

## SCHEDULES

### SCHEDULE 1

Regulation 2

#### INTERPRETATION

- “the 1971 Act” means the Pensions (Increase) (Northern Ireland) Act 1971 <sup>M1</sup>
- “the 1972 Order” means the Superannuation (Northern Ireland) Order 1972 <sup>M2</sup>;
- “the 1993 Act” means the Pension Schemes (Northern Ireland) Act 1993 <sup>M3</sup>;
- “the 1995 Order” means the Pensions (Northern Ireland) Order 1995 <sup>M4</sup>;
- “the 1996 Order” means the Employment Rights (Northern Ireland) Order 1996 <sup>M5</sup>;
- “the 1999 Act” means the Welfare Reform and Pensions Act 1999 <sup>M6</sup>;
- “the 1999 Order” means the Welfare Reform and Pensions (Northern Ireland) Order 1999 <sup>M7</sup>;
- [<sup>F1</sup>“the 2000 Regulations” means the Local Government Pension Scheme (Management and Investment of Funds) Regulations (Northern Ireland) 2000;]
- “the 2002 Regulations” means the Local Government Pension Scheme Regulations (Northern Ireland) 2002 <sup>M8</sup>;
- “the 2004 Finance Act” means the Finance Act 2004 <sup>M9</sup>;
- “the 2004 Pensions Act” means the Pensions Act 2004 <sup>M10</sup>;
- “the 2008 Act” means the Pensions (No. 2) Act (Northern Ireland) 2008 <sup>M11</sup>;
- “the 2009 Regulations” means the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations (Northern Ireland) 2009 <sup>M12</sup>, the Local Government Pension Scheme (Administration) Regulations (Northern Ireland) 2009 <sup>M13</sup>, and the Local Government Pension Scheme (Amendment and Transitional Provisions) Regulations (Northern Ireland) 2009 <sup>M14</sup>;
- [<sup>F2</sup>“the 2014 Act” means the Public Service Pension Act (Northern Ireland) 2014]
- “active member” means a person who is in an employment, and is—
- (a) paying contributions to the Scheme;
  - (b) treated as paying contributions to the Scheme; or
  - (c) absent from that employment for one of the reasons mentioned in regulation 13 (contributions during absence from work) and entitled to pay contributions to the Scheme;
- “additional maternity or adoption leave” means leave under Article 105 or 107B of the 1996 Order;
- <sup>F3</sup> ...
- “additional pension” means pension under these Regulations other than earned pension;

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Government Pension Scheme Regulations (Northern Ireland) 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

“admission agreement” means an agreement between the Committee and an admission body that named individuals, or all or any specified class of the admission body's employees, may be members of the Scheme;

“admission agreement fund” means a fund established in accordance with regulation 61(2);

“admission body” has the meaning given to that expression at paragraph 2 of Part 1 of Schedule 2 (admission agreements with admission bodies) to these Regulations;

[<sup>F4</sup>“the Advisory Board” means a board established under regulation 120 (scheme advisory board: establishment);]

“amount of accrued pension” means the earned pension in a member's pension account adjusted to take account of any revaluation adjustment applicable;

“amount of pension payable” means the earned and additional pension in a member's pension account adjusted to take account of any revaluation adjustment, index rate adjustment, commutation amount or pension account adjustment applicable;

“annual allowance charge” has the meaning given to that expression by section 227 of the 2004 Finance Act;

“assumed pensionable pay” has the meaning given by regulation 23;

“automatic enrolment date” means the automatic enrolment date within the meaning of section 3 of the 2008 Act;

“automatic re-enrolment date” means the automatic re-enrolment date chosen by a member's employing authority in accordance with section 5 of the 2008 Act and regulation 12 of the Occupational and Personal Pension Schemes (Automatic Enrolment) Regulations (Northern Ireland) 2010 for those of its eligible jobholders who are not active members of the Scheme (or the date the employing authority would have chosen if the employing authority does not have any such employees);

“AVCs” means payment of additional voluntary contributions made under regulation 19;

“base rate” means the base rate for the time being quoted by the reference banks or, where there is for the time being more than one such base rate, the rate which, when the base rate quoted by each bank is ranked in a descending sequence of seven, is fourth in the sequence;

“benefit crystallisation event” has the meaning given by section 7 of the 2004 Finance Act;

[<sup>F5</sup>“the Board” means a board established under regulation 116 (pension board: establishment);]

“child-related leave” means—

- (a) ordinary adoption leave;
- (b) ordinary maternity leave;
- (c) additional maternity or adoption leave during which the member receives some pensionable pay;
- (d) paternity leave; <sup>F6</sup> ...
- (e) <sup>F7</sup> ...
- (f) [<sup>F8</sup>shared parental leave during which the member receives some pensionable pay;][<sup>F9</sup>or]
- (g) [<sup>F10</sup>parental bereavement leave during which the member receives some pensionable pay;]

“children's pension” means a pension payable to an eligible child in accordance with regulations 43, 44, 45, 48, 49, 50, 53, 54 or 55;

[<sup>F11</sup>“Club Memorandum” means—

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Government Pension Scheme Regulations (Northern Ireland) 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) in respect of a Club Transfer completed before 1st April 2015, the memorandum published by the Cabinet Office under the title “The Public Sector Transfer Club – Memorandum by the Cabinet Office – effective from 1st March 2012;
- (b) in respect of a Club Transfer completed in the period from 1st April 2015 to 28th February 2017, the memorandum published by the Cabinet Office under the title “The Public Sector Transfer Club – Memorandum by the Cabinet Office – effective from 1st April 2015; and
- (c) in respect of a Club Transfer completed on or after 1st March 2017, the memorandum published by the Cabinet Office under the title “The Public Sector Transfer Club – Memorandum by the Cabinet Office – effective from 1st March 2017 or any replacement or revision thereof for the time being in force;

“Club Transfer” means a transfer of employment between members of the Public Sector Transfer Club;]

“the Committee” means the Northern Ireland Local Government Officers' Superannuation Committee established under section 1 of the Local Government (Superannuation) Act (Northern Ireland) 1950<sup>M15</sup>;

[<sup>F12</sup>“cohabiting partner” means a person whom the Committee is satisfied fulfils the following condition—

- (a) the person (P) has fulfilled the condition in paragraph (b) for a continuous period of at least two years on the date the member (M) died;
- (b) the condition is that—
  - (i) M is able to marry, or form a civil partnership with, P;
  - (ii) M and P are living together as if they were a married couple or as if they were civil partners;
  - (iii) neither M nor P is living with a third person as if they were a married couple or as if they were civil partners; and
  - (iv) either P is financially dependent on M, or M and P are financially interdependent; and
- (c) in this definition—
  - (i) “member” means an active member or a former active member who has become a deferred or pensioner member in accordance with these Regulations or the 2009 Regulations; and
  - (ii) the qualifying time period, under paragraph (a), of a continuous period of at least two years on the date the member died as it applies in relation to the condition in paragraph (b)(i) (ability to marry or form a civil partnership) no longer applies from 18th November 2019;]

“commutation amount” means the amount of pension a member has elected to give up in return for a lump sum, in accordance with regulation 34;

[<sup>F13</sup>“conflict of interest” in relation to a person, means a financial or other interest which is likely to prejudice the person’s exercise of functions as a member of the Advisory Board or the Board (but does not include a financial or other interest merely by virtue of membership of the Scheme);]

“contract of employment” includes terms of office;

“contributing body” means an employing authority, an admission body or a body which is responsible for liabilities under the Scheme, whether pursuant to legislation, pursuant to an

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Government Pension Scheme Regulations (Northern Ireland) 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

agreement with the Committee or pursuant to a statutory transfer or by any other means whatsoever;

“councillor” means a member of a new council or a member of an existing council;

