1 Interpretation

Transfers out

- K2 Outwards transfers
- K3 Time for payment of transfer value under regulation K2
- K4 Cases where right to transfer value excluded
- K5 Amount of transfer value under regulation K2
- K6 Special provision as respects pre-6th April 1988 service
- K7 Reductions of the transfer value: unsecured GMPs, pre-1988 service and forfeiture
- K8 Minimum transfer values
- K9 Modifications where transfer is to club scheme
- K10 Modification in connection with persons to whom regulation K17 applies
- K11 General provisions about payment of transfer values
- K12 Termination of right to payment out of the fund
- K13 Revival of rights for certain Community scheme transferees

Transfers in

- K14 Inward transfers
- K15 Right to count service
- K16 Calculation of period of membership allowed under regulation K15(1)(a): non-club schemes
- K17 Mis-sold pensions
- K18 Special provision where transfer is from a club scheme
- K19 Increase in return of contributions
- K20 Provision of information, charging and prescribed persons

Transfers of certain members who are eligible to join approved non-local government schemes

- K21 Certain members who become subject to other pension schemes in the same employment
- K22 Requests for transfer payments: regulation K21 employees and employees of ineligible employers

Part L

Pension Fund and Payments by Employers

The pension fund

- L1 Continuation of existing superannuation fund

Accounts audit and annual report

L2 Accounts audit and annual report

Valuations and rates of contributions and adjustments

L3 Valuations of fund

L4 Actuary's certificates

Employers' liability to make payments

L5 Employer's contributions

L6 Employer's further payments

L7 Payments by employing authorities to the Committee

Transfers, recovery and retention from the fund in misconduct cases

L8 Transfer of sums from the fund to compensate for former member's misconduct

L9 Recovery or retention where former member has misconduct obligation

Certain statutory payments to be met out of the fund

L10 Pension increases and cash equivalents under the Pension Schemes (Northern Ireland) Act 1993

L11 Pension increases under the Pensions (Increase) Act (Northern Ireland) 1971 and the Pensions Increase (Northern Ireland) Order 1974

L12 Contributions equivalent premium

Constitution and powers of the Committee

L13 Administration and Management

Part M

Miscellaneous and General Provisions

Modification in special cases

M1 Modifications of regulations in special cases

Information and records

M2 Information to be supplied by certain employees

M3 Records to be kept by employing authorities and the Committee

M4 Transmission of documents and information

Supplementary provisions

M5 Right to opt out

M6 Transitional and transitory provisions

M7 Revocations

M8 Consequential amendments

Signature

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

-
- SCHEDULE **General Definitions**
 - A1
 - SCHEDULE **Relevance of membership for purposes of scheme**
 - B1
 - Part I — Exclusion of Certain Membership for Certain Purposes
 - 1. Disregard of “superannuable membership” in determining entitlement to benefits
 - 2. Death grants
 - 3. Return of contributions: reduction of membership as respects preserved benefits
 - 4. Re-employed pensioners: disregard of certain former membership
 - Part II — Relevance of Former and Related Membership For Certain Purposes
 - 5. Total period of membership to include former and related membership for some purposes of entitlement etc.
 - 6. Former “qualifying service”
 - 7. Previous service of certain variable-time employees
 - 8. Previous service of certain re-employed pensioners
 - 9. Previous service of certain part-time employees
 - 10. Transfers in
 - 11. Excluded periods
 - SCHEDULE **Further provisions concerning meaning of “remuneration”**
 - C1
 - 1. Part-timers
 - 2. Statutory payments during absence
 - 3. For the purposes of regulation C6— (a) a woman’s remuneration...
 - 4. In regulation C7 “remuneration” does not include any guarantee payment...
 - 5. For the purpose of calculating the amount of any benefit...
 - 6. Additional periodical payments: “remuneration for the time being”
 - 7. Power to agree notional remuneration
 - SCHEDULE **Appropriate percentages: calculation of payments of Schedule**
 - C2 **C4**
 - Part IPayments Under Regulation C11

Table A

Males

Members to whom regulation D2(2) does not apply

Table B

Females

Members to whom regulation D2(2) does not apply

Table C

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

Males

Members to whom regulation D2(2) applies

Table D

Females

Members to whom regulation D2(2) applies

Part II — Lump sum cost of each added year which cannot be bought by annual contributions because of the 15 per cent. limits

