
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 33

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

PART 8

SPECIAL ADJUSTMENTS

Protection of guaranteed minimum pension rights

71.—(1) The power—

- (a) to give directions under regulation 68(2) (forfeiture of pension rights after conviction of employment-related offences); or
- (b) to recover or retain amounts under regulation 70(2) (recovery or retention where former member has misconduct obligation),

may not be exercised so as to deprive a person of his guaranteed minimum pension or any widow's, widower's or surviving civil partner's guaranteed minimum pension.

(2) But such power may be so exercised if the person left his employment—

- (a) because of the offence of treason; or
- (b) because of one or more offences under the Official Secrets Acts 1911 to 1989(1) for which the former member has been sentenced on the same occasion to—
 - (i) a term of imprisonment of at least 10 years; or
 - (ii) two or more consecutive terms amounting in the aggregate to at least 10 years.

(1) 1911 c. 28 and 1989 c. 6.