“councillor member” means a person who is a member of the Scheme by reason of being a councillor;

“councillor membership” means any period of membership which counts in respect of service as a member of a council and not other local government employment;

“deferred member” has the meaning given by regulation 8;

“deferred payment enhancement” means the amount by which a member's entitlement to retirement pension is increased on account of late payment, in accordance with regulation 31(4) or (11);

“the Department” means the Department of the Environment;

“dependent”, in relation to a person, means that in the opinion of the Committee, at the date of the member's death—

- (a) the person was financially dependent on the member;
- (b) the person's financial relationship with the member was one of mutual dependence; or
- (c) the person was dependent on the member because of physical or mental impairment;

“early payment reduction” means the amount by which a member's entitlement is reduced pursuant to regulation 31(5), (6) or (12);

“earned pension” means pension accrued from the member's pensionable pay pursuant to regulation 25(4) or 25(5), or credited pursuant to regulation 113(1) (effect of acceptance of transfer value payment);

“eligible child”, in relation to a deceased member, means—

- (a) a natural or adopted child of a member who meets any of conditions A to C and who was born before, on, or in the case of a natural child, within twelve months of the member's death; or
- (b) a step-child or child accepted by the deceased as a member of the family (excluding a child sponsored by the member through a registered charity) who—
  - (i) meets any of conditions A to C; and
  - (ii) was dependent on the member at the date of death.

Condition A is that the person is aged under 18.

[<sup>F14</sup>Condition B is that the person is in full-time education or vocational training and has not reached the age of twenty-three, but the Committee may—

- (i) continue to treat a person as fulfilling condition B notwithstanding any break in a course of the education or vocational training; or
- (ii) suspend payment of any entitlement to benefits under regulations 43 (survivor benefits: children of active members), 48 (survivor benefits: children of deferred members) and 53 (survivor benefits: children of pensioner members) during such a break.]

Condition C is that the person is unable to engage in gainful employment because of physical or mental impairment and either—

- (i) has not reached the age of twenty-three; or
- (ii) the impairment is in the opinion of an IRMP likely to be permanent and the person was dependent on the member at the date of the member's death because of <sup>F15</sup>... physical or mental impairment.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Government Pension Scheme Regulations (Northern Ireland) 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

“employment” includes office;

“employing authority” means a body employing an employee who is eligible to be a member or is a local authority as defined in Article 2 of the 1972 Order;

“employing authority's consent” includes the consent of the Committee in circumstances where the member's employer or former employer is no longer an employing authority;

“European Pensions Institution” has the same meaning as in Article 269(8) of the Pensions Order (Northern Ireland) 2005 <sup>M16</sup>;

“existing council” means a district council constituted under section 1 of the Local Government Act (Northern Ireland) 1972 <sup>M17</sup> as in force immediately prior to the making of the Local Government (Boundaries) (2008 Act) (Commencement, Transitional Provision and Savings) Order (Northern Ireland) 2013 <sup>M18</sup>;

“former regulations” means the 2009 Regulations, the 2002 Regulations, the Local Government Pension Scheme Regulations (Northern Ireland) 2000 <sup>M19</sup>, or as the circumstances require, the Local Government (Superannuation) Regulations (Northern Ireland) 1992 <sup>M20</sup>, the Local Government (Superannuation) Regulations (Northern Ireland) 1981 <sup>M21</sup>, the Local Government (Superannuation) Regulations (Northern Ireland) 1962 <sup>M22</sup> or the Local Government (Superannuation) Regulations (Northern Ireland) 1950 <sup>M23</sup> and shall be deemed also, in the case of a member who immediately before 1st April 1973 was subject to the Belfast Corporation Superannuation Scheme to include the provisions of that Scheme;

“the fund” means a superannuation fund established under the Local Government (Superannuation) Regulations (Northern Ireland) 1950;

“gainful employment” means paid employment for not less than thirty hours in each week for a period of not less than twelve months;

“guarantor” means a person which is not an <sup>F16</sup>[inheriting body] and which has agreed in accordance with regulation 71 to accept responsibility for some or all of the liabilities of the Scheme attributable to an original employer;

“index rate adjustment” means the percentage increase that would apply if the balance in the member's pension account were a pension in payment eligible for increase under the 1971 Act;

<sup>F17</sup>“inheriting body” means—

- (a) an admission body which continues to employ active members or whose admission agreement otherwise remains in effect;
- (b) an employing authority which employs active members at the date on which the original employer withdraws from the Scheme; and
- (c) any other body;

which has agreed to accept responsibility for some or all of the liabilities of the original employer towards the Scheme;; and]

“inherited liabilities” has the meaning given to it in <sup>F18</sup>[regulation 71(1), 71(10) or 71(11)] as applicable;

“IRMP” means an independent registered medical practitioner who is registered with the General Medical Council and—

- (a) holds a diploma in occupational health medicine (D Occ Med) or an equivalent qualification issued by a competent authority in an EEA state; and for the purposes of this definition, “competent authority” has the meaning given by section 55(1) of the Medical Act 1983 <sup>M24</sup>; or

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Government Pension Scheme Regulations (Northern Ireland) 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(b) is an Associate, a Member or a Fellow of the Faculty of Occupational Medicine or an equivalent institution of an EEA state;

“joint liability amount” has the meaning given to that expression by section 237B(3) of the 2004 Finance Act;

“liabilities” means, where it occurs in regulations 61 (the fund and the admission agreement fund), 68 (actuarial valuations and certificates), 70 (special circumstances where revised actuarial valuations and certificates shall be obtained) and 71 (apportionment of liabilities), the liabilities attributable to any employing authority or admission body by virtue of its participation in the Scheme whether it employs active members or not and these include not only liabilities which are directly attributable to its current or former employees but also any liabilities for which the employing authority or admission body is otherwise responsible;

“local government employment” means an employment by virtue of which the person employed is or has been a member of the Scheme [<sup>F19</sup>but excludes employment with an employer after it has ceased to be an employing authority in the Scheme;]

“membership” is to be construed in accordance with Article 121(1) of the 1995 Order;

“new council” means a district council constituted under section 1 (district councils) of the Local Government Act (Northern Ireland) 1972 <sup>M25</sup> as amended by section 3(1) of the Local Government (Boundaries) Act (Northern Ireland) 2008 <sup>M26</sup>;

<sup>F20</sup>  
...

“normal pension age” means the pensionable age of a person as specified from time to time in Schedule 2 to the 1995 Order, or if higher, 65;

“occupational pension scheme” has the meaning given by section 150(5) of the 2004 Finance Act;

“ordinary adoption leave” means leave under Article 107A of the 1996 Order;

“ordinary maternity leave” means leave under Article 103 of the 1996 Order;

“original employer” means an employing authority in respect of whom an apportionment agreement under regulation 71 has been made so that an [<sup>F21</sup>inheriting body] or guarantor has assumed to accept responsibility for some or all of the liabilities previously attributable to that employing authority;

[<sup>F22</sup>“parental bereavement leave” means leave under Article 112EA of the Employment Rights (Northern Ireland) Order 1996;]

“partner” <sup>F23</sup>... means a spouse, civil partner or <sup>F24</sup>... co-habiting partner;

“paternity leave” means leave under regulation 4 or 8 of the Paternity and Adoption Leave Regulations (Northern Ireland) 2002 <sup>M27</sup>;

“payment period” means a period of employment to which an employee's wages or salary payments relate;

“pension account” means an account of the description in regulation 24;

“pension credit” means a credit under Article 26(1)(b) of the 1999 Order or under section 29(1) (b) of the 1999 Act;

“pension credit member” has the meaning given by regulation 10(1) (pension credit and survivor members);

“pension debit” means a debit under Article 26(1)(a) of the 1999 Order or under section 29(1) (a) of the 1999 Act;

