

SCHEDULE 1

Regulation 2

INTERPRETATION

- “the 1993 Act” means the Pension Schemes Act (Northern Ireland) 1993**(1)**;
- “the 1999 Act” means the Welfare Reform and Pensions Act 1999**(2)**;
- “the 1999 Order” means the Welfare Reform and Pensions (Northern Ireland) Order 1999**(3)**;
- “the 2002 Regulations” means the Local Government Pension Scheme Regulations (Northern Ireland) 2002**(4)**;
- “active member” has the same meaning as in Article 121(1) of the Pensions Order**(5)**;
- “actuary” means a Fellow of the Institute of Actuaries or of the Faculty of Actuaries;
- “admission agreement”, in relation to an admission body, means an agreement that all, or any designated class, of the body’s employees may be members;
- “admission agreement fund” means a pension fund established under regulation 28 (admission agreement funds);
- “admission body” means a body mentioned in regulation 4**(2)** (employees of community admission bodies) or regulation 5**(2)** (employees of transferee admission bodies);
- “appropriate policy” means a policy of insurance or an annuity contract which provides an annuity which satisfies requirements prescribed under section 91(2)(c) of the 1993 Act;
- “ARCs” means additional regular contributions as referred to in regulation 19 (payment of additional regular contributions);
- “AVCs” means additional voluntary contributions as referred to in regulation 21 (additional voluntary contributions and shared cost additional voluntary contributions);
- “base rate” means the base rate for the time being quoted by the reference banks or, where there is for the time being more than one such base rate, the rate which, when the base rate quoted by each bank is ranked in a descending sequence of seven, is fourth in the sequence;
- “Belfast Corporation Superannuation Scheme” means the superannuation scheme made by Belfast Corporation under section 5A of the Local Government (Superannuation) Act (Northern Ireland) 1950**(6)**, on 4th August 1964 or 20th April 1951 (both as amended) as the circumstances require;
- “benefit crystallisation event” shall be construed in accordance with section 216 of the Finance Act 2004**(7)**;
- “the Benefits Regulations” means the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations (Northern Ireland) 2009**(8)**;
- “cancelling notice”, in relation to person’s relevant reserve forces service, means—
- (a) an agreement, by a member who has not waived his right to receive a return of contributions under regulation 41 (rights to return of contributions) to receive a return of contributions; or

(1) 1993 c. 49.

(2) 1999 c. 30.

(3) S.I. 1999/3147 (N.I. 11).

(4) S.R. 2002 No. 352; as amended by S.R. 2002 No. 353, S.R. 2004 No.139, S.R. 2005 No. 206, S.R. 2005 No. 274, S.R. 2006 No. 6, S.R. 2006 No. 112, S.R. 2007 No. 152, S.R. 2007 No. 372 and S.R. 2007 No. 479.

(5) S.I. 1995/3213 (N.I. 22).

(6) 1950 c. 10 (N.I.); section 5A was inserted by 1951 c. 9, section 2.

(7) 2004 c. 12;

(8) S.R. 2009 No. 32.

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- (b) a notice in writing given by the person to the Committee not later than 12 months after the end of the period of service to which the notice relates (or within such longer period as the Committee may allow) that the service should not be treated as relevant reserve forces service;

“the Committee” means the Northern Ireland Local Government Officers’ Superannuation Committee established under section 1 of the Local Government (Superannuation) Act (Northern Ireland) 1950;

“contractual hours”—

- (a) in relation to an employee (other than an employee with non-cyclical fluctuating hours), means the number of hours specified in his contract of employment as his contractual hours for the purposes of the Scheme; and
- (b) in relation to an employee with non-cyclical fluctuating hours, means the number of hours calculated as his contractual hours for the purposes of the Scheme in accordance with the provisions of his contract of employment;

“contract of employment” includes terms of office;

“contribution rate” means the appropriate contribution rate for a member as provided for in regulation 3 (contributions payable by active members) of the Benefits Regulations;

“deferred member” has the same meaning as in Article 121(1) of the Pensions Order except as provided in regulation 12 (re-employed and rejoining deferred members);

“the Department” means the Department of the Environment;

