
STATUTORY RULES OF NORTHERN IRELAND

2014 No. 188

**The Local Government Pension Scheme
Regulations (Northern Ireland) 2014**

PART 1

MEMBERSHIP, CONTRIBUTIONS AND BENEFITS

BENEFITS

Retirement benefits

31.—(1) Subject to paragraph (3) a member who attains normal pension age and is not an employee in local government employment is entitled to, and shall take, immediate payment of a retirement pension without reduction.

(2) A member to whom paragraph (1) applies and who has concurrent employments may draw a pension in relation to an employment so long as the member is not an employee in local government employment.

(3) A member to whom paragraph (1) applies may elect to defer payment of a retirement pension to a date after that member's normal pension age up to the date when that member attains the age of 75.

(4) A member who starts to receive payment of a retirement pension from a date after that member's normal pension age is entitled to enhancement of the pension by the amount shown as appropriate in actuarial guidance issued by the Department.

(5) A member who has not attained normal pension age but who has attained the age of 55 or over, may elect to receive immediate payment of a retirement pension in relation to an employment if that member is not an employee in local government employment in that employment, reduced by the amount shown as appropriate in actuarial guidance issued by the Department.

(6) An active member who has attained the age of 55 or over who reduces working hours or grade of an employment may, with the employing authority's consent, elect to receive immediate payment of all or part of the retirement pension to which that member would be entitled in respect of that employment if that member were not an employee in local government employment on the date of the reduction in hours or grade, adjusted by the amount shown as appropriate in actuarial guidance issued by the Department.

(7) Where an active member who has attained the age of 55 or over is dismissed from an employment by reason of redundancy or business efficiency, or whose employment is terminated by mutual consent on grounds of business efficiency, that member is entitled to, and shall take immediate payment of—

- (a) retirement pension relating to that employment payable under regulation 18 (additional pension contributions), adjusted by the amount shown as appropriate in actuarial guidance issued by the Department; and

(b) any other retirement pension relating to that employment payable under these Regulations, without reduction.

(8) An employing authority, former employer which is an employing authority or, where a member's employer or former employer has ceased to be an employing authority, the Committee, may agree to waive in whole or in part any reduction that would, apart from this paragraph, be required by paragraphs (5) or (6).

(9) In paragraphs (1) to (7) of this regulation the expression "member" means a member with qualifying service for a period of two years and does not include a pension credit member.

(10) Subject to paragraph (11), a pension credit member who attains normal pension age is entitled to, and shall take, immediate payment of a retirement pension deriving from the pension credit, without reduction, irrespective of whether that pension credit member is also an employee in local government employment.

(11) A pension credit member may elect to defer payment of a retirement pension deriving from a pension credit to a date after that member's normal pension age and, if the member does so, is entitled to immediate payment of a retirement pension from any date up to the date when that member attains the age of 75, enhanced by the amount shown as appropriate in actuarial guidance issued by the Department, irrespective of whether the pension credit member is also an employee in local government employment.

(12) A pension credit member who has attained the age of 55 or over may elect to receive immediate payment of a retirement pension deriving from the pension credit, reduced by the amount shown as appropriate in actuarial guidance issued by the Department, irrespective of whether the pension credit member is also an employee in local government employment.

(13) In this regulation references to the amount—

- (a) "reduced" at paragraphs (5) and (12) and "adjusted" at paragraph (6), refer to the "early payment reduction"; and
- (b) "enhancement" at paragraph (4) and "enhanced" at paragraph (11), refer to the "deferred payment enhancement".