“pension debit member” means a member, whether an active member, a deferred member or a pensioner member, whose shareable rights under the Scheme are subject to a pension debit;

- “pension fund” refers to the fund or, where applicable the admission agreement fund;
- “pension sharing order” means an order or provision by virtue of which Article 26 of the 1999 Order or section 29 of the 1999 Act takes effect;
- “pensionable age” has the meaning given in section 176 of the 1993 Act;
- “pensionable pay” has the meaning given by regulation 22 but if the circumstances specified in regulation 23(2) apply, references in these Regulations to a member's pensionable pay are references to that member's assumed pensionable pay;
- “pensioner member” has the meaning given by regulation 9(1);
- “Pensions Regulator” means the body corporate established under section 1 of the 2004 Pensions Act;
- “permanently incapable” means that the member will, more likely than not, be incapable until at the earliest, the member's normal pension age;
- [<sup>F25</sup>“Public Sector Transfer Club” means the arrangement approved by the Department and detailed in the Club Memorandum as providing reciprocal arrangements between the Scheme and other registered occupational pension schemes for making and receiving transfer value payments;]
- “public service pension scheme” <sup>F26</sup>... has the same meaning as in section 150(3) of the 2004 Finance Act;
- “qualifying recognised overseas pension scheme” has the same meaning as in section 169(2) of the 2004 Finance Act;
- “qualifying service for a period of two years” has the meaning given in regulation 3(5);
- “reference banks” means the seven largest persons for the time being who—
- (a) have permission under Part 4 of the Financial Services and Markets Act 2000 <sup>M28</sup> to accept deposits;
  - (b) are incorporated in the United Kingdom and carry on there a regulated activity of accepting deposits; and
  - (c) quote a base rate in sterling;
- and for the purposes of this definition, the size of the person at any time is to be determined by reference to the gross assets denominated in sterling of that person, together with any subsidiary (as defined in section 1159 of the Companies Act 2006 <sup>M29</sup>, or before the commencement of section 1159, as defined by Article 4 of the Companies (Northern Ireland) Order 1986 <sup>M30</sup>, as shown in the audited end-of-year accounts last published before that time, and this definition shall be read with—
- (i) section 22 of the Financial Services and Markets Act 2000 <sup>M31</sup>;
  - (ii) any relevant order under that section; and
  - (iii) Schedule 2 to that Act;
- “registered pension scheme” has the same meaning as in section 150(2) of the 2004 Finance Act;
- “reserve forces service leave” means absence from duty because of being called out or recalled for permanent service in Her Majesty's armed forces pursuant to a call-out notice served, or a call-out or recall order made, under the Reserve Forces Act 1996 <sup>M32</sup>;
- [<sup>F27</sup>“retirement grant” has the meaning given in regulation 19 (calculations) of the 2002 Regulations;]
- “retirement pension” includes earned pension and additional pension;

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Government Pension Scheme Regulations (Northern Ireland) 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

[<sup>F28</sup>“retiring allowance” means a retiring allowance payable under regulation E2 (entitlement to retirement pension and retiring allowance) of the Local Government (Superannuation) Regulations (Northern Ireland) 1992;]

[<sup>F29</sup>“revaluation adjustment” means—

- (a) in the case of a balance transferred under a Club Transfer, the adjustment that would have applied to that balance if it had not been transferred; and
- (b) in any other case the percentage specified as the change in prices in the relevant Treasury Order made under section 9(2) of the Public Service Pensions Act (Northern Ireland) 2014 which applied to a sum in a pension account at the beginning of the next scheme year;]

“the Scheme” means the occupational pension scheme constituted by these Regulations and the Transitional Regulations;

“Scheme employment” means an employment by virtue of which a person is entitled to be a member of the Scheme;

“Scheme manager” has the meaning given by regulation 2(2);

“Scheme pays election” means a member giving the Committee notice of joint and several liability under section 237B of the 2004 Finance Act in respect of the member's annual allowance charge;

“Scheme year” means a period of one year beginning with 1st April and ending with 31st March;

“service” means service or employment with an employing authority, and service rendered by an employee of an employing authority whose services are placed at the disposal of a Minister of the Crown or a Government department in pursuance of any enactment is to be treated as service with an employing authority;

“shareable rights” has the same meaning as in Article 24(2) (scope of mechanism) of the 1999 Order or under section 27(2) of the 1999 Act;

“shared cost additional voluntary contribution arrangement” means an arrangement established under regulation 19 to which both the employing authority and the active member contribute;

[<sup>F30</sup>“shared parental leave” means leave under the Shared Parental Leave Regulations (Northern Ireland) 2015;]

[<sup>F31</sup>“standard retirement grant” has the meaning given in regulation D2 (“standard retirement pension” and “standard retirement grant”) of the Local Government Pension Scheme Regulations (Northern Ireland) 2000;]

“statutory pay” means any [<sup>F32</sup>statutory sick, maternity,] paternity [<sup>F33</sup>, shared parental][<sup>F34</sup>, parental bereavement] or adoption pay payable under the Social Security Contributions and Benefits (Northern Ireland) Act 1992 <sup>M33</sup>;

“survivor member” has the meaning given by regulation 10(2);

“survivor pension” means a pension payable under regulations 41, 43, 44, 45, 47, 48, 49, 50, 52, 53, 54 or 55 [<sup>F35</sup>and any pension payable under the former Regulations to a survivor;]

“Tier 1 benefits” has the meaning given by regulation 36(4) calculated in accordance with regulation 39;

“Tier 2 benefits” has the meaning given by regulation 36(5) calculated in accordance with regulation 39;

“total membership” means the aggregate of periods of membership which count as such under regulation 3;



**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to *The Local Government Pension Scheme Regulations (Northern Ireland) 2014*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

“trade dispute” has the meaning given in Article 127 of the Trade Union and Labour Relations (Northern Ireland) Order 1995 <sup>M34</sup>;

“transfer value payment” means a payment made from the Scheme to another registered pension scheme or qualifying recognised overseas pension scheme, or a payment received by the Scheme from a registered pension scheme or from a European Pensions Institution; and

“Transitional Regulations” means the Local Government Pension Scheme (Amendment and Transitional Provisions) Regulations (Northern Ireland) 2014 <sup>M35</sup>.

