

SCHEDULE 4

Regulation 15

MINOR AND CONSEQUENTIAL AMENDMENTS

**The Local Government (Superannuation) (Milk Marketing Board for Northern Ireland) Regulations (Northern Ireland) 1997**

1. The Local Government (Superannuation) (Milk Marketing Board for Northern Ireland) Regulations (Northern Ireland) 1997(1) shall be amended as provided for in paragraphs 2 and 3.
2. In regulation 1(2) (citation, commencement and interpretation)—
  - (a) before the definition of “admission agreement employee”, insert—

““the Administration Regulations” means the Local Government Pension Scheme (Administration) Regulations (Northern Ireland) 2009(2);”;
  - (b) for the definition of “admission agreement employee”, substitute—

““admission agreement employee” means employment with an admission body in which the employee is an active member in the same way as if the admission body were an employing authority;”.
3. In regulation 2 (preservation of membership of scheme) at both places where it occurs, for “the principal Regulations” substitute “the Administration Regulations”.

**Local Government Pension Scheme (Management and Investment of Funds) Regulations (Northern Ireland) 2000**

4. The Local Government Pension Scheme (Management and Investment of Funds) Regulations (Northern Ireland) 2000(3) shall be amended as provided in paragraphs 5 and 6.
5. In regulation 2 (general interpretation)—
  - (a) for the definition of “the 2000 regulations” substitute—

““the 2002 Regulations” means the Local Government Pension Scheme Regulations (Northern Ireland) 2002(4);

“the Administration Regulations” means the Local Government Pension Scheme (Administration) Regulations (Northern Ireland) 2009(5);”;
  - (b) before the definition of “the Committee” insert—

““the Benefits Regulations” means the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations (Northern Ireland) 2009(6);”;
  - (c) in the definition of “the Committee” for “Schedule A1 of the 2000 Regulations” substitute “Schedule 1 of the Administration Regulations”; and
  - (d) after the definition of “traded option” insert—

““the Transitional Regulations” means the Local Government Pension Scheme (Amendment and Transitional Provisions) Regulations (Northern Ireland) 2009(7);”.

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(1) S.R. 1997 No. 137 as amended by Schedule M4 to S.R. 2000 No. 177 (Schedule M4 to S.R. 2000 No. 177 was amended by regulation 11 of S.R. 2001 No. 64) and S.R. 2002 No. 353.

(2) S.R. 2009 No. 33.

(3) S.R. 2000 No. 178 as amended by Regulations S.R. 2001 No. 62, S.R. 2003 No. 433, S.R. 2004 No. 260 and S.R. 2006 No. 400.

(4) S.R. 2002 No. 352 as amended by S.R. 2002 No. 353, S.R. 2004 No. 139, S.R. 2005 No. 206, S.R. 2005 No. 274, S.R. 2006 No. 6, S.R. 2006 No. 112, S.R. 2007 No. 152, S.R. 2007 No. 448 and S.R. 2007 No. 479.

(5) S.R. 2009 No. 33.

(6) S.R. 2009 No. 32.

(7) S.R. 2009 No. 34.

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6. In regulation 5 (management of the fund)—
  - (a) for paragraph (2) substitute—

“(2) The Committee must pay or credit to the fund, in addition to any other sum the Benefits Regulations, the Administration Regulations and the Transitional Regulations specify must be paid or credited to the fund—

    - (a) the amounts payable by it or paid to it for the credit of the fund by employing authorities under regulations 34 (employer’s contributions) to 37 (payments by employing authorities to the Committee) of the Administration Regulations;
    - (b) all members’ contributions including those made by virtue of the Transitional Regulations, except contributions payable under regulation 21 (additional voluntary contributions and shared cost additional voluntary contributions);
    - (c) all income arising during the year from investment of the fund;
    - (d) all capital money deriving from such investment; and
    - (e) all additional payments received by it under the Benefits Regulations, Administration Regulations or Transitional Regulations.”; and
  - (b) in paragraph (3) for “regulations L5 to L7 of the 2000 regulations” substitute “regulations 34 to 37 of the Administration Regulations”.

### **The Local Government (Discretionary Payments) Regulations (Northern Ireland) 2001**

7. The Local Government (Discretionary Payments) Regulations (Northern Ireland) 2001<sup>(8)</sup> shall be amended as provided in paragraphs 8 to 10.