“eligible child” has the meaning given in regulation 26 (meaning of “eligible child”) of the Benefits Regulations;

“employee” includes a whole-time, part-time or variable-time employee;

“employing authority” means a body employing an employee who is eligible to be a member or is a local authority as defined in Article 2 of the Order of 1972⁽⁹⁾ (but see regulation 6⁽⁶⁾ (admission agreements – further provisions));

“employment” includes office;

“equivalent pension benefit” has the same meaning as in section 56(1) of the National Insurance Act (Northern Ireland) 1966⁽¹⁰⁾;

“final pay” shall be construed in accordance with regulation 8 (final pay: general) of the Benefits Regulations;

“fluctuating emoluments” are any part of an employee’s earnings which are not paid on a fixed basis and are additional to the basic wage or salary;

“the former Regulations” means the 2002 Regulations, the Local Government Pension Scheme Regulations (Northern Ireland) 2000⁽¹¹⁾, or as the circumstances require, the Local Government (Superannuation) Regulations (Northern Ireland) 1992⁽¹²⁾, the Local Government (Superannuation) Regulations (Northern Ireland) 1981⁽¹³⁾, the Local Government (Superannuation) Regulations (Northern Ireland) 1962⁽¹⁴⁾ or the Local

(9) S.I. 1972/1073 (N.I. 10); as extended by The Housing (Northern Ireland) Order 1981 (S.I. 1981/156, Part 2, Article 5(3)).

(10) 1966 c. 6 (N.I.).

(11) S.R. 2000 No. 177; as amended by S.R. 2001 No. 61, S.R. 2001 No. 63, S.R. 2001 No. 64, S.R. 2002 No. 115 and S.R. 2002 No. 353.

(12) S.R. 1992 No. 547; as amended by other instruments listed in Schedule M3 to the Local Government Pension Scheme Regulations (Northern Ireland) 2000 (S.R. 2000 No. 177).

(13) S.R. 1981 No. 96; as amended by other instruments listed in Schedule 21 to the Local Government (Superannuation) Regulations (Northern Ireland) 1992 (S.R. 1992 No. 547).

(14) S.R. & O. (N.I.) 1962 No. 210.

Government (Superannuation) Regulations (Northern Ireland) 1950⁽¹⁵⁾ and shall be deemed also, in the case of a member who immediately before 1st April 1973 was subject to the Belfast Corporation Superannuation Scheme to include the provisions of that Scheme;

“the fund” means the superannuation fund established under the Local Government (Superannuation) Regulations (Northern Ireland) 1950;

“guaranteed minimum pension” means the guaranteed minimum as defined in sections 10 and 13 (minimum pensions for earners, widows, widowers and surviving civil partner) of the 1993 Act, so far as it is attributable to earnings factors for the tax year 1988-89 or for subsequent tax years, increased in accordance with the requirements of section 105 of that Act (annual increase of guaranteed minimum pensions) and in this definition “earnings factors” means the earnings factors referred to in section 10 of that Act and “tax year” means the 12 months beginning with 6th April in any year;

“local government auditor” has the same meaning as in the Local Government (Northern Ireland) Order 2005⁽¹⁶⁾;

“local government employment” means employment by virtue of which the person employed is or has been (or is or has been deemed to be) a member;

“member” has the same meaning as in Article 121(1) of the Pensions Order but, except in regulation 64 (annual benefit statements) and in Part 10 (pension sharing), shall not include a pension credit member;

“Minister” means the Minister of the Environment;

“nominated cohabiting partner” has the meaning given by regulation 25 (meaning of “nominated cohabiting partner”) of the Benefits Regulations;

“non-cyclical fluctuating hours” means hours which the employing authority are entitled to require the employee to work in a contractual week in any case where those hours vary in a way which is not cyclical;

“non-local government scheme” means an occupational pension scheme or other arrangements for superannuation, not being—

- (a) the superannuation scheme provided in regulations made under the Local Government (Superannuation) Act (Northern Ireland) 1950; or
- (b) the superannuation scheme provided in regulations for the time being in force under Article 9 of the Order of 1972;

“normal benefit age” for the purposes of Part 10, means 65;

