
STATUTORY RULES OF NORTHERN IRELAND

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 ^{M1} 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.

Marginal Citations

M1 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.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Government Pension Scheme Regulations (Northern Ireland) 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- [reg. 106\(2\)\(b\)](#) words inserted by [S.I. 2023/1267 Sch. para. 35](#)

Changes and effects yet to be applied to the whole Rule associated Parts and Chapters:

Whole provisions yet to be inserted into this Rule (including any effects on those provisions):

- [Sch. 1\(d\)](#) word omitted by [S.R. 2023/157 reg. 19\(4\)\(a\)](#)
- [Sch. 1\(f\)](#) word inserted by [S.R. 2023/157 reg. 19\(4\)\(b\)](#)
- [Sch. 1\(g\)](#) inserted by [S.R. 2023/157 reg. 19\(4\)\(c\)](#)
- [reg. 31\(14\)](#) inserted by [S.R. 2023/149 reg. 3\(2\)](#)
- [reg. 35\(2A\)](#) inserted by [S.R. 2023/149 reg. 3\(3\)\(a\)](#)
- [reg. 35\(4\)](#) inserted by [S.R. 2023/149 reg. 3\(3\)\(b\)](#)
- [reg. 46\(3\)\(c\)](#) inserted by [S.R. 2023/149 reg. 3\(6\)\(a\)\(iv\)](#)
- [reg. 46\(3B\)](#) inserted by [S.R. 2023/149 reg. 3\(6\)\(b\)](#)
- [reg. 52\(8\)](#) inserted by [S.R. 2023/149 reg. 3\(9\)](#)
- [reg. 53\(5B\)](#) inserted by [S.R. 2023/149 reg. 3\(10\)](#)
- [reg. 68\(6A\)](#) inserted by [S.R. 2023/149 reg. 3\(11\)](#)
- [reg. 70\(2ZA\)](#) inserted by [S.R. 2023/149 reg. 3\(12\)](#)
- [reg. 91\(A1\)](#) inserted by [S.R. 2023/149 reg. 3\(13\)](#)
- [reg. 108\(1B\)](#) inserted by [S.R. 2023/149 reg. 3\(14\)\(a\)](#)
- [reg. 110\(8\)](#) inserted by [S.R. 2023/149 reg. 3\(15\)](#)
- [reg. 111\(2A\)](#) inserted by [S.R. 2023/149 reg. 3\(16\)](#)