8. In regulation 2 (general interpretation)—
  - (a) in paragraph (1)—
    - (i) after the definition of “assumed member” insert—

““the Benefits Regulations” means the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations (Northern Ireland) 2009<sup>(9)</sup>”;
    - (ii) for the definition of “the LGPS Regulations” substitute—

““the LGPS Regulations” means the Benefits Regulations, the Local Government Pension Scheme (Administration) Regulations (Northern Ireland) 2009<sup>(10)</sup> and the Local Government Pension Scheme (Amendment and Transitional Provisions) Regulations (Northern Ireland) 2009<sup>(11)</sup>”;
    - (iii) after the definition of “the 2000 Regulations” insert—

““the 2002 Regulations” means the Local Government Pension Scheme Regulations (Northern Ireland) 2002<sup>(12)</sup>”;
    - (iv) in the definition of “pensionable remuneration” for “regulation 12 of the LGPS Regulations” substitute “regulation 4 of the Benefits Regulations”; and
    - (v) in the definition of “the Scheme” for “the LGPS Regulations” substitute “the Benefits Regulations”; and
  - (b) in paragraph (2) for “the 2000 Regulations” substitute “the 2002 Regulations”; and

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<sup>(8)</sup> S.R. 2001 No. 279 as amended by S.R. 2002 No. 353, S.R. 2003 No. 61 and S.R. 2006 No. 6.

<sup>(9)</sup> S.R. 2009 No. 32.

<sup>(10)</sup> S.R. 2009 No. 33.

<sup>(11)</sup> S.R. 2009 No. 34.

<sup>(12)</sup> S.R. 2002 No. 352 as amended by S.R. 2002 No. 353, S.R. 2004 No. 139, S.R. 2005 No. 206, S.R. 2005 No. 274, S.R. 2006 No. 6, S.R. 2006 No. 112, S.R. 2007 No. 152, S.R. 2007 No. 448 and S.R. 2007 No. 479.

- (c) in paragraph (3) in both places where it occurs after “the 2000 Regulations” insert “or the 2002 Regulations”.

9. In regulation 32(1) (interpretation of Part V) for “as a member of the fire brigade as defined in Article 2(2) of the Fire Services (Northern Ireland) Order 1984<sup>(13)</sup>” substitute “retained or volunteer membership with a fire and rescue authority as defined in Article 3 of the Fire and Rescue Services (Northern Ireland) Order 2006<sup>(14)</sup>”.

10. In regulation 35(1) (allowances for pensioners)—

- (a) for sub-paragraph (b) substitute—

“(b) on so ceasing regulation 33 does not apply, but he becomes entitled under the Benefits Regulations to receive payments in respect of an annual retirement pension and regulation 10 (final pay: reductions) of those Regulations or regulation 24(1) (different relevant period for calculating pensionable remuneration where a material reduction has been certified) of the LGPS Regulations does not apply; and”;

- (b) in sub-paragraph (c) for “the LGPS Regulations” substitute “the Benefits Regulations”.

#### **The Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations (Northern Ireland) 2007**

11. The Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations (Northern Ireland) 2007<sup>(15)</sup> shall be amended as provided for in paragraphs 12 to 14.

12. In regulation 2 (general interpretation)—

- (a) after the definition of “the 2003 Regulations” insert—

““the Administration Regulations” means the Local Government Pension Scheme (Administration) Regulations (Northern Ireland) 2009<sup>(16)</sup>;

“the Benefits Regulations” means the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations (Northern Ireland) 2009<sup>(17)</sup>”;

- (b) for the definition of “the Pension Regulations” substitute—

““the Pension Regulations” means the Benefits Regulations, the Administration Regulations, the Local Government Pension Scheme (Amendment and Transitional Provisions) Regulations (Northern Ireland) 2009<sup>(18)</sup> and the Local Government Pension Scheme Regulations (Northern Ireland) 2002<sup>(19)</sup> (so far as they continue to operate)”.

13. In regulation 3(1)(b)(ii) (application of the regulations) for “regulation 7 (leaving the scheme) of the Pension Regulations” substitute “regulation 10 (ending of membership) of the Administration Regulations”.

14. In regulation 5(1)(b) (discretionary compensation) for “regulation 54 (power of employing authority to increase total membership) of the Pension Regulations” substitute “regulation 12 (power of employing authority to increase total membership of members) or 13 (power of employing authority to award additional pension) of the Benefits Regulations”.

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<sup>(13)</sup> S.I. 1984/1821 (N.I. 11).

<sup>(14)</sup> S.I. 2006/1254 (N.I. 9).

<sup>(15)</sup> S.R. 2007 No. 93.

<sup>(16)</sup> S.R. 2009 No. 33.

<sup>(17)</sup> S.R. 2009 No. 32.

<sup>(18)</sup> S.R. 2009 No. 34.

<sup>(19)</sup> S.R. 2002 No. 352 as amended by S.R. 2002 No. 353, S.R. 2004 No. 139, S.R. 2005 No. 206, S.R. 2005 No. 274, S.R. 2006 No. 6, S.R. 2006 No. 112, S.R. 2007 No. 152, S.R. 2007 No. 448 and S.R. 2007 No. 479.

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