
STATUTORY RULES OF NORTHERN IRELAND

2014 No. 188

The Local Government Pension Scheme
Regulations (Northern Ireland) 2014

PART 1

MEMBERSHIP, CONTRIBUTIONS AND BENEFITS

CONTRIBUTIONS

Additional pension contributions

18.—(1) Subject to paragraph (15), an active member who is paying contributions under regulation 11 (contributions) may enter into arrangements to pay additional pension contributions (“APCs”) by regular contributions in accordance with paragraph (2), and a member who is paying contributions under regulation 12 (temporary reduction in contributions) may do so if the arrangement is to cover a period of absence of the description in regulations 13(4)(b) or 13(4)(c) (contributions during absence from work), unless the Committee determines in any particular case that it would not be practical to allow APCs to be paid by regular contributions.

(2) Where APCs are to be paid by regular contributions, the arrangements mentioned in paragraph (1)—

- (a) shall, when entered into, be for a complete year or number of years with a minimum period of one year;
- (b) shall specify the amount of extra contribution to be paid each Scheme year;
- (c) shall, where the active member has more than one active member’s pension account, specify which account the APC is to be attached to;
- (d) shall specify the amount of additional pension to be credited to the active member’s pension account at the end of the scheme year; and
- (e) may be funded in whole or in part by the member’s employing authority.

(3) Subject to paragraph (15), an active member who is paying contributions under regulation 11 (contributions) may enter into arrangements to pay APCs by lump sum contribution in accordance with paragraph (4), and an active member who is paying contributions under regulation 12 (temporary reduction in contributions) may do so if the arrangement is to cover a period of absence of the description in regulation 13(4)(b) or 13(4)(c) (contributions during absence from work).

(4) Where APCs are to be paid by a lump sum contribution, the arrangements mentioned in paragraph (3)—

- (a) shall specify the amount of extra contribution to be paid;
- (b) shall, where the active member has more than one active member’s pension account, specify which account the APC is to be attached to;
- (c) shall specify the amount of additional pension to be credited to the active member’s pension account at the end of the scheme year; and

- (d) may be funded in whole or in part by the active member's employing authority.
- (5) The amount of additional annual pension that is to be credited to the active member's pension accounts pursuant to arrangements under this regulation shall not exceed the additional pension limit.
- (6) The additional pension limit is £6,500 from 1st April 2015 and that figure is increased on 1st April 2016, and each subsequent 1st April, by the amount (where it is greater than zero) by which it would be increased if it were a pension beginning on 1st April 2014 to which the 1971 Act applied.
- (7) The amount of the contributions to be paid in respect of arrangements under this regulation is to be determined in accordance with actuarial guidance issued by the Department based on—
- (a) the age of the active member at the time the arrangements commence; and
 - (b) the gender of the active member.
- (8) Actuarial guidance issued by the Department under paragraph (7) may be revised at any time and if so, from the 1st April following any such revision, any contributions payable are to be based on the revised actuarial guidance.
- (9) An application by an active member to make arrangements under this regulation shall—
- (a) be made in writing to the Committee, and a copy sent to the active member's employing authority if that active member is not employed by the Committee; and
 - (b) where those arrangements are under paragraph (1), state the length of the period, in whole years ending before the active member's normal pension age, over which the active member wishes to pay additional pension contributions.
- (10) The Committee may require an active member to produce a report by a registered medical practitioner of the results of a medical examination, undertaken at the active member's own expense, and may refuse an application to make arrangements under paragraphs (1) to (4) if it is not satisfied that the active member is in reasonably good health.
- (11) Arrangements made under paragraph (1) continue until any of the following occurs—
- (a) the period entered into has expired;
 - (b) they are terminated by the active member giving one month's written notice to the Committee;
 - (c) the member begins to pay reduced contributions under regulation 12 (temporary reduction in contributions) unless the arrangement was to cover a period of absence of the description in regulations 13(4)(b) or 13(4)(c) (contributions during absence from work);
 - (d) the member ceases to be an active member of the Scheme;
 - (e) the member draws benefits under regulation 31(6) (retirement benefits, flexible retirement pensions);
 - (f) the member leaves the employment; or
 - (g) the active member dies.
- (12) If arrangements entered into under paragraph (1) terminate for any reason and new arrangements are entered into under that paragraph, the amount of contributions payable is determined under paragraph (7) in accordance with the age of the member at the date the new arrangements are entered into and the actuarial guidance issued by the Department in force at that date.
- (13) If additional contributions are paid in accordance with arrangements made under this regulation, and are not refunded under regulation 20 (rights to return of contributions), that member's active member's pension account shall be credited with the amount specified in those arrangements as additional pension at the end of the Scheme year in which the contributions are paid, or at the date the arrangements terminate, if earlier.

(14) If an active member who is paying APCs is granted ill-health retirement benefits in relation to the pension account to which the arrangements are attached, before the end of the period the arrangements made under paragraph (1) were due to cease (“the APC period”), that member is to be treated as having paid the contributions required from the date the active member is granted ill-health retirement benefits, up to the end of the APC period and the additional pension bought by those contributions is to be included in the active member’s pension account for the year of leaving.

(15) If an active member fails to pay all the additional contributions due under arrangements made under paragraph (1), and paragraph (14) does not apply to that member, that member’s active member’s pension account shall be credited, in the scheme year when the contributions ceased, with additional pension of an amount to reflect the pension acquired in that year calculated in accordance with actuarial guidance issued by the Department.

(16) Where an arrangement is one to which regulation 17(5) (employing authority contributions during absences) applies, application by an active member to make the arrangements under this regulation shall be made before the expiry of a period of thirty days beginning with the day on which the active member returns to work.

(17) Where an active member to whom regulation 13(4) (contributions during absence from work) applies has an arrangement under this regulation which was entered into prior to the commencement of the period of absence, the APCs under that arrangement—

- (a) shall be paid by the active member during any period of child-related leave, which for this regulation includes any period of additional maternity leave, additional adoption leave, or additional paternity leave during which the active member receives no pensionable pay;
- (b) shall be paid by the active member during any period of reserve forces service leave where regulation 15(1) (contributions during reserve forces service leave) applies;
- (c) shall be paid by the active member during any period of absence for illness or injury where regulation 16(1) (contributions during absence for illness or injury) applies; and
- (d) shall be paid by the active member during any period of absence of the description in regulations 13(4)(b) or 13(4)(c) (contributions during absence from work).