

SCHEDULE 3

Regulation 25

THE COMMITTEE

PART 1

CONSTITUTION OF THE COMMITTEE

1. The Committee appointed by the Minister shall consist of—
 - (a) a chairman;
 - (b) 2 members as appears to him to be appropriate;
 - (c) 5 members appointed after consultation with such organisations as may be recognised by him as representative of employing authorities; and
 - (d) 5 members appointed after consultation with such organisations as may be recognised by him as representative of employees affected by the Scheme.

2.—(1) Subject to the provisions of sub-paragraph (2) and paragraph 5, the term of office of a member of the Committee shall be 4 years from the date of his appointment.

(2) The Minister may extend the term of office of a member or the chairman of the Committee by a maximum period of 18 months.

3. The quorum of the Committee shall be 6, or such other number as the Committee may, with the approval of the Department, determine.

4. The Committee may act notwithstanding any vacancy in its numbers so long as the number of vacancies does not exceed the number of remaining members.

5. A casual vacancy occurring in the membership of the Committee shall be filled by the Minister after consultation with the Committee and a person so appointed shall hold office for the residue of the term of the member in whose place he was so appointed.

6. A member of the Committee may resign his membership by giving notice in writing, signed by him, to the Minister.

7. Where any member of the Committee is absent from the meetings thereof for more than 6 months consecutively (except for a reason approved by the Minister) or becomes bankrupt or makes a composition with his creditors or is convicted of an indictable offence, the Committee shall forthwith by resolution declare the office to be vacant and shall notify that fact in such a manner as it thinks fit, and thereupon the office shall become vacant.

8. A member of the Committee on vacating his office at the expiry of the term thereof shall (subject to the foregoing provisions of this Schedule) be eligible for re-appointment.

9. No defect in the appointment of any person acting as a member of the Committee shall vitiate any proceedings of the Committee in which he has taken part.

PART 2

POWERS OF THE COMMITTEE

10. The Committee, which shall be a body corporate with perpetual succession and a common seal, and with the capacity to acquire and hold land, shall subject to paragraphs 2 to 8, perform such

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functions as may be assigned to it by these Regulations, the Benefits Regulations and the Transitional Regulations.

11. The Committee may appoint a sub-committee or an officer employed by the Committee to discharge, with or without restrictions or conditions as the Committee thinks fit, any of the functions assigned to the Committee by the Local Government Pension Scheme (Management and Investment of Funds) Regulations (Northern Ireland) 2000(1).

12. The number of members of a sub-committee appointed under paragraph 11 and their term of office shall be fixed by the Committee or, in the case of an officer, his term of office shall be fixed by the Committee.

13. A sub-committee appointed under paragraph 11 shall consist of members of the Committee and may include officers of the Committee appointed under paragraphs 20 and 21.

14. A sub-committee or an officer appointed under paragraph 11 shall report to the Committee at each of its meetings setting out all actions taken under such appointment.

15. The Committee may revoke any appointment made under paragraph 11, or any restriction or condition imposed under paragraph 11 or anything fixed under paragraph 12.

16. Any arrangements made by the Committee for the discharge of its functions specified in the Local Government Pension Scheme (Management and Investment of Funds) Regulations (Northern Ireland) 2000 by a sub-committee or officer shall not prevent the Committee from exercising those functions.

17. The seal of the Committee shall be authenticated by the signature—

- (a) of any member; or
- (b) of any other person authorised by the Committee (whether generally or specifically) for that purpose.

18. Every document purporting to be an instrument issued by the Committee and to be sealed with the seal of the Committee authenticated in the manner provided by paragraph 17, or to be signed by the secretary or any person authorised to act in that behalf, shall be received in evidence and, unless the contrary is proved, shall be deemed to be such instrument without further proof.

19. Subject to the provisions of these Regulations, the Benefits Regulations and the Transitional Regulations, the Committee shall have the power to regulate its own procedures.

20. The Committee may with the approval of the Department appoint persons to hold any of the following offices—

Secretary to the Committee;

Deputy Secretary to the Committee; and

such other offices under the Committee as the Department may designate in writing.

21. In addition to the appointments mentioned in paragraph 20, the Committee may appoint such other officers as may be required for the performance of the functions of the Committee.

22.—(1) The Committee may make arrangements with any employing authority, admission body, Government department, district council or the Regional Health and Social Care Board, for the exercise of any pension function by the Committee on behalf of any employing authority, admission body, Government department, district council or the Regional Health and Social Care Board on such terms as may be provided for by the arrangements.

(1) S.R. 2000 No. 178; as amended by S.R. 2001 No. 61, S.R. 2001 No. 62 and S.R. 2006 No. 400.

(2) For the purposes of this paragraph, “the Regional Health and Social Care Board” means the Regional Health and Social Care Board established under section 7 of the Health and Social Care (Reform) Act (Northern Ireland) 2009⁽²⁾.

23. Section 18(2) of the Interpretation Act (Northern Ireland) 1954⁽³⁾ shall apply to any appointment made by virtue of paragraph 20 or 21 as if each of these paragraphs was an enactment referred to in that section but a person shall not be removed from any office mentioned in paragraph 20 without the written concurrence of the Department.

PART 3

EXPENSES AND ALLOWANCES PAYABLE BY THE COMMITTEE

24. The expenses of the Committee, including payments in respect of reasonable out-of-pocket expenses incurred by the members in connection with the discharge of their duties as such, shall be defrayed out of the fund.

25. The Committee may, with the approval of the Department, in addition to any payment made under paragraph 24, pay to the Chairman of the Committee such allowance as it considers to be reasonable.

26.—(1) The Committee may, with the approval of the Department, pay to a member of the Committee an allowance, in addition to any payments made under paragraph 24.

(2) Such allowance shall not exceed the amount as the Department may from time to time determine under section 36 of the Local Government Act (Northern Ireland) 1972⁽⁴⁾.

(3) The allowance shall be claimed in respect of an approved duty by a Committee member.

(4) A claim shall be made to the Secretary of the Committee in such form as the Committee may direct and shall include a declaration that the member—

(a) has not and will not make any claim for allowances from any other body in respect of the approved duty to which the claim refers; and

(b) the amounts claimed are strictly in accordance with the provisions of this Part.

27. A claim for an allowance shall be submitted to the Committee within one month, or such longer period as the Committee may in exceptional circumstances allow, from the date of the approved duty in respect of which the allowance is claimed.

28. In this Part, “approved duty” means attendance at a meeting of the Committee or of any sub-committee thereof or the doing of anything approved by the Committee for the purpose of, or in connection with, the discharge of the functions of the Committee.

(2) 2009 c. 1.

(3) 1954 c. 33 (N.I.).

(4) 1972 c. 9(N.I.) as amended by the Financial Provisions (Northern Ireland) Order 1978 (S.I. 1978/1041 (N.I. 11)) and S.R. 1999 No. 449.