
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 32

LOCAL GOVERNMENT

**Local Government Pension Scheme (Benefits, Membership
and Contributions) Regulations (Northern Ireland) 2009**

Made - - - - 25th February 2009

Coming into operation 1st April 2009

**LOCAL GOVERNMENT PENSION SCHEME
(BENEFITS, MEMBERSHIP AND CONTRIBUTIONS)
REGULATIONS (NORTHERN IRELAND) 2009**

1. Citation, commencement and interpretation
2. Active members
3. Contributions payable by active members
4. Meaning of “pensionable pay”
5. Benefits
6. Periods of membership
7. Calculation of length of periods of membership
8. Final pay: general
9. Final pay: reserve forces, maternity leave, etc.
10. Final pay: reductions
11. Final pay: fluctuating emoluments
12. Power of employing authority to increase total membership of members
13. Power of employing authority to award additional pension
14. Election to pay additional regular contributions (ARCs)
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16. Normal retirement
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19. Early leavers: business efficiency and redundancy
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21. Election for lump sum in lieu of pension
22. Limit on total amount of benefits
23. Death grants: active members
24. Survivor benefits: active members
25. Meaning of “nominated cohabiting partner”

Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations (Northern Ireland) 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

26. Meaning of “eligible child”
 27. Children’s pensions
 28. Children’s pensions: active members
 29. Calculation on leaving early
 30. Choice of early payment of pension
 31. Early payment of pension: ill-health
 32. Death grants: deferred members
 33. Survivor benefits: deferred members
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 35. Death grants: pensioner members
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 37. Children’s pensions: pensioner members
 38. Pension increases under the Pensions (Increase) Acts
 39. Commutation: small pensions
 40. Guidance on future costs
 41. Pension debits
 42. No double entitlement
- Signature
Explanatory Note

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations (Northern Ireland) 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Regulations applied by S.R. 2009/32, reg. 6(10) (as substituted) by [S.R. 2013/71 reg. 14](#)
- Regulations continued by [S.R. 2014/189 reg. 13\(1\)](#)
- Regulations revoked in pt. by [S.R. 2014/189 reg. 2Sch. 2](#)
- reg. 1 coming into force by [S.R. 2009/32 reg. 1\(1\)](#)
- reg. 1 words inserted by [S.R. 2011/117 reg. 2\(2\)](#)
- reg. 1(2) words inserted by [S.R. 2019/206 reg. 3\(a\)](#)
- reg. 1(2) words omitted by [S.R. 2019/206 reg. 3\(b\)](#)
- reg. 1(2) words substituted by [S.R. 2013/71 reg. 3](#)
- reg. 2 coming into force by [S.R. 2009/32 reg. 1\(1\)](#)
- reg. 2(1) substituted by [S.R. 2013/71 reg. 4\(a\)](#)
- reg. 2(1) words inserted by [S.R. 2010/410 reg. 10](#)
- reg. 2(3) substituted by [S.R. 2013/71 reg. 4\(b\)](#)
- reg. 3 coming into force by [S.R. 2009/32 reg. 1\(1\)](#)
- reg. 3(2) modified by [S.R. 2009/34 reg. 9\(1\)](#)
- reg. 3(9) words substituted by [S.R. 2012/183 reg. 3](#)
- reg. 4 coming into force by [S.R. 2009/32 reg. 1\(1\)](#)
- reg. 4(1) words substituted by [S.R. 2012/85 reg. 12\(2\)\(a\)](#)
- reg. 4(2) words substituted by [S.R. 2012/85 reg. 12\(2\)\(b\)](#)
- reg. 5 coming into force by [S.R. 2009/32 reg. 1\(1\)](#)
- reg. 6 coming into force by [S.R. 2009/32 reg. 1\(1\)](#)
- reg. 6 words substituted by [S.R. 2012/183 reg. 5](#)
- reg. 7 coming into force by [S.R. 2009/32 reg. 1\(1\)](#)
- reg.007(3)(4) deleted by [S.R. 2011/117 reg. 2\(a\)Pt 2](#)
- reg. 7(3) words substituted by [S.R. 2012/183 reg. 6](#)
- reg.007(5) words substituted by [S.R. 2011/117 reg. 2\(b\)Pt 2](#)
- regs. 8-11 applied by [S.R. 2009/34 reg. 3\(3\)](#)
- reg. 8 coming into force by [S.R. 2009/32 reg. 1\(1\)](#)
- reg. 8 revoked by [S.R. 2011/117 reg. 3Pt. 2](#)
- reg. 8(1) substituted by [S.R. 2013/71 reg. 5](#)
- reg. 8(1) words substituted by [S.R. 2010/410 reg. 12](#)
- reg. 8(3) substituted by [S.R. 2016/329 reg. 8\(a\)](#) (W/E as mentioned in reg. 2(a))
- reg. 8(3) text amended by [S.R. 2010/164 reg. 7](#)
- reg. 9 coming into force by [S.R. 2009/32 reg. 1\(1\)](#)
- reg. 10 coming into force by [S.R. 2009/32 reg. 1\(1\)](#)
- reg. 10 revoked by [S.R. 2011/117 reg. 3Pt. 2](#)
- reg. 10(1) words substituted by [S.R. 2012/183 reg. 7\(a\)](#)
- reg. 11 coming into force by [S.R. 2009/32 reg. 1\(1\)](#)
- reg. 11 revoked by [S.R. 2011/117 reg. 3Pt. 2](#)
- reg. 11(1) words inserted by [S.R. 2010/410 reg. 13\(a\)](#)
- reg. 11(1)(a) words inserted by [S.R. 2010/410 reg. 13\(a\)](#)
- reg. 11(1)(b) words inserted by [S.R. 2010/410 reg. 13\(b\)](#)
- reg. 11(2) words inserted by [S.R. 2010/410 reg. 13\(a\)](#)
- reg. 12 coming into force by [S.R. 2009/32 reg. 1\(1\)](#)
- reg. 12 revoked by [S.R. 2011/117 reg. 12Pt. 3](#)
- reg. 13 coming into force by [S.R. 2009/32 reg. 1\(1\)](#)
- reg. 13 revoked by [S.R. 2011/117 reg. 12Pt. 3](#)
- reg. 14 coming into force by [S.R. 2009/32 reg. 1\(1\)](#)
- reg. 14 continued (with modifications) by [S.R. 2014/189 reg. 14\(1\)\(d\)](#)