### Textual Amendments

- F1** Words in Sch. 1 inserted (with effect in accordance with reg. 1(2) of the amending Rule) by [The Local Government Pension Scheme \(Amendment\) Regulations \(Northern Ireland\) 2016 \(S.R. 2016/128\)](#), regs. 1(1), **26(a)**
- F2** Words in Sch. 1 inserted (6.4.2015) by [The Local Government Pension Scheme \(Amendment No. 2\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/162\)](#), regs. 1(1), **24(a)**
- F3** Words in Sch. 1 omitted (5.4.2015) by virtue of [The Shared Parental Leave and Statutory Shared Parental Pay \(Consequential Amendments to Subordinate Legislation\) Order \(Northern Ireland\) 2015 \(S.R. 2015/146\)](#), arts. 1(3), **21(4)(a)** (with art. 25)
- F4** Words in Sch. 1 inserted (1.4.2015) by [The Local Government Pension Scheme \(Governance\) \(Amendment\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/77\)](#), regs. 1(1), **5(a)**
- F5** Words in Sch. 1 inserted (1.4.2015) by [The Local Government Pension Scheme \(Governance\) \(Amendment\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/77\)](#), regs. 1(1), **5(b)**
- F6** Word in Sch. 1 omitted (2.4.2023) by virtue of [The Parental Bereavement Leave and Pay \(Consequential Amendments to Subordinate Legislation\) Regulations \(Northern Ireland\) 2023 \(S.R. 2023/56\)](#), regs. 1(1), **19(4)(a)**, 34
- F7** Words in Sch. 1 omitted (5.4.2015) by virtue of [The Shared Parental Leave and Statutory Shared Parental Pay \(Consequential Amendments to Subordinate Legislation\) Order \(Northern Ireland\) 2015 \(S.R. 2015/146\)](#), arts. 1(3), **21(4)(b)(i)** (with art. 25)
- F8** Words in Sch. 1 inserted (15.3.2015) by [The Shared Parental Leave and Statutory Shared Parental Pay \(Consequential Amendments to Subordinate Legislation\) Order \(Northern Ireland\) 2015 \(S.R. 2015/146\)](#), arts. 1(2), 21(4)(b)(ii)
- F9** Word in Sch. 1 inserted (2.4.2023) by [The Parental Bereavement Leave and Pay \(Consequential Amendments to Subordinate Legislation\) Regulations \(Northern Ireland\) 2023 \(S.R. 2023/56\)](#), regs. 1(1), **19(4)(b)**, 34
- F10** Words in Sch. 1 inserted (2.4.2023) by [The Parental Bereavement Leave and Pay \(Consequential Amendments to Subordinate Legislation\) Regulations \(Northern Ireland\) 2023 \(S.R. 2023/56\)](#), regs. 1(1), **19(4)(c)**, 34
- F11** Words in Sch. 1 inserted (18.11.2019) by [The Local Government Pension Scheme \(Amendment\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/206\)](#), regs. 1(1), **81(a)**
- F12** Words in Sch. 1 inserted (with effect in accordance with reg. 1(2)(c) of the amending Rule) by [The Local Government Pension Scheme \(Amendment\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/206\)](#), regs. 1(1), **31(a)**
- F13** Words in Sch. 1 inserted (1.4.2015) by [The Local Government Pension Scheme \(Governance\) \(Amendment\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/77\)](#), regs. 1(1), **5(c)**
- F14** Words in Sch. 1 substituted (1.4.2015) by [The Local Government Pension Scheme \(Amendment No. 2\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/162\)](#), regs. 1(2), **24(b)(i)**
- F15** Word in Sch. 1 deleted (1.4.2015) by [The Local Government Pension Scheme \(Amendment No. 2\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/162\)](#), regs. 1(2), **24(b)(ii)**
- F16** Words in Sch. 1 substituted (1.4.2015) by [The Local Government Pension Scheme \(Amendment No. 2\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/162\)](#), regs. 1(2), **24(c)**
- F17** Words in Sch. 1 substituted (1.4.2015) by [The Local Government Pension Scheme \(Amendment No. 2\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/162\)](#), regs. 1(2), **24(d)**

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Government Pension Scheme Regulations (Northern Ireland) 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- F18** Words in Sch. 1 substituted (1.4.2015) by The Local Government Pension Scheme (Amendment No. 2) Regulations (Northern Ireland) 2015 (S.R. 2015/162), regs. 1(2), **24(e)**
- F19** Words in Sch. 1 inserted (with effect in accordance with reg. 1(1) of the amending Rule) by The Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2022 (S.R. 2022/163), regs. 1(1), **13(a)**
- F20** Words in Sch. 1 omitted (with effect in accordance with reg. 1(2)(c) of the amending Rule) by virtue of The Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2019 (S.R. 2019/206), regs. 1(1), **31(b)**
- F21** Words in Sch. 1 substituted (1.4.2015) by The Local Government Pension Scheme (Amendment No. 2) Regulations (Northern Ireland) 2015 (S.R. 2015/162), regs. 1(2), **24(f)**
- F22** Words in Sch. 1 inserted (2.4.2023) by The Parental Bereavement Leave and Pay (Consequential Amendments to Subordinate Legislation) Regulations (Northern Ireland) 2023 (S.R. 2023/56), regs. 1(1), **19(4)(d)**, 34
- F23** Words in Sch. 1 omitted (18.11.2019) by virtue of The Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2019 (S.R. 2019/206), regs. 1(1), **81(b)**
- F24** Word in Sch. 1 omitted (with effect in accordance with reg. 1(2)(c) of the amending Rule) by virtue of The Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2019 (S.R. 2019/206), regs. 1(1), **31(c)**
- F25** Words in Sch. 1 inserted (18.11.2019) by The Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2019 (S.R. 2019/206), regs. 1(1), **81(c)**
- F26** Word in Sch. 1 omitted (with effect in accordance with reg. 1(1) of the amending Rule) by virtue of The Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2022 (S.R. 2022/163), regs. 1(1), **13(b)**
- F27** Words in Sch. 1 inserted (with effect in accordance with reg. 1(2) of the amending Rule) by The Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2016 (S.R. 2016/128), regs. 1(1), **26(b)**
- F28** Words in Sch. 1 inserted (with effect in accordance with reg. 1(2) of the amending Rule) by The Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2016 (S.R. 2016/128), regs. 1(1), **26(c)**
- F29** Words in Sch. 1 substituted (18.11.2019) by The Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2019 (S.R. 2019/206), regs. 1(1), **81(d)**
- F30** Words in Sch. 1 inserted (15.3.2015) by The Shared Parental Leave and Statutory Shared Parental Pay (Consequential Amendments to Subordinate Legislation) Order (Northern Ireland) 2015 (S.R. 2015/146), arts. 1(2), 21(4)(d)
- F31** Words in Sch. 1 inserted (with effect in accordance with reg. 1(2) of the amending Rule) by The Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2016 (S.R. 2016/128), regs. 1(1), **26(e)**
- F32** Words in Sch. 1 substituted (1.4.2015) by The Local Government Pension Scheme (Amendment No. 2) Regulations (Northern Ireland) 2015 (S.R. 2015/162), regs. 1(2), **24(g)**
- F33** Words in Sch. 1 inserted (15.3.2015) by The Shared Parental Leave and Statutory Shared Parental Pay (Consequential Amendments to Subordinate Legislation) Order (Northern Ireland) 2015 (S.R. 2015/146), arts. 1(2), 21(4)(c)
- F34** Words in Sch. 1 inserted (2.4.2023) by The Parental Bereavement Leave and Pay (Consequential Amendments to Subordinate Legislation) Regulations (Northern Ireland) 2023 (S.R. 2023/56), regs. 1(1), **19(4)(e)**, 34
- F35** Words in Sch. 1 inserted (with effect in accordance with reg. 1(1) of the amending Rule) by The Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2022 (S.R. 2022/163), regs. 1(1), **13(c)**

#### Marginal Citations

- M1** 1971 Chapter 35 (N.I.)
- M2** S.I. 1972/1073 (N.I. 10); Art. 9 was amended by Art. 34 S.I. 2005/1968 (N.I. 18); Art 14. was amended by Art. 12 S.I. 1990/1509 (N.I. 13).