Table E

Males

Class B and Class C members to whom regulation D2(2) does not apply

Table F

Females

Class B and C members to whom regulation D2(2) does not apply

Table G

Males

Class B and Class C members to whom regulation D2(2) applies

Table H

Females

Class B and Class C members to whom regulation D2(2) applies

Part III — Payments under Regulation C15

Table J

Males

Table K

Females

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

1. Making and variation of elections
2. Payment and amount of AVCs
3. No contributions shall be payable under regulation C24 with respect...
4. Contributions under regulation C24 shall normally be payable on the...
5. Functions of employing authorities and the Committee
6. (1) Where a notice under paragraph 1 specifies that all...
7. (1) The Committee shall invest with a relevant body any...
8. The benefits under a pension policy entered into under paragraph...
9. The Committee— (a) shall consult the member before entering into...
10. Changes of employment in which membership is continued
11. As soon as the new employing authority receives a notice...
12. (1) Subject to sub-paragraph (2), the member shall, with effect...
13. The Committee shall in respect of contributions made under regulation...
14. Paragraphs 7(2) and 10 to 16 shall have effect in...
15. Cessation of membership or employment
16. Where a person receives a refund under regulation C21 as...
17. Paragraph 3 shall not preclude a member who has again...
18. Separate treatment of AVCs from other contributions
19. The making of contributions under regulations C24, and any rights...
20. Inward transfer of AVC rights
21. Over-provision: calculation and return of surplus funds
23. Supplemental

SCHEDULE **Limitations on contributions and benefits**

C4

Part I — General

1. “Class A members”, “Class B members” and “Class C members”
2. Remuneration of Class A members: “permitted maximum”

Part II — Limitations on Contributions

3. General 15 per cent. limitation
4. Excess contributions payable by lump sum: Class B and C members
5. Additional voluntary contributions

Part III — Limitations on benefits

6. Restrictions on “pensionable remuneration”: Class A members with transferred-in membership
7. “Pensionable remuneration”: retirement grants for Class B members
8. Restrictions on membership period used for calculating amounts of benefits
9. Subject to paragraph 10 where the aggregate length of—
10. Where— (a) the calculation of any benefit in respect of...
11. Death grants

SCHEDULE **Provisions concerning outstanding payments due under previous regulations**

C5

1. Continuation of certain payments
2. Counting of extra membership periods on completion of payments begun under earlier provisions
3. Part-timers buying additional periods
4. Additional payments by certain members in respect of previous service
5. (1) Without prejudice to the previous provisions of this Schedule,...

6. Incomplete payments under provisions saved by this Schedule
 7. Regulation C19(7) shall apply to a person who has given...
 8. Continuing provision relating to payments originally made under the 1981 regulations
 9. Reduction of added years
 10. Reduction of returned contributions in certain cases
- SCHEDULE D1
- Further provisions about pensionable remuneration**
1. Increase of pensionable remuneration where not all relevant period is a period of membership
 2. Optional alternative relevant periods
 3. Subject to paragraphs 4 and 5, where a person is...
 4. (1) Where a reduction in a member's remuneration is certified...
 5. Where the member's pensionable remuneration would be higher if either...
 6. Periods of absence
 7. Part-timers
 8. Multiple employments
 9. Fee earners
 10. Employees with notional remuneration
- SCHEDULE D2
- Retirement Grants**
1. Reduction in standard retirement grant on account of contingent spouse's pension
 2. (1) Subject to paragraph 4, where— (a) a woman has...
 3. (1) Subject to paragraph 4, where the person—
 4. In calculating any reduction under paragraph 1, 2 or 3,...
- SCHEDULE D3
- Additional membership in cases of ill-health**
1. "Relevant service" and "relevant membership period"
 2. Calculation of additional membership period
 3. Alternative additional periods
 4. Part-timers
- SCHEDULE D4
- Procedure for surrender of part of retirement pension**
1. The Committee shall send to each person who becomes eligible...
 2. (1) Subject to sub-paragraph (3), where a person wishes to...
 3. (1) Subject to sub-paragraphs (2) and (3), where the Committee...
 4. (1) Subject to the provisions of this Schedule, unless
 5. A person who has given a notification under paragraph 2...
 6. (1) A notification given by a person under paragraph 2...
- SCHEDULE D5
- Re-employed pensioners**
- Part I — Reduction of Retirement Pension
1. Application of Part I
 2. General reduction rule
 3. Where within the last 12 months of the former employment...
 4. In paragraphs 2 and 3— (a) references to the indexed...
 5. (1) For the purposes of this Part, subject to sub-paragraph...
 6. Alteration of terms in new employment
 7. Proportional reduction in cases of two or more pensions
 8. Duty to inform employers of application of Part I
- Part II — Combined Benefits

