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STATUTORY RULES OF NORTHERN IRELAND

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**2009 No. 33**

**Local Government Pension Scheme (Administration)  
Regulations (Northern Ireland) 2009**

**[<sup>F1</sup>PART 4**

**PENSION FUND AND EMPLOYERS' PAYMENTS**

**[<sup>F1</sup>Employer's payment following resolution to increase membership or award additional pension**

**35.**—(1) This regulation applies where an employing authority makes a resolution under—

- (a) regulation 12 of the Benefits Regulations (which confers power to increase the membership of a member by an additional period); or
- (b) regulation 13 of those Regulations (which confers power to award additional pension).

(2) Unless paragraph (4) applies, the employing authority must pay the appropriate sum for the person to whom the resolution relates to the fund or admission agreement fund before the expiry of the relevant period.

(3) The appropriate sum for a person is such sum as is shown as appropriate in guidance issued by the Government Actuary.

(4) This paragraph applies where the Committee and the employing authority agree before the expiry of the relevant period that the employing authority will pay increased contributions under regulation 34 [<sup>F2</sup>(contributing body's contributions)] or an amount to meet the cost of the increase in membership or the additional pension.

(5) Any extra charge on the fund or admission agreement fund resulting from the resolution must be repaid to the fund by the employing authority concerned but only so far as not paid under paragraphs (2) or (4).

(6) In the case of a resolution under regulation 12 of the Benefits Regulations, the additional period in question may only be counted as a period of membership if one of the conditions in paragraph (8) is met.

(7) In the case of a resolution under regulation 13 of those Regulations, a person is only entitled to the additional pension awarded if one of the conditions in paragraph (8) is met.

(8) The conditions are that either—

- (a) the employing authority makes the payment required by paragraph (2) within the relevant period; or
- (b) paragraph (4) applies.

(9) The relevant period is—

- (a) the period of one month beginning with the date of the resolution; or
- (b) such longer period as the employing authority and the Committee agree.

*Status: This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Local Government Pension Scheme (Administration) Regulations (Northern Ireland) 2009, Section 35. (See end of Document for details)*

(10) If neither of the conditions in paragraph (8) is met, the resolution ceases to have effect.]

#### **Textual Amendments**

- F1** Regulations revoked (except reg. 4 for specified purposes, reg. 6 for specified purposes and reg. 11) (1.4.2015) by [The Local Government Pension Scheme \(Amendment and Transitional Provisions\) Regulations \(Northern Ireland\) 2014 \(S.R. 2014/189\)](#), regs. 1(1), 2(1), **Sch. 2** (with regs. 3, 13, 14(1) (d), Sch. 5)
- F2** Words in [reg. 35\(4\)](#) substituted (with effect in accordance with reg. 1(4) of the amending Rule) by [Local Government Pension Scheme \(Amendment No. 2\) Regulations \(Northern Ireland\) 2010 \(S.R. 2010/410\)](#), regs. 1(1), **38**

#### **Commencement Information**

- I1** [Reg. 35](#) in operation at 1.4.2009, see [reg. 1](#)

**Status:**

This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Local Government Pension Scheme (Administration) Regulations (Northern Ireland) 2009, Section 35.