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Government Pension Scheme Regulations (Northern Ireland) 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- M3** 1993 c. 49
- M4** S.I. 1995/3213 (N.I. 22)
- M5** S.I. 1996/1919 (N.I. 16)
- M6** 1999 c. 30
- M7** S.I. 1999/3147 (N.I. 11)
- M8** 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, S.R. 2007 No. 479 and S.R. 2009 No. 34
- M9** 2004 c. 12
- M10** 2004 c. 35; section 293(8) was amended by S.I. 2007/3014
- M11** 2008 c. 13 (N.I.)
- M12** S.R. 2009 No. 32; as amended by S.R. 2010 No. 164, S.I. 2010/234, S.R. 2010 No. 410, S.R. 2011 No. 117, S.R. 2012 No. 85, S.R. 2012 No. 183 and S.R. 2013 No. 71
- M13** S.R. 2009 No. 33; as amended by S.R. 2010 No. 164, S.R. 2010 No. 410, S.R. 2011 No. 117, S.R. 2012 No. 183 and S.R. 2013 No. 71
- M14** S.R. 2009 No. 34; as amended by S.R. 2010 No. 410 and S.R. 2013 No. 71
- M15** 1950 c. 10 (N.I.)
- M16** 2005 No. 255 (N.I. 1)
- M17** 1972 c. 9 (N.I.)
- M18** S.R. 2013 No. 238 (C.15)
- M19** S.R. 2000 No. 177; as amended by S.R. 2001 No. 61, S.R. 2001 No. 63, S.R. 2001 No. 64, S.R. 2002 No. 115 and S.R. 2002 No. 353
- M20** S.R. 1992 No. 547; as amended by other instruments listed in Schedule M3 to the Local Government Pension Scheme Regulations (Northern Ireland) 2000 (S.R. 2000 No. 177)
- M21** S.R. 1981 No. 96; as amended by other instruments listed in Schedule 21 to the Local Government (Superannuation) Regulations (Northern Ireland) 1992 (S.R. 1992 No. 547)
- M22** S.R. & O. (N.I.) 1962 No. 210
- M23** S.R. & O. (N.I.) 1950 No. 103 (p. 423)
- M24** 1983 c. 54, the definition of “competent authority” was inserted by S.I. 2007/3101
- M25** 1972 Chapter 9 (N.I.)
- M26** 2008 c.7 (N.I.)
- M27** S.R. 2002 No. 377
- M28** 2000 c. 8
- M29** 2006 c. 46
- M30** S.I. 1986/1032 (N.I. 6)
- M31** 2008 c. 8
- M32** 1996 c. 14
- M33** 1992 c. 7
- M34** S.I. 1995/1980 (N.I. 12)
- M35** S.R. 2014 No. 189

### Textual Amendments

- F1** Words in Sch. 1 inserted (with effect in accordance with reg. 1(2) of the amending Rule) by The Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2016 (S.R. 2016/128), regs. 1(1), **26(a)**
- F2** Words in Sch. 1 inserted (6.4.2015) by The Local Government Pension Scheme (Amendment No. 2) Regulations (Northern Ireland) 2015 (S.R. 2015/162), regs. 1(1), **24(a)**
- F3** Words in Sch. 1 omitted (5.4.2015) by virtue of The Shared Parental Leave and Statutory Shared Parental Pay (Consequential Amendments to Subordinate Legislation) Order (Northern Ireland) 2015 (S.R. 2015/146), arts. 1(3), **21(4)(a)** (with art. 25)

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Government Pension Scheme Regulations (Northern Ireland) 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- F4** Words in Sch. 1 inserted (1.4.2015) by The Local Government Pension Scheme (Governance) (Amendment) Regulations (Northern Ireland) 2015 (S.R. 2015/77), regs. 1(1), **5(a)**
- F5** Words in Sch. 1 inserted (1.4.2015) by The Local Government Pension Scheme (Governance) (Amendment) Regulations (Northern Ireland) 2015 (S.R. 2015/77), regs. 1(1), **5(b)**
- F6** Word in Sch. 1 omitted (2.4.2023) by virtue of The Parental Bereavement Leave and Pay (Consequential Amendments to Subordinate Legislation) Regulations (Northern Ireland) 2023 (S.R. 2023/56), regs. 1(1), **19(4)(a)**, 34
- F7** Words in Sch. 1 omitted (5.4.2015) by virtue of The Shared Parental Leave and Statutory Shared Parental Pay (Consequential Amendments to Subordinate Legislation) Order (Northern Ireland) 2015 (S.R. 2015/146), arts. 1(3), **21(4)(b)(i)** (with art. 25)
- F8** Words in Sch. 1 inserted (15.3.2015) by The Shared Parental Leave and Statutory Shared Parental Pay (Consequential Amendments to Subordinate Legislation) Order (Northern Ireland) 2015 (S.R. 2015/146), arts. 1(2), 21(4)(b)(ii)
- F9** Word in Sch. 1 inserted (2.4.2023) by The Parental Bereavement Leave and Pay (Consequential Amendments to Subordinate Legislation) Regulations (Northern Ireland) 2023 (S.R. 2023/56), regs. 1(1), **19(4)(b)**, 34
- F10** Words in Sch. 1 inserted (2.4.2023) by The Parental Bereavement Leave and Pay (Consequential Amendments to Subordinate Legislation) Regulations (Northern Ireland) 2023 (S.R. 2023/56), regs. 1(1), **19(4)(c)**, 34
- F11** Words in Sch. 1 inserted (18.11.2019) by The Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2019 (S.R. 2019/206), regs. 1(1), **81(a)**
- F12** Words in Sch. 1 inserted (with effect in accordance with reg. 1(2)(c) of the amending Rule) by The Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2019 (S.R. 2019/206), regs. 1(1), **31(a)**
- F13** Words in Sch. 1 inserted (1.4.2015) by The Local Government Pension Scheme (Governance) (Amendment) Regulations (Northern Ireland) 2015 (S.R. 2015/77), regs. 1(1), **5(c)**
- F14** Words in Sch. 1 substituted (1.4.2015) by The Local Government Pension Scheme (Amendment No. 2) Regulations (Northern Ireland) 2015 (S.R. 2015/162), regs. 1(2), **24(b)(i)**
- F15** Word in Sch. 1 deleted (1.4.2015) by The Local Government Pension Scheme (Amendment No. 2) Regulations (Northern Ireland) 2015 (S.R. 2015/162), regs. 1(2), **24(b)(ii)**
- F16** Words in Sch. 1 substituted (1.4.2015) by The Local Government Pension Scheme (Amendment No. 2) Regulations (Northern Ireland) 2015 (S.R. 2015/162), regs. 1(2), **24(c)**
- F17** Words in Sch. 1 substituted (1.4.2015) by The Local Government Pension Scheme (Amendment No. 2) Regulations (Northern Ireland) 2015 (S.R. 2015/162), regs. 1(2), **24(d)**
- F18** Words in Sch. 1 substituted (1.4.2015) by The Local Government Pension Scheme (Amendment No. 2) Regulations (Northern Ireland) 2015 (S.R. 2015/162), regs. 1(2), **24(e)**
- F19** Words in Sch. 1 inserted (with effect in accordance with reg. 1(1) of the amending Rule) by The Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2022 (S.R. 2022/163), regs. 1(1), **13(a)**
- F20** Words in Sch. 1 omitted (with effect in accordance with reg. 1(2)(c) of the amending Rule) by virtue of The Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2019 (S.R. 2019/206), regs. 1(1), **31(b)**
- F21** Words in Sch. 1 substituted (1.4.2015) by The Local Government Pension Scheme (Amendment No. 2) Regulations (Northern Ireland) 2015 (S.R. 2015/162), regs. 1(2), **24(f)**
- F22** Words in Sch. 1 inserted (2.4.2023) by The Parental Bereavement Leave and Pay (Consequential Amendments to Subordinate Legislation) Regulations (Northern Ireland) 2023 (S.R. 2023/56), regs. 1(1), **19(4)(d)**, 34
- F23** Words in Sch. 1 omitted (18.11.2019) by virtue of The Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2019 (S.R. 2019/206), regs. 1(1), **81(b)**
- F24** Word in Sch. 1 omitted (with effect in accordance with reg. 1(2)(c) of the amending Rule) by virtue of The Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2019 (S.R. 2019/206), regs. 1(1), **31(c)**