“normal retirement age” is 65;

“occupational pension scheme” has the meaning given by section 150(5) of the Finance Act 2004⁽¹⁷⁾;

“the Order of 1972” means the Superannuation (Northern Ireland) Order 1972⁽¹⁸⁾;

“part-time employee” means an employee—

- (a) whose contract of employment provides that he is such an employee for the Scheme; or
- (b) who is neither a whole-time employee nor a variable-time employee;

“payment in lieu of contributions” means a payment made in lieu of contributions under the National Insurance Act (Northern Ireland) 1959⁽¹⁹⁾, National Insurance Act (Northern

⁽¹⁵⁾ S.R. & O. (N.I.) 1950 No. 103 (p. 423).

⁽¹⁶⁾ S.I. 2005/1968 (N.I. 18).

⁽¹⁷⁾ 2004 c. 12.

⁽¹⁸⁾ S.I. 1972/1073 (N.I. 10).

⁽¹⁹⁾ 1959 c. 21 (N.I.).

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Ireland) 1966⁽²⁰⁾, the National Insurance Acts 1965 to 1974⁽²¹⁾ or the National Insurance (Isle of Man) Act 1961 (an Act of Tynwald);

“pension credit” means a credit under Article 26(1)(b) of the 1999 Order or section 29(1)(b) of the 1999 Act;

“pension credit benefits” means benefits payable under the Scheme to or in respect of a pension credit member by virtue of rights under the Scheme attributable to a pension credit;

“pension credit member” means a person who has pension credit rights or benefits under the Scheme;

“pension credit rights” means rights to future benefits under the Scheme which are attributable to a pension credit;

“pension debit” means a debit under Article 26(1)(a) of the 1999 Order or under section 29(1)(a) of the 1999 Act;

“pension debit member” means a member, whether an active member, a deferred member or a pensioner member, whose shareable rights under the Scheme are subject to a pension debit;

“pension sharing order” means the order or provision by virtue of which Article 26 of the 1999 Order or section 29 of the 1999 Act takes effect;

“pensionable pay” has the meaning given in regulation 4 (meaning of “pensionable pay”) of the Benefits Regulations;

“pensioner member” has the same meaning as in Article 121(1) of the Pensions Order;

“the Pensions Order” means the Pensions (Northern Ireland) Order 1995;

“preserved benefits” means benefits to which a person—

(a) was entitled immediately before the commencement date and which are preserved by virtue of regulation 3(1) and 3(2)(a) of the Transitional Regulations; and

(b) becomes entitled under these Regulations and the Benefits Regulations, and which have not become payable and which have not had an election made in respect of them under regulation 12 (re-employed and rejoining deferred members);

“prospective member” means a person who under his contract of employment or these Regulations —

(a) may, if he wishes or his employer consents, become a member;

(b) will be able to do so if he continues in the same employment sufficiently long; or

(c) will become a member unless he chooses not to do so;

“reference banks” means the seven largest persons for the time being who—

(a) have permission under Part 4 of the Financial Services and Markets Act 2000⁽²²⁾ to accept deposits;

(b) are incorporated in the United Kingdom and carrying on there a regulated activity of accepting deposits; and

(c) quote a base rate in sterling,

and for the purpose of this definition the size of a person at any time is to be determined by reference to the gross assets denominated in sterling of that person, together with any subsidiary (as defined in section 1159 of the Companies Act 2006)⁽²³⁾ or before the commencement of

⁽²⁰⁾ 1966 c. 6 (N.I.).

⁽²¹⁾ 1965 c. 51; 1966 c. 6; 1967 c. 73; 1969 c. 4; 1969 c. 44; 1971 c. 50; 1972 c. 57; 1974 c.14.

⁽²²⁾ 2000 c. 8.

