

---

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations set out provisions relating to the administration of the new Local Government Pension Scheme (“the Scheme”) which is to come into operation on 1 April 2009 and is constituted by these Regulations and the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations (Northern Ireland) 2009 (“the Benefits Regulations”) and the Local Government Pension Scheme (Amendment and Transitional Provisions) Regulations (Northern Ireland) 2009.

The provisions in these Regulations supersede without modification most of those in the Local Government Pension Scheme Regulations (Northern Ireland) 2002 (as amended) that they replace. Reference is made where relevant to a nominated cohabiting partner as a category of dependant beneficiary in the Benefits Regulations. The other main changes are mentioned in the following description of the arrangement of these Regulations.

The Regulations are divided into the following Parts—

Part 1 deals with citation, commencement and interpretation;

Part 2 sets out the rules relating to membership of the Scheme. Regulation 9 (joining the Scheme) does not require any person who is eligible to be a member of the Scheme to apply to be such, unless he is applying for membership on a date other than that on which he would otherwise automatically become a member;

Part 3 deals with contributions. Regulation 19 (additional regular contributions) sets out the procedures, where a member chooses to pay additional contributions under regulation 14 (election in respect of additional pension) of the Benefits Regulations. Regulations 21 to 23 simplify and update provisions dealing with additional voluntary contributions and shared cost additional voluntary contributions;

Part 4 deals with pension funds and employers’ payments. Regulation 39 (interest) provides that interest payable on overdue amounts is payable from the day after the amount is due, the only exception being any extra charge payable by an employing authority under regulation 35 (employer’s payment following resolution to increase membership or award additional pension) or regulation 36 (employer’s further payments);

Part 5 deals with the payment of benefits;

Part 6 deals with determination of questions and disputes. Regulation 50 (first instance decisions) requires the employing authority to decide what contribution rate a member must pay. This is consequential on regulation 3 of the Benefits Regulations, which provides that the contribution rate a member pays is based on his pensionable pay and a range of pay bands;

Part 7 deals with policy statements and information;

Part 8 deals with special adjustments;

Part 9 deals with transfers; and

Part 10 deals with pension sharing.

A regulatory impact assessment has not been produced for these Regulations as it has no impact on the cost of businesses, charities or voluntary bodies and does not have a significant financial impact on any public bodies.