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Government Pension Scheme Regulations (Northern Ireland) 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- F25** Words in Sch. 1 inserted (18.11.2019) by The Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2019 (S.R. 2019/206), regs. 1(1), **81(c)**
- F26** Word in Sch. 1 omitted (with effect in accordance with reg. 1(1) of the amending Rule) by virtue of The Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2022 (S.R. 2022/163), regs. 1(1), **13(b)**
- F27** Words in Sch. 1 inserted (with effect in accordance with reg. 1(2) of the amending Rule) by The Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2016 (S.R. 2016/128), regs. 1(1), **26(b)**
- F28** Words in Sch. 1 inserted (with effect in accordance with reg. 1(2) of the amending Rule) by The Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2016 (S.R. 2016/128), regs. 1(1), **26(c)**
- F29** Words in Sch. 1 substituted (18.11.2019) by The Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2019 (S.R. 2019/206), regs. 1(1), **81(d)**
- F30** Words in Sch. 1 inserted (15.3.2015) by The Shared Parental Leave and Statutory Shared Parental Pay (Consequential Amendments to Subordinate Legislation) Order (Northern Ireland) 2015 (S.R. 2015/146), arts. 1(2), 21(4)(d)
- F31** Words in Sch. 1 inserted (with effect in accordance with reg. 1(2) of the amending Rule) by The Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2016 (S.R. 2016/128), regs. 1(1), **26(e)**
- F32** Words in Sch. 1 substituted (1.4.2015) by The Local Government Pension Scheme (Amendment No. 2) Regulations (Northern Ireland) 2015 (S.R. 2015/162), regs. 1(2), **24(g)**
- F33** Words in Sch. 1 inserted (15.3.2015) by The Shared Parental Leave and Statutory Shared Parental Pay (Consequential Amendments to Subordinate Legislation) Order (Northern Ireland) 2015 (S.R. 2015/146), arts. 1(2), 21(4)(c)
- F34** Words in Sch. 1 inserted (2.4.2023) by The Parental Bereavement Leave and Pay (Consequential Amendments to Subordinate Legislation) Regulations (Northern Ireland) 2023 (S.R. 2023/56), regs. 1(1), **19(4)(e)**, 34
- F35** Words in Sch. 1 inserted (with effect in accordance with reg. 1(1) of the amending Rule) by The Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2022 (S.R. 2022/163), regs. 1(1), **13(c)**

---

### Marginal Citations

- M1** 1971 Chapter 35 (N.I.)
- M2** S.I. 1972/1073 (N.I. 10); Art. 9 was amended by Art. 34 S.I. 2005/1968 (N.I. 18); Art 14. was amended by Art. 12 S.I. 1990/1509 (N.I. 13).
- M3** 1993 c. 49
- M4** S.I. 1995/3213 (N.I. 22)
- M5** S.I. 1996/1919 (N.I. 16)
- M6** 1999 c. 30
- M7** S.I. 1999/3147 (N.I. 11)
- M8** 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, S.R. 2007 No. 479 and S.R. 2009 No. 34
- M9** 2004 c. 12
- M10** 2004 c. 35; section 293(8) was amended by S.I. 2007/3014
- M11** 2008 c. 13 (N.I.)
- M12** S.R. 2009 No. 32; as amended by S.R. 2010 No. 164, S.I. 2010/234, S.R. 2010 No. 410, S.R. 2011 No. 117, S.R. 2012 No. 85, S.R. 2012 No. 183 and S.R. 2013 No. 71
- M13** S.R. 2009 No. 33; as amended by S.R. 2010 No. 164, S.R. 2010 No. 410, S.R. 2011 No. 117, S.R. 2012 No. 183 and S.R. 2013 No. 71
- M14** S.R. 2009 No. 34; as amended by S.R. 2010 No. 410 and S.R. 2013 No. 71
- M15** 1950 c. 10 (N.I.)
- M16** 2005 No. 255 (N.I. 1)

**Changes to legislation:** There are outstanding changes not yet made by the [legislation.gov.uk](http://legislation.gov.uk) editorial team to *The Local Government Pension Scheme Regulations (Northern Ireland) 2014*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- M17** [1972 c. 9 \(N.I.\)](#)
- M18** [S.R. 2013 No. 238 \(C.15\)](#)
- M19** [S.R. 2000 No. 177](#); as amended by [S.R. 2001 No. 61](#), [S.R. 2001 No. 63](#), [S.R. 2001 No. 64](#), [S.R. 2002 No. 115](#) and [S.R. 2002 No. 353](#)
- M20** [S.R. 1992 No. 547](#); as amended by other instruments listed in Schedule M3 to the Local Government Pension Scheme Regulations (Northern Ireland) 2000 ([S.R. 2000 No. 177](#))
- M21** [S.R. 1981 No. 96](#); as amended by other instruments listed in Schedule 21 to the Local Government (Superannuation) Regulations (Northern Ireland) 1992 ([S.R. 1992 No. 547](#))
- M22** [S.R. & O. \(N.I.\) 1962 No. 210](#)
- M23** [S.R. & O. \(N.I.\) 1950 No. 103](#) (p. 423)
- M24** [1983 c. 54](#), the definition of “competent authority” was inserted by [S.I. 2007/3101](#)
- M25** [1972 Chapter 9 \(N.I.\)](#)
- M26** [2008 c.7 \(N.I.\)](#)
- M27** [S.R. 2002 No. 377](#)
- M28** [2000 c. 8](#)
- M29** [2006 c. 46](#)
- M30** [S.I. 1986/1032 \(N.I. 6\)](#)
- M31** [2008 c. 8](#)
- M32** [1996 c. 14](#)
- M33** [1992 c. 7](#)
- M34** [S.I. 1995/1980 \(N.I. 12\)](#)
- M35** [S.R. 2014 No. 189](#)

## SCHEDULE 2

Regulations 3 and 5

### ADMISSION AGREEMENTS WITH ADMISSION BODIES

#### PART 1

##### Admission Bodies

1. Subject to the requirements of regulations 3(1)(b) (active membership, employed by an admission body) and 5 (employees of admission bodies) and this Schedule the Committee may make an admission agreement with any admission body.

2.—(1) An admission body is—

- (a) a body which provides a public service in the United Kingdom otherwise than for the purposes of gain and which either—
  - (i) has sufficient links with an employing authority for the body and the employing authority to be regarded as having a community of interest whether because the operations of the body are dependent on the operations of the employing authority or otherwise; or
  - (ii) is approved by the Department for the purpose of admission to the Scheme.
- (b) a body, to the funds of which any employing authority contributes;
- (c) a body representative of—
  - (i) local authorities;
  - (ii) local authorities and officers of local authorities;

- (iii) officers of local authorities where it is formed for the purpose of consultation on the common interests of local authorities and the discussion of matters relating to local government; or
  - (iv) employing authorities;
  - (d) a statutory undertaker;
  - (e) a non-statutory undertaker;
  - (f) the managers of a voluntary school [<sup>F36</sup>or grant maintained integrated school] within the meaning of Article 2(2) of the Education and Libraries (Northern Ireland) Order 1986 <sup>M36</sup>;
  - (g) the governing body of an institution of further education within the meaning of the Further Education (Northern Ireland) Order 1997 <sup>M37</sup>; and
  - (h) a body that is providing or will provide—
    - (i) a service or assets in connection with the exercise of a function of an employing authority as a result of the transfer of the service or assets by means of a contract or other arrangement; or
    - (ii) a public service and which is approved by the Department for the purposes of admission to the Scheme.
- (2) In this paragraph—
- (a) “a non-statutory undertaker” means a body who, though not authorised by any statutory provision to do so, is primarily engaged in carrying on—
    - (i) any railway, light railway, road transport, water transport, canal, inland navigation, dock harbour or pier; or
    - (ii) any undertaking for the promotion of industrial development or the promotion of the development of tourist traffic; and
  - (b) “a statutory undertaker” means a body authorised by any statutory provision to carry on—
    - (i) any railway, light railway, road transport, water transport, canal, inland navigation, dock harbour or pier; or
    - (ii) any undertaking for the promotion of industrial development or the promotion of the development of tourist traffic.

