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STATUTORY RULES OF NORTHERN IRELAND

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**2014 No. 188**

The Local Government Pension Scheme  
Regulations (Northern Ireland) 2014

PART 2

ADMINISTRATION

FORFEITURE

**Protection of guaranteed minimum pension rights**

**106.**—(1) The power to direct forfeiture of benefits under regulation 102 (forfeiture of pension rights after conviction for employment-related offences) or to recover or retain amounts under regulation 104 (recovery or retention where former member has misconduct obligation) may not be exercised so as to deprive a person of—

- (a) that person's guaranteed minimum pension; or
- (b) any widow's, widower's or surviving civil partner's guaranteed minimum pension.

(2) But such a power may be exercised if the person is convicted—

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

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<sup>(1)</sup> Section 16(2) of the Official Secrets Act 1989 (c. 6) provides that that Act and the Official Secrets Acts 1911 to 1989 may be cited together as the Official Secrets Acts 1911 to 1989.