
STATUTORY RULES OF NORTHERN IRELAND

2000 No. 177

**Local Government Pension Scheme
Regulations (Northern Ireland) 2000**

Part C

Members' Contributions

Additional payments to improve benefits

Payments to avoid reduction of retirement grant and death grant

C13.—(1) Subject to the following provisions of this regulation, a member—

- (a) whose retirement grant would be subject to reduction under paragraph 1, 2(1) or 3(1) of Schedule D2 (reduction in standard retirement grant on account of contingent spouse's pension); or
- (b) whose death grant would be subject to reduction under regulation E5 (surviving spouse deductions from certain death grants),

may, by notice in writing given to the Committee, elect to make additional periodical payments under this regulation in order to avoid all or part of the reduction—

- (i) in his retirement grant; and
- (ii) in any death grant that may become payable under Part E.

(2) A notice under paragraph (1) shall specify whether the reduction is to be avoided in respect of the whole or only a specified part—

- (a) in the case of a male member, of his membership before 1st April 1972 or before any earlier date on which—
 - (i) he was judicially separated from his wife: or
 - (ii) his marriage was dissolved: or
 - (iii) he became a widower,
- (b) in the case of a female member who has given notice under paragraph 1(1) of Schedule F1, of her membership which is or is treated for the purposes of paragraph 2(2) of Schedule D2 as being membership before 1st April 1972; and
- (c) in the case of a female member who has made such an election as is mentioned in paragraph 2 of Schedule F1, of her membership before 1st April 1972.

(3) An election may not be made in respect of a period of membership of less than one year unless—

- (a) the whole of the person's period of membership in the case of a person described in paragraph (2) before 1st April 1972; or

- (b) where he has previously made an election in respect of part of that membership, the remainder of it,
amounts to less than one year.
- (4) An election under this regulation may be made by any person from time to time, but not—
 - (a) if in the particular case the Committee so resolves, without his having, at his own expense, undergone a medical examination to its satisfaction; nor
 - (b) after making an election under regulation C9(5)(b) of the 1992 regulations (or any corresponding previous provision) to make payment by instalments.
- (5) Where—
 - (a) this regulation applies to a woman by virtue of her having made such an election as is mentioned in paragraph 2 of Schedule F1;
 - (b) she has made (or is treated as having made) an election under paragraph (1) or regulation C9 of the 1992 regulations (or any corresponding previous provision);
 - (c) this regulation subsequently applies to her by virtue of paragraph 2(1) of Schedule D2; and
 - (d) she makes a further election under paragraph (1),then—
 - (i) any payments made under this regulation pursuant to the election referred to in subparagraph (b) shall be deemed to have been made pursuant to the further election, and
 - (ii) any additional sums payable by her pursuant to the further election shall be determined accordingly by the fund's actuary.