#### Textual Amendments

**F36** Words in Sch. 2 Pt. 1 para. 2(1)(f) inserted (with effect in accordance with reg. 1(2)(c) of the amending Rule) by The Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2019 (S.R. 2019/206), regs. 1(1), **82(a)**

#### Marginal Citations

**M36** S.I. 1986/594 (N.I. 3) as amended by S.I.1993/2810 (N.I. 12) and S.I. 1997/1772 (N.I. 15).

**M37** S.I. 1997/1772 (N.I. 15).

3. An approval under paragraph 2(1)(a)(ii) of this Part of this Schedule, or an approval under paragraph 2(1)(h)(ii) of this Part of this Schedule may be subject to such conditions as the Department thinks fit and it may withdraw approval at any time if such conditions are not met.

4. In the case of an admission agreement with an admission body under paragraph 2(1)(h)(i) of this Part of this Schedule, the employing authority, if it is not also the Committee, shall be a party to the admission agreement.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Government Pension Scheme Regulations (Northern Ireland) 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

5. Where, at the date that an admission agreement is made with a body mentioned in paragraph 2(1)(b) of this Part of this Schedule, the funding contributions paid to the body by one or more employing authorities equal in total 50% or less of the total amount it receives from all sources, it shall be a term of that admission agreement that the employing authority which provides the funding (or, if more than one, all of them) guarantees the liability of the body to pay all amounts due from it under the Scheme.

6. Where an admission body under paragraph 2(1)(h)(i) of this Part of this Schedule is exercising the functions of an employing authority in connection with more than one contract or other arrangement under that paragraph, the Committee and the admission body shall enter into a separate admission agreement in respect of each contract or arrangement.

7. This paragraph applies where an admission body under paragraph 2(1)(h) of this Part of this Schedule undertakes to meet the relevant requirements of regulation 3(1)(b) (active membership, employed by an admission body) and this Schedule, and—

- (a) in the case of a body under paragraph 2(1)(h)(i) of this Part of this Schedule, the employing authority undertakes to meet the requirements of this paragraph; or
- (b) in the case of a body under paragraph 2(1)(h)(ii) of this Part of this Schedule, the Department approves the body for admission to the Scheme and the conditions, if any, to which the approval is subject, have been met.

8. Where paragraph 7 of this Part of this Schedule applies—

- (a) the Committee [<sup>F37</sup>may] admit to the Scheme the eligible employees of the admission body specified by the body; and
- (b) where it does so, the terms on which it does so are the admission agreement for the purposes of the Scheme.

#### Textual Amendments

**F37** Word in [Sch. 2 Pt. 1 para. 8\(a\)](#) substituted (with effect in accordance with reg. 1(1) of the amending Rule) by [The Local Government Pension Scheme \(Amendment\) Regulations \(Northern Ireland\) 2022 \(S.R. 2022/163\)](#), regs. 1(1), **14**

9. Only those employees of the admission body who are employed in connection with the provision of a service or assets mentioned in paragraph 2(1)(h) of this Part of this Schedule are eligible to be designated, under regulation 3(1)(b) (active membership, employed by an admission body), members of the Scheme.

## PART 2

### Admission Agreements

1. An admission agreement shall require that—

- (a) in the case of a body under paragraph paragraphs 2(1)(h)(i) of Part 1 of this Schedule, the employing authority; or
- (b) in all other cases, the admission body, to the satisfaction of the Committee,

shall carry out an assessment, taking account of actuarial advice, of the level of risk arising on premature termination of the provision of service or assets by reason of insolvency, winding up, or liquidation of the admission body.



2. Subject to paragraph 3 of this Part of this Schedule, the admission agreement shall further provide that where the level of risk identified by the assessment is such as to require it, an admission body shall enter into an indemnity or bond in an approved form with—

- (a) a person who has permission under Part 4A of the Financial Services and Markets Act 2000<sup>M38</sup> to accept deposits or to effect and carry out contracts of general insurance;
- (b) an EEA firm of the kind mentioned in paragraph 5(b) and 5(d) of Schedule 3 to that Act<sup>M39</sup>, which has permission under paragraph 15 of that Schedule (as a result of qualifying for authorisation under paragraph 12 of that Schedule<sup>M40</sup>) to accept deposits or to effect and carry out contracts of general insurance; or
- (c) a person who does not require permission under that Act to accept deposits, by way of business, in the United Kingdom.

#### Marginal Citations

**M38** 2000 c. 8.

**M39** 2000 c. 8; Paragraph 5(b) of Schedule 3 was amended by S.I. 2006/3221; paragraph 5(d) of that Schedule was amended S.I. 2004/3379.

**M40** 2000 c. 8; there are amendments to paragraphs 12 and 15 of Schedule 3 which are not relevant to these Regulations.

3. Where, for any reason, it is not desirable for an admission body to enter into an indemnity or bond, the admission agreement shall provide that the admission body secures a guarantee, in a form satisfactory to the Committee, from—

- (a) a person, or persons, who funds the admission body in whole or in part;
- (b) in the case of an admission body falling within the description in paragraph 2(1)(h)(i) of Part 1 of this Schedule, the employing authority referred to in that paragraph;
- (c) a person who—
  - (i) owns; or
  - (ii) controls the exercise of the functions of, the admission body; or
- (d) the Department, in the case of an admission body—
  - (i) which is established by or under any enactment, and
  - (ii) where that enactment enables the Department to make financial provision for that admission body.

4. An admission agreement shall include a requirement for the admission body to pay to the Committee all contributions and payments due under these Regulations.

5. An admission agreement shall include—

- (a) (i) provision for it to terminate immediately if the admission body ceases to be such a body; and
  - (ii) any such other provisions about its termination as the parties consider appropriate;
- (b) a requirement that the admission body notify the Committee as soon as reasonably practicable of any matter that may affect, or is likely to affect, its participation in the Scheme;
- (c) a requirement that the admission body notify the Committee immediately of any actual or proposed change in its status which may give rise to a termination, including take-over,

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Government Pension Scheme Regulations (Northern Ireland) 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

reconstruction or amalgamation, insolvency, winding up, receivership or liquidation or a material change to the body's business or constitution; and

- (d) a right for the Committee to terminate the agreement in the event of—
- (i) the insolvency, winding up or liquidation of the admission body;
  - (ii) a breach by the admission body of any of its obligations under the admission agreement, or these Regulations, which has not been remedied within a reasonable time; or
  - (iii) a failure by the admission body to pay any sums due to the pension fund within a reasonable period after receipt of a notice from the Committee requiring it to do so.

6. An admission agreement shall include a requirement for the admission body to pay to the Committee all contributions and payments due under these Regulations.

7. An admission agreement shall include an undertaking from the admission body that it will promptly notify the Committee in writing of any material change in the terms and conditions of employment which affect entitlement to benefits under the Scheme for its employees who are members and of any terminations of employment by virtue of redundancy or in the interests of efficiency.

8. An admission agreement shall include a requirement that the admission body notifies the Committee of each occasion on which it exercises a discretion under these Regulations or the Transitional Regulations and the manner in which it exercises that discretion.

9. An admission agreement shall include a requirement that the admission body will not do anything to prejudice the status of the Scheme as a registered scheme.

10. When the Committee makes an admission agreement, it shall promptly inform the Department of—

- (a) the date the agreement takes effect;
- (b) that admission body's name; and
- (c) in the case of an agreement with an admission body under paragraph 2(1)(h)(i) of Part 1 of this Schedule, the name of the relevant employing authority.

