

---

STATUTORY RULES OF NORTHERN IRELAND

---

**2009 No. 33**

**Local Government Pension Scheme (Administration)  
Regulations (Northern Ireland) 2009**

**PART 3**

**CONTRIBUTIONS**

**Contributions during child-related leave**

**14.**—(1) If a person who is a member, or has applied to be a member, goes on maternity, paternity or adoption leave, the person must make contributions as respects any part of his period of maternity, paternity or adoption absence for which the person is a member and entitled to receive pay (including statutory pay).

(2) But that pay does not include any amount that reduces the member's actual pay on account of possible entitlement to statutory pay.

(3) Such contributions must be made at the contribution rate on that pay.

(4) If a person who is a member or has applied to be a member—

- (a) goes on ordinary maternity leave, paternity leave or ordinary adoption leave; and
- (b) is not entitled to receive pay (including statutory pay) for all or any part of that period of leave,

the person shall be treated as if the person had paid contributions under paragraph (1) for the unpaid period of that leave and on the pay that the person would have received during that period but for the absence.

(5) If a person who is a member or has applied to be a member—

- (a) is on maternity or adoption leave (other than ordinary maternity or adoption leave); and
- (b) for all or part of that period maternity or adoption absence is not entitled to receive pay (including statutory pay) but is a member,

the person may make contributions at the contribution rate as respects the unpaid period of that absence as if the person's pay in the employment were equal to the adjusted pay.

(6) The adjusted pay shall be the pay the person was entitled to receive immediately before the unpaid period began (including statutory pay) but—

- (a) not including any amount that reduces his actual pay on account of the person's possible entitlement to statutory pay; and
- (b) disregarding any amount he receives on account of a day's work carried out under regulation 12A of the Maternity and Parental Leave etc. Regulations (Northern Ireland) 1999(1) or regulation 21A of the Paternity and Adoption Leave Regulations (Northern Ireland) 2002(2).

---

(1) S.R. 1999 No. 471; regulation 12A was inserted by S.R. 2006 No. 372; regulation 10.

(7) A member to whom paragraph (5) applies may continue to pay contributions under regulation 21 (additional voluntary contributions and shared cost additional voluntary contributions) which he was paying immediately before the leave began.

(8) If an active member goes on maternity, paternity or adoption leave, the member must continue to make any payments that member was making under regulation 19 (payment of additional regular contributions) or regulation 57 (payments to increase total membership) of the 2002 Regulations on the pay the member would have received during the period but for the leave.

(9) In this regulation—

“ordinary adoption leave” means leave under Article 107A of the Employment Rights (Northern Ireland) Order 1996(3);

“ordinary maternity leave” means leave under Article 103 of that Order(4);

“paternity leave” means leave under regulation 4 or 8 of the Paternity and Adoption Leave Regulations (Northern Ireland) 2002;

“period of maternity, paternity or adoption absence” means any period throughout which a member is absent from duty because he is exercising his right to take—

- (a) ordinary maternity or adoption leave;
- (b) additional maternity or adoption leave under Article 105 or 107B of the Employment Rights (Northern Ireland) Order 1996(5); or
- (c) paternity leave; and

“statutory pay” means any statutory maternity, paternity or adoption pay payable under the Social Security Contributions and Benefits (Northern Ireland) Act 1992(6).

---

(2) S.R. 2002 No. 377; regulation 21A was inserted by S.R. 2006 No. 373; regulation 6.

(3) S.I. 1996/1919 (N.I. 16); Article 107A was inserted by S.I. 2002/2836 (N.I. 2).

(4) Article 103 was amended by S.I. 2002/2836 (N.I. 2).

(5) Article 105 was amended by Article 14 of S.I. 2002/2836 (N.I. 2) and Article 107B was inserted by Article 3 of S.I. 2002/2836 (N.I. 2).

(6) 1992 c. 7.