- reg. 15 coming into force by S.R. 2009/32 reg. 1(1)
- reg. 15 continued (with modifications) by S.R. 2014/189 reg. 14(1)(d)
- reg. 16 coming into force by S.R. 2009/32 reg. 1(1)
- reg. 17 coming into force by S.R. 2009/32 reg. 1(1)
- reg. 17(1) words inserted by S.R. 2012/183 reg. 8
- reg. 18 coming into force by S.R. 2009/32 reg. 1(1)
- reg. 18 revoked by S.R. 2011/117 reg. 4Pt. 2
- reg. 18(1) substituted by S.R. 2013/71 reg. 6
- reg. 18(7) words inserted by S.R. 2012/183 reg. 9(b)
- reg. 19 coming into force by S.R. 2009/32 reg. 1(1)
- reg. 19 revoked by S.R. 2011/117 reg. 5Pt. 2
- reg. 20 coming into force by S.R. 2009/32 reg. 1(1)
- reg. 20(1)-(4) words substituted by S.R. 2011/117 reg. 6Pt. 2
- reg. 20(1)(b) words substituted by S.R. 2012/183 reg. 10(a)
- reg. 20(2) amendment to earlier affecting provision S.R. 2011/117, Sch. 1 by S.R. 2012/183 reg. 16
- reg. 20(2) applied (with modifications) by S.R. 2014/189 reg. 11(2)
- reg. 20(2) words substituted by S.R. 2012/183 reg. 10(a)
- reg. 20(3) applied (with modifications) by S.R. 2014/189 reg. 11(3)
- reg. 20(3) words substituted by S.R. 2012/183 reg. 10(a)
- reg. 20(4)(a) words substituted by S.R. 2012/183 reg. 10(a)
- reg. 20(4)(b) words substituted by S.R. 2012/183 reg. 10(a)
- reg. 20(5)-(7) revoked by S.R. 2011/117 reg. 7Pt. 2
- reg. 20(6) words substituted by S.R. 2010/410 reg. 16
- reg. 20(7) substituted by S.R. 2012/183 reg. 10(b)
- reg. 20(9) words substituted by S.I. 2010/234 Sch. 3 para. 15
- reg. 21 coming into force by S.R. 2009/32 reg. 1(1)
- reg. 22 coming into force by S.R. 2009/32 reg. 1(1)
- reg. 23 applied by S.R. 2009/33 reg. 92(1)
- reg. 23 coming into force by S.R. 2009/32 reg. 1(1)
- reg. 23(3) words substituted by S.R. 2011/117 reg. 9(a)Pt.02
- reg. 23(4) revoked by S.R. 2011/117 reg. 9(b)Pt.02
- reg. 23(4) words substituted by S.R. 2012/183 reg. 11(a)
- reg. 23(5) omitted by S.R. 2019/206 reg. 50
- reg. 24 applied by S.R. 2009/34 reg. 3(4)
- reg. 24 coming into force by S.R. 2009/32 reg. 1(1)
- reg. 24(1) word omitted by S.R. 2019/206 reg. 5
- reg. 25 coming into force by S.R. 2009/32 reg. 1(1)
- reg. 25 omitted by S.R. 2019/206 reg. 6
- reg. 26 coming into force by S.R. 2009/32 reg. 1(1)
- reg. 27 coming into force by S.R. 2009/32 reg. 1(1)
- reg. 28 coming into force by S.R. 2009/32 reg. 1(1)
- reg. 28(1) substituted by S.R. 2013/71 reg. 8
- reg. 29 coming into force by S.R. 2009/32 reg. 1(1)
- reg. 29(5) words deleted by S.R. 2012/183 reg. 13
- reg. 30 coming into force by S.R. 2009/32 reg. 1(1)
- reg. 30(1) words deleted by S.R. 2010/410 reg. 18
- reg. 31 coming into force by S.R. 2009/32 reg. 1(1)
- reg. 31(1) words inserted by S.R. 2010/410 reg. 19(a)
- reg.031(1)(2) words substituted by S.R. 2011/117 reg. 8Pt. 2
- reg. 31(2) words substituted by S.R. 2010/410 reg. 19(b)
- reg. 31(2) words substituted by S.R. 2012/183 reg. 14
- reg. 32 applied by S.R. 2009/33 reg. 92(1)
- reg. 32 coming into force by S.R. 2009/32 reg. 1(1)
- reg. 32(2) deleted by S.R. 2016/128 reg. 32
- reg. 32(3) words substituted by S.R. 2011/117 reg. 10Pt. 2
- reg. 32(4) omitted by S.R. 2019/206 reg. 51
- reg. 33 applied by S.R. 2009/34 reg. 3(4)

