
STATUTORY RULES OF NORTHERN IRELAND

2014 No. 188

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

PART 2

ADMINISTRATION

DECISIONS

First instance decisions - general

80.—(1) Any question concerning the rights or liabilities under the Scheme of any person, other than an employing authority, shall be decided in the first instance by the person specified in this regulation.

(2) Subject to regulation 81 (first instance decisions: ill-health) the Committee shall decide any question concerning—

- (a) a person's previous service or employment;
- (b) whether a payment in lieu of contributions has been made or equivalent pension benefits have been assured under Part III of the National Insurance Act (Northern Ireland) 1966 ^{M1} in respect of any period of non-participating employment;
- (c) the crediting of additional pension under regulation 18 (additional pension contributions); and
- (d) the amount of any benefit or return of contributions that a person is or may become entitled to out of the pension fund.

(3) The employing authority shall decide any question regarding any other matter relating to a person's rights or liabilities under the Scheme [^{F1}including which of the employee's emoluments are remuneration on which contributions are payable] .

(4) The questions specified in paragraphs (2) and (3) shall be decided as soon as is reasonably practicable.

(5) Any question as to whether a person is entitled to a benefit under the Scheme shall be decided by the Committee.

(6) Where a person is or may become entitled to benefit payable out of the pension fund, the Committee shall decide the amount of the benefit.

(7) The decision under paragraph (5) shall be made as soon as is reasonably practicable after the cessation of the employment or, as the case may be, the death of the employee and that under paragraph (6) as soon as is reasonably practicable after the occurrence of the event by virtue of which the entitlement arises or may arise.

(8) In this regulation—

- (a) “benefit” includes a return of contributions and a benefit specified in regulation F6(11) or (14) of the Local Government (Superannuation) Regulations (Northern Ireland) 1992 ^{M2},

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Part N (pension sharing) of the Local Government Pension Scheme Regulations (Northern Ireland) 2000^{M3} and Part VI (pension sharing) of the 2002 Regulations; and

- (b) “employing authority” includes a body that is an employing authority of a prospective member.

Textual Amendments

- F1** Words in [reg. 80\(3\)](#) inserted (18.11.2019) by [The Local Government Pension Scheme \(Amendment\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/206\)](#), regs. 1(1), [74](#)

Modifications etc. (not altering text)

- C1** Regs. 79-89 applied (1.4.2015) by [The Local Government Pension Scheme \(Amendment and Transitional Provisions\) Regulations \(Northern Ireland\) 2014 \(S.R. 2014/189\)](#), regs. 1(1), [23](#)

Marginal Citations

- M1** [1966 c.6 \(N.I.\)](#)
- M2** [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](#))
- M3** [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](#).

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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\(16\)](#)