
STATUTORY INSTRUMENTS

2008 No. 239

**The Local Government Pension Scheme
(Administration) Regulations 2008**

PART 8

SPECIAL ADJUSTMENTS

Interim payments directions

73.—(1) If—

- (a) a person leaves an employment in which he was a member, because of an offence in connection with that employment; and
- (b) a forfeiture certificate has been issued under regulation 72(1) in respect of that offence,

his former employing authority may give an interim payments direction to the appropriate administering authority.

(2) But it may not give such a direction if it has—

- (a) notified him of a decision under regulation 55 (first instance decisions) on any question as to entitlement to benefit; or
- (b) given any direction under [regulation 72\(3\)](#) (“a forfeiture direction”).

(3) An interim payments direction is a direction to make interim payments to any person who appears to the former employing authority to be a person who would be entitled to receive payment of a benefit under the Scheme if no forfeiture direction were given.

(4) The person to whom payments must be made and the amounts must be specified in the direction.

(5) The amounts must not exceed the amounts which the person specified would be entitled to be paid if no forfeiture direction were given.

(6) An interim payments direction is not a decision under regulation 55 as to any person’s entitlement to a benefit.

(7) Payments in accordance with an interim payments direction shall be deemed to be payments in respect of a benefit to which the recipient was entitled (regardless of any contrary forfeiture direction or decision under regulation 55).