⁽²³⁾ 2006 c. 46.

section 1159, as defined by Article 4 of the Companies (Northern Ireland) Order 1986⁽²⁴⁾, as shown in the audited end-of-year accounts last published before that time and this definition must be read with—

- (i) section 22 of the Financial Services and Markets Act 2000;
- (ii) any relevant order under that section; and
- (iii) Schedule 2 to that Act;

“registered scheme” means a pension scheme registered by the Commissioners for Her Majesty’s Revenue and Customs under Part 4 of the Finance Act 2004⁽²⁵⁾;

“relevant reserve forces service” means service (other than service for the purposes of training only or service for a period in respect of which a cancelling notice has been served)—

- (a) in pursuance of any notice or directions given under any enactment which provides for the calling out on permanent service, or the calling into actual service, or the embodiment of, any reserve or auxiliary force, or members of such a force, or the recall of service pensioners;
- (b) in pursuance of any obligation or undertaking to serve when called upon as a commissioned officer; or
- (c) rendered by virtue of section 28 or 65 of the Reserve Forces Act 1996⁽²⁶⁾,

and paragraph (b) applies whether or not the obligation or undertaking is legally enforceable, but not in the case of an obligation or undertaking to accept a permanent commission or a commission for a fixed term or to serve for the purposes of periodical training;

“reserve forces pay”, in relation to any person, is the total of—

- (a) his pay for performing relevant reserve forces service (including marriage, family and similar allowances); and
- (b) any payments under Part 5 of the Reserve and Auxiliary Forces (Protection of Civil Interests) (Northern Ireland) Order 1953⁽²⁷⁾;

“reserve forces service leave”, in relation to a person, means being away from work—

- (a) after—
 - (i) he has left the employment in which he is an active member; or
 - (ii) he has been granted leave of absence from such an employment, in order to perform reserve forces service;
- (b) without having agreed to receive a return of contributions under regulation 41 (rights to return of contributions); and
- (c) without having elected that the absence is not to count as such by giving notice in writing to the Committee not later than 12 months after the end of the period of reserve forces service to which the notice relates (or within such longer period as the Committee may allow);

“reserve or auxiliary force” means the whole or part of the Royal Navy Reserve (including the Royal Fleet Reserve), the Royal Marines Reserve, the Territorial Army, the Army Reserve, the Air Force Reserve, the Royal Air Force Volunteer Reserve or the Royal Auxiliary Air Force;

“SCAVCs” means shared cost additional voluntary contributions as referred to in regulation 21 (additional voluntary contributions and shared cost additional voluntary contributions);

⁽²⁴⁾ S.I. 1986/1032 (N.I. 6); Articles 4 and 4A were substituted for Article 4 by Article 62(1) of S.I. 1990/1504 (N.I. 10).

⁽²⁵⁾ 2004 c. 12.

⁽²⁶⁾ 1996 c. 14.

⁽²⁷⁾ S.I. 1953/197.

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“the Scheme” means the occupational pension scheme constituted by these Regulations, the Benefits Regulations, the Transitional Regulations and the 2002 Regulations (as far as they continue to operate);

“Scheme function” means any function under the Regulations which constitute the Scheme;

“service” means service or employment with an employing authority and service rendered by an employee of an employing authority whose services are placed at the disposal of a Minister of the Crown or a Government department in pursuance of any enactment is to be treated as service with an employing authority;

“service pensioner” means a person in receipt of a pension (other than a pension awarded in respect of disablement) granted—

(a) in respect of service in the Royal Navy, the Royal Marines, the regular army and the regular air force or any reserve or auxiliary force which has been called out on permanent service or which has been embodied; or

(b) in respect of that or other service;

“shareable rights” means a person’s shareable rights mentioned in Article 24(2) of the 1999 Order or under section 27(2) of the 1999 Act;

“solvency” means the Committee’s funding objective as set out in the funding strategy statement prepared under regulation 30 (funding strategy statement);

“total membership” means the aggregate of periods of membership which count as such under regulation 6 (periods of membership) of the Benefits Regulations;

“the Transitional Regulations” means the Local Government Pension Scheme (Amendment and Transitional Provisions) Regulations (Northern Ireland) 2009(28);

“transferor” in relation to a pension credit member or a person entitled to a pension credit means the person to whose shareable rights the pension sharing order relates;

“trustees or managers”, for the purposes of Part 10, has the meaning given in Article 43(1) of the of the 1999 Order or under section 46(1) of the 1999 Act;

“variable-time employee” means an employee whose contract of employment provides that he is such an employee for the Scheme and—

(a) whose pay is calculated by reference to his duties (rather than necessarily by reference to the number of hours he has worked); and

(b) whose duties only have to be performed on an occasional basis; and

“whole-time employee” means an employee whose contract of employment provides—

(a) that he is such an employee for the Scheme; or

(b) that his contractual hours are not less than the number of contractual hours for a person employed in that employment on a whole-time basis.

