

STATUTORY RULES OF NORTHERN IRELAND

2016 No. 128

**The Local Government Pension Scheme
(Amendment) Regulations (Northern Ireland) 2016**

Amendment of the Principal Regulations

9. In regulation 24 (pension accounts)—
- (a) in paragraph (4) delete “or” after sub-paragraph (e) and for sub-paragraph (f) substitute—
 - “(f) due to aggregation of benefits in the pension account with a different pension account, it is no longer needed; or
 - (g) the member’s benefits are commuted under regulation 35 (commutation and small pensions).”;
 - (b) in paragraph (5) for “deferred account” substitute “deferred refund account”; and
 - (c) for paragraph (8) substitute—
 - “(8) Subject to paragraph 8A, where a deferred member again becomes an active member, the member may make an election to aggregate the benefits in the deferred member’s pension account with those in the active member’s pension account within—
 - (a) twelve months of the active member’s pension account being opened;
 - (b) twelve months from 1st April 2016; or
 - (c) such longer period as the employing authority in relation to that active member’s pension account may permit.
 - (8A) Where a member is entitled to deferred benefits as a consequence of a notice served under regulation 7(2) (ending active membership) and becomes an active member again in the same employment, that member cannot make an election to aggregate benefits from a deferred member’s pension account under paragraph (8).
 - (8B) But paragraphs (7) and (8) do not apply to a member who is the subject of—
 - (a) a transfer to which the Transfer of Undertakings (Protection of Employment) Regulations 2006 (“the TUPE Regulations”) apply; or
 - (b) a transfer which is treated as if it were a relevant transfer within the meaning of regulations 2(1) and 3 of the TUPE Regulations, notwithstanding regulation 3(5) of those Regulations.”.

Commencement Information

- II** Reg. 9 in operation at 1.4.2016, see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2016, Section 9.