
STATUTORY RULES OF NORTHERN IRELAND

2002 No. 353

Local Government Pension Scheme (Amendment No. 2 and Transitional Provisions) Regulations (Northern Ireland) 2002

Counting old membership of existing members under 2002 Regulations

Rights under old provisions affecting membership periods (extra payments, absences etc.)

- 9.—(1) Any notice given or having effect as if given or deemed to have been given under—
- (a) regulation C5(3) or (4) of the 2000 Regulations (payments in respect of leave of absence);
 - (b) regulation C6(5) of those Regulations (payments in respect of maternity absence);
 - (c) regulation C7(2) of those Regulations (payments in respect of absence owing to trade dispute); or
 - (d) regulation C9 of those Regulations (payments to increase membership),
- by a member to whom regulation 3(1) applies shall cease to have effect (but see regulation 12).
- (2) Where a member to whom paragraph (1) applies has made any payment under regulation C5(3) or, as the case may be, regulation C6(4), C7(2) or C9(2) of the 2000 Regulations in pursuance of the notice, the Committee must calculate the period as respects which payment has been made.
- (3) The Committee must notify the member of that period as soon as practicable after the commencement date.
- (4) The period the member may count for regulation 8(1)(d) of the 2002 Regulations includes the period calculated under paragraph (2).
- (5) Nothing in these Regulations affects—
- (a) any right of any person who has ceased to be employed before the commencement date to give a notice under regulation C5(3) or C6(5) of the 2000 Regulations not later than 30 days after he ceased to be employed;
 - (b) any right of any person who has ceased to be employed before the commencement date (or his personal representatives) to give a notice under paragraph (2) of regulation C7 of the 2000 Regulations within the period mentioned in paragraph (4) of that regulation; or
 - (c) if such a person as is specified in sub-paragraph (a) or (b) makes a payment in pursuance of the notice, his right to count the period as respects which the payment is made under regulation B13(1)(a) of the 2000 Regulations.
- (6) In the case of a notice served under regulation C7(2) of the 2000 Regulations where the member has died, references in this regulation to the member shall be taken where appropriate as references to the member's personal representatives.