SCHEDULE 2

Regulation 5

MATTERS TO BE INCLUDED IN ADMISSION AGREEMENTS WITH TRANSFEREE ADMISSION BODIES

1. A requirement for the transferee admission body to pay to the Committee all contributions and payments due under these Regulations and the Benefits Regulations.

2. If required by regulation 5(5), a reference to the indemnity or bond in accordance with regulation 5(6) and a warranty from the transferee admission body that such an indemnity or bond is in place.

3. A provision requiring the transferee admission body to adopt the practices and procedures relating to the operation of the Scheme set out in these Regulations, the Benefits Regulations, the Transitional Regulations and in any employer's guide published by the Committee and provided to the transferee admission body.

4. An undertaking from the transferee admission body to the Committee that it will not do anything to prejudice the status of the Scheme as a registered scheme.

5. A representation and warranty from the transferee admission body to the Committee that all the body's employees or class of employees who are specified as members are employed in connection with the provision of the service or assets being carried out by the transferee admission body as a result of those matters referred to in regulation 5(2).

6. An undertaking from the transferee admission body that it will promptly notify the Committee in writing of any material change in the terms and conditions of employment which affect entitlement to benefits under the Scheme for its employees who are members and of any terminations of employment by virtue of redundancy or in the interests of efficiency.

7. A requirement that the transferee admission body notifies the Committee of each occasion on which it exercises a discretion under these Regulations, the Benefits Regulations or the Transitional Regulations and the manner in which it exercises that discretion.

8. A requirement that a transferee admission body—

- (a) notifies the Committee of any matter which may affect, or is likely to affect, its participation in the Scheme; and
- (b) gives immediate notice to the Committee of any actual or proposed change in its status which may give rise to a termination,

and, for these purposes, a termination includes a take-over, reconstruction or amalgamation, liquidation or receivership and a change in the nature of the body's business or constitution.

9. A provision—

- (a) for automatic termination of the admission agreement, as required by regulation 6(2), if the transferee admission body ceases to be such a body; and
- (b) otherwise for a minimum period of 3 months' notice to terminate the agreement.

10. A right for the Committee to terminate the agreement in the event of—

- (a) the insolvency, winding up or liquidation of the transferee admission body;
- (b) a breach by the transferee admission body of any of its obligations under the admission agreement (but where the breach is capable of remedy only where it has not been remedied within a reasonable time); or
- (c) a failure by the transferee admission body to pay any sums due to the fund within a reasonable period after receipt of a notice from the Committee requiring it to do so.

11. A requirement that the admission agreement in its final form shall be available for public inspection at the appropriate offices of the Committee.

12. In relation to a transferee admission body under regulation 5(2)(a)—

- (a) a reference to the date of the contract, other arrangement or direction by which the body met the requirements of that regulation;

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- (b) a provision whereby the employing authority may set off against any payments due to the transferee admission body an amount equal to any overdue employer and employee contributions and other payments (and interest payable under these Regulations) due from the transferee admission body as an employing authority;
- (c) a provision requiring the employing authority to keep under assessment the level of risk arising as a result of the matters set out in regulation 5(5);
- (d) provision that where a representation or notification must be given to the Committee under paragraph 5, 6, 7 or 8, it must also be given to the employing authority; and
- (e) a requirement that the admission agreement in its final form shall be available for public inspection at the appropriate offices of the employing authority, if different from the Committee.

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 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(29).

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—

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

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.

(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⁽³⁰⁾.

23. Section 18(2) of the Interpretation Act (Northern Ireland) 1954⁽³¹⁾ 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⁽³²⁾.

(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.

⁽³⁰⁾ 2009 c. 1.

⁽³¹⁾ 1954 c. 33 (N.I.).

⁽³²⁾ 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.

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.