- reg. 33 coming into force by S.R. 2009/32 reg. 1(1)
- reg. 33(1) word omitted by S.R. 2019/206 reg. 7
- reg. 34 coming into force by S.R. 2009/32 reg. 1(1)
- reg. 34(1) substituted by S.R. 2013/71 reg. 10
- reg. 35 applied by S.R. 2009/33 reg. 92(1)
- reg. 35 coming into force by S.R. 2009/32 reg. 1(1)
- reg. 35(1) words omitted by S.R. 2022/163 reg. 23
- reg. 35(3) words substituted by S.R. 2011/117 reg. 11Pt. 3
- reg. 35(4) omitted by S.R. 2019/206 reg. 52
- reg. 36 applied by S.R. 2009/34 reg. 3(4)
- reg. 36 coming into force by S.R. 2009/32 reg. 1(1)
- reg. 36(1) word omitted by S.R. 2019/206 reg. 8
- reg. 37 coming into force by S.R. 2009/32 reg. 1(1)
- reg. 38 coming into force by S.R. 2009/32 reg. 1(1)
- reg. 39 applied by S.R. 2009/33 reg. 93(1)
- reg. 39 applied by S.R. 2009/33 reg. 93(2)
- reg. 39 coming into force by S.R. 2009/32 reg. 1(1)
- reg. 39(1) substituted by S.R. 2014/189 Sch. 4 para. 16
- reg. 39(1) words substituted by S.R. 2012/183 reg. 15
- reg. 40 coming into force by S.R. 2009/32 reg. 1(1)
- reg. 40 words deleted by S.R. 2010/410 reg. 20
- reg. 41 coming into force by S.R. 2009/32 reg. 1(1)
- reg. 42 coming into force by S.R. 2009/32 reg. 1(1)

Changes and effects yet to be applied to the whole Rule associated Parts and Chapters:

Whole provisions yet to be inserted into this Rule (including any effects on those provisions):

- Sch. para. 6 words substituted by S.R. 2012/183 reg. 16
- Sch. 1 words substituted by S.R. 2011/117 Sch. 1
- reg.002A words inserted by S.R. 2011/117 reg. 2(3)
- reg. 4(2)(e)-(g) substituted for reg. 4(2)(e)-(f) by S.R. 2010/410 reg. 11
- reg. 4(2)(f)-(h) substituted for reg. 4(2)(f)(g) by S.R. 2012/183 reg. 4
- reg. 8(5) inserted by S.R. 2016/329 reg. 8(b) (W/E as mentioned in reg. 2(a))
- reg. 10(1A) inserted by S.R. 2012/183 reg. 7(b)
- reg. 10(2)(a)-(c) substituted for reg. 10(2)(a)(b) by S.R. 2012/183 reg. 7(c)
- reg. 11(3) inserted by S.R. 2010/410 reg. 13(c)
- reg. 11(3) omitted by S.R. 2022/163 reg. 22
- reg. 12A inserted by S.R. 2010/410 reg. 14
- reg. 14A continued (with modifications) by S.R. 2014/189 reg. 14(1)(d)
- reg. 14A inserted by S.R. 2010/410 reg. 15
- reg. 14A(1) words substituted by S.R. 2019/206 reg. 4(a)
- reg. 14A(2) omitted by S.R. 2019/206 reg. 4(b)
- reg. 14A(3) words substituted by S.R. 2019/206 reg. 4(c)
- reg. 14A(5) word omitted by S.R. 2019/206 reg. 4(d)
- reg. 18(3A) inserted by S.R. 2012/183 reg. 9(a)
- reg. 23(4A) inserted by S.R. 2012/183 reg. 11(b)
- reg. 24(2)-(2B) substituted for reg. 24(2) by S.R. 2012/183 reg. 12
- reg. 24(2A)(a)(b) substituted by S.R. 2013/71 reg. 7
- reg. 27(5) inserted by S.R. 2010/410 reg. 17
- reg. 33(2)(2A) substituted for reg. 33(2) by S.R. 2013/71 reg. 9