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

9. Election for application of Part II
 10. New entitlement to single pension
 11. If in conjunction with the first pension the person was...
 12. If— (a) the first pension was, and
 13. If part of the first pension was surrendered under regulation...
 14. In relation to a person who— (a) before 1st April...
Part III — Separate Benefits
 15. Application of Part III
 16. Modifications to usual benefit rules
 17. Benefits on and after death
Part IV — Surviving Spouses' and Children's Benefits
 18. (1) This paragraph applies where— (a) a person was entitled...
 19. Where— (a) a person was entitled to an annual pension...
 20. Where— (a) a surviving spouse is entitled to a spouse's...
 21. (1) Where— (a) a surviving spouse is entitled to a...
- SCHEDULE
F1
1. (1) A married woman who— (a) was a member on...
 2. Elections under regulation E12 of the 1992 regulations
 3. Where a woman died before 6th April 1988, Part G...
- SCHEDULE
K1
1. Persons to whom this Schedule applies
 2. Persons who ceased local government employment on or after 1st March 1993
 3. (1) Where— (a) the person ceased to be employed in...
 4. Paragraphs 2 and 3 shall not confer any right to—...
 5. Interpretation of references to those claiming through a person
- SCHEDULE
K2
1. Prescribed persons
 2. For the purposes of regulation K20(3) (persons on whom fees...
 3. A restitution payment in relation to an individual shall be...
 4. The amount, if any, calculated by virtue of paragraph 3(b)...
 5. In this Schedule— (a) “material date” means the date on...
- SCHEDULE
L1
- Elections as respects widowers' pensions etc.**
- Revival of rights for certain community scheme transferees**
- Mis-sold Pensions**
- The Committee**
- Part I — Constitution of the Committee
 1. The Committee shall consist of a chairman appointed by the...
 2. (1) Subject to the provisions of paragraphs 2(2) and 5,...
 3. The quorum of the Committee shall be 6, or such...
 4. The Committee may act notwithstanding any vacancy in its number...
 5. A casual vacancy occurring in the membership of the Committee...
 6. A member of the Committee may resign his membership by...
 7. Where any member of the Committee is absent from the...
 8. A member of the Committee on vacating his office at...
 9. No defect in the appointment of any person acting as...
 - Part II — Powers of the Committee
 10. The Committee, which shall be a body corporate with perpetual...
 11. The Committee may appoint a sub-committee or an officer employed...

12. The number of members of a sub-committee appointed under paragraph...
13. A sub-committee appointed under paragraph 11 shall consist of members...
14. A sub-committee or an officer appointed under paragraph 11 shall...
15. The Committee may revoke any appointment made under paragraph 11,...
16. Any arrangements made by the Committee for the discharge of...
17. The seal of the Committee shall be authenticated by the...
18. Every document purporting to be an instrument issued by the...
19. Subject to the provisions of these regulations, the Committee shall...
20. The Committee may with the approval of the Department appoint...
21. In addition to the appointments mentioned in paragraph 20, the...
22. (1) The Committee may make arrangements with any district council,...
23. Section 18(2) of the Interpretation Act (Northern Ireland) 1954 shall...

Part III — Expenses And Allowances Payable By The Committee

24. The expenses of the Committee, including payments in respect of...
25. The Committee may, in addition to any payment made under...
26. The Committee may in addition to any payments made under...
27. A member of the Committee entitled to a financial loss...
28. A claim for a financial loss allowance shall be submitted...
29. In this Part— “approved duty” means attendance at a meeting...

SCHEDULE M1 Modification in special cases

M1

Certain female nurses, physiotherapists, midwives and health visitors

SCHEDULE M2 Transitional and Transitory Provisions

M2

Part I — General Provisions

1. In this Schedule “the revoked instruments” means the statutory instruments...
2. (1) The substitution of these regulations for the revoked instruments...
3. Where— (a) these regulations revoke a provision (“the commencement provision”)...
4. (1) The revocation by these regulations of any provision previously...
5. Where by virtue of Part II a reference in these...

Part II — Specific Provisions

6. Membership
7. Existing reckonable service etc.
8. War service
9. Remuneration
10. Continuation of options under regulation S2 of the 1992 regulations
11. Resolutions

SCHEDULE M3 Subordinate legislation revoked

M3

SCHEDULE M4 Consequential Amendments

M4

1. In regulation L5 of the 1992 regulations for “regulation E2”,...
2. In the Local Government (Superannuation) (Milk Marketing Board for Northern...

Explanatory Note