
STATUTORY RULES OF NORTHERN IRELAND

2002 No. 352

**Local Government Pension Scheme
Regulations (Northern Ireland) 2002**

PART II

PRIMARY PROVISIONS

CHAPTER IV

BENEFITS

Commutation

Commutation: small pensions

51.—(1) If the annual rate of the retirement pension which a member who has attained state pensionable age is entitled to be paid is not more than £195, the Committee may pay him a lump sum representing the capital value of the pension.

(2) The Committee may also pay a lump sum representing the capital value of a long-term pension which is payable to any surviving spouse or to or in respect of an eligible child or children, if the annual rate does not exceed £260.

(3) If a member is entitled to more than one retirement pension under the Scheme or more than one long-term pension is payable under the Scheme following a member's death, a lump sum is only payable if the aggregate amount payable to that member or following that death is £195 or less, as the case may be, £260.

(4) Any increase payable under the Pensions (Increase) Act (Northern Ireland) 1971(1) in respect of a pension must be included in its annual rate.

(5) The capital value of a pension must be calculated as shown in guidance issued by the Government Actuary.

(6) Where a payment is made in respect of a retirement pension, a payment representing the capital value of any long-term pension, which would be payable to the member's spouse if that spouse survived the member, must also be made.

(7) The payment of a lump sum in respect of a pension discharges the Committee from its liability for it and, where the payment is made to a member, for any short-term or long-term pensions which may become payable on his death.

(8) The Committee must deduct from any payment under this regulation any tax for which it may become liable under section 599 of the Taxes Act(2).

(1) 1971 c. 35 (N.I.)

(2) 1988 c. 1 section 599 was amended by the Finance Act 1989 (c. 26), Schedule 6, paragraphs 11 and 18

Status: This is the original version (as it was originally made).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