11. Where an admission body is such a body by virtue of paragraph 2(1)(h) of Part 1 of this Schedule, an admission agreement shall include—

- (a) a requirement that only employees of the body who are employed in connection with the provision of the service or assets referred to in that paragraph may be members of the Scheme;
- (b) details of the contract or other arrangement by which the body met the requirements of that paragraph;
- (c) a provision whereby the employing authority referred to in that paragraph may set off against any payments due to the admission body, an amount equal to any overdue employer and employee contributions and other payments (including interest) due from the admission body under these Regulations;
- (d) a provision requiring the employing authority to keep under assessment the level of risk arising as a result of the matters mentioned in paragraph 1 of this Part of this Schedule;
- (e) a provision requiring copies of notifications due to the Committee under paragraphs 4(b), 4(c) or 10(a) of this Part of this Schedule to be given to the employing authority referred to in paragraph 2(1)(h) of Part 1 of this Schedule; and
- (f) a provision requiring the employing authority referred to in that paragraph to make a copy of the admission agreement available for public inspection at its offices.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Government Pension Scheme Regulations (Northern Ireland) 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

12. The Committee and an admission body may make an admission agreement despite the fact they do not exercise their functions or provide services or assets in areas that overlap or adjoin each other.

13. A body designated under the provisions of the Local Government (Superannuation) Act (Northern Ireland) 1950 <sup>M41</sup> shall be deemed to have an admission agreement under regulation 5 (employees of admission bodies) and this Schedule for so long as that body continues to employ active members of the Scheme.

#### Marginal Citations

**M41** 1950 c. 10 (N.I.)

14. Any question which may arise between the parties to an admission agreement relating to the construction of the agreement or the rights and obligations under that agreement shall be referred to the Department in writing for determination.

15. In this Schedule “indemnity or bond in an approved form” means an indemnity or bond, payable to the pension fund, to meet a level of risk exposure arising on insolvency, winding up or liquidation of the admission body, actuarially assessed to the satisfaction of the Committee and employing authority in the case of an admission body under paragraph 2(1)(h) of Part 1 of this Schedule.

[<sup>F38</sup>16. An admission agreement may take effect on a date before it is executed.]

#### Textual Amendments

**F38** Sch. 2 para. 16 inserted (18.11.2019) by The Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2019 (S.R. 2019/206), regs. 1(1), **82(b)**

## SCHEDULE 3

Regulation 60

### THE COMMITTEE: PRELIMINARY PROVISIONS

## PART 1

### Constitution of the Committee

1. The Committee appointed by the Minister shall consist of—
  - (a) a chairperson;
  - (b) two members as appears to the Minister to be appropriate;
  - (c) five members appointed after consultation with such organisations as may be recognised by the Minister as representative of employing authorities; and
  - (d) five members appointed after consultation with such organisations as may be recognised by the Minister as representative of employees affected by the Scheme.

2.—(1) Subject to the provisions in sub-paragraph (2) and paragraph 5, the term of office of a member of the Committee (“Committee member”) shall be four years from the date of that Committee member's appointment.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Government Pension Scheme Regulations (Northern Ireland) 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(2) The Minister may extend the term of office of a Committee member or the chairperson of the Committee by a maximum period of eighteen months.

3. The quorum of the Committee shall be six, or such other number as the Committee may, with the approval of the Department, determine.

4. The Committee may act notwithstanding any vacancy in its numbers so long as the number of vacancies does not exceed the number of remaining Committee members.

5. A casual vacancy occurring in the membership of the Committee shall be filled by the Minister after consultation with the Committee, and a person so appointed shall hold office for the residue of the term of the Committee member in whose place that person was appointed.

6. A Committee member may resign that Committee member's membership by giving notice in writing, signed by the Committee member, to the Minister.

7. Where any Committee member is absent from the meetings thereof for more than six months consecutively (except for a reason approved by the Minister) or becomes bankrupt or makes a composition with creditors or is convicted of an indictable offence, the Committee shall forthwith by resolution declare the office to be vacant and shall notify that fact in such a manner as it thinks fit, and thereupon the office shall become vacant.

8. A Committee member on vacating office at the expiry of the term thereof shall (subject to the foregoing provisions of this Schedule) be eligible for re-appointment.

9. No defect in the appointment of any person acting as a Committee member shall vitiate any proceedings of the Committee in which that person has taken part.

## PART 2

### Powers of the Committee

1. The Committee, which shall be a body corporate with perpetual succession and a common seal, and with the capacity to acquire and hold land, shall subject to paragraphs 2 to 8 of Part 1 of this Schedule, perform such functions as may be assigned to it by these Regulations and the Transitional Regulations.

2. The Committee may appoint a sub-committee or an officer employed by the Committee to discharge, with or without restrictions or conditions as the Committee thinks fit, any of the functions assigned to the Committee by the Local Government Pension Scheme (Management and Investment of Funds) Regulations (Northern Ireland) 2000 <sup>M42</sup>, or these Regulations and the Transitional Regulations.

#### Marginal Citations

M42 S.R. 2000 No. 85

3. The number of members of a sub-committee appointed under paragraph 2 of this Part of this Schedule and their term of office shall be fixed by the Committee or, in the case of an officer, the officer's term of office shall be fixed by the Committee.

4. A sub-committee appointed under paragraph 2 of this Part of this Schedule shall consist of Committee members and may include officers of the Committee appointed under paragraphs 11 and 12 of this Part of this Schedule.

5. A sub-committee or an officer appointed under paragraph 2 of this Part of this Schedule shall report to the Committee at each of its meetings setting out all actions taken under such appointment.

6. The Committee may revoke any appointment made under paragraph 2 of this Part of this Schedule, or any restriction or condition imposed under paragraph 2 of this Part of this Schedule or anything fixed under paragraph 3 of this Part of this Schedule.

7. Any arrangements made by the Committee for the discharge of its functions specified in the Local Government Pension Scheme (Management and Investment of Funds) Regulations (Northern Ireland) 2000 or these Regulations and the Transitional Regulations, by a sub-committee or officer shall not prevent the Committee from exercising those functions.

8. The seal of the Committee shall be authenticated by the signature—

- (a) of any Committee member; or
- (b) of any other person authorised by the Committee (whether generally or specifically) for that purpose.

9. Every document purporting to be an instrument issued by the Committee and to be sealed with the seal of the Committee authenticated in the manner provided by paragraph 8 of this Part of this Schedule, or to be signed by the secretary or any person authorised to act in that behalf, shall be received in evidence and, unless the contrary is proved, shall be deemed to be such instrument without further proof.

10. Subject to the provisions of these Regulations and the Transitional Regulations the Committee shall have the power to regulate its own procedures.

11. The Committee may with the approval of the Department appoint persons to hold any of the following offices—

- (a) Secretary to the Committee;
- (b) Deputy Secretary to the Committee; and
- (c) such other offices under the Committee as the Department may designate in writing.

12. In addition to the appointments mentioned in paragraph 11 of this Part of this Schedule, the Committee may appoint such other officers as may be required for the performance of the functions of the Committee.

[<sup>F39</sup>13. The Committee may make arrangements with any employing authority, admission body, Government department or district council for the exercise of any pension function by the Committee on behalf of any employing authority, admission body, Government department or district council on such terms as may be provided for by the arrangements.]

#### Textual Amendments

**F39** Sch. 3 Pt. 2 para. 13 substituted (with effect in accordance with reg. 1(1) of the amending Rule) by [The Local Government Pension Scheme \(Amendment\) Regulations \(Northern Ireland\) 2022 \(S.R. 2022/163\)](#), regs. 1(1), 15

14. Section 18(2) of the Interpretation Act (Northern Ireland) 1954 <sup>M43</sup> shall apply to any appointment made by virtue of paragraph 11 or 12 of this Part of this Schedule as if each of these paragraphs was an enactment referred to in that section but a person shall not be removed from any office mentioned in paragraph 11 of this Part of this Schedule without the written concurrence of the Department.

#### Marginal Citations

**M43** 1954 c.33 (N.I)

**Changes to legislation:** There are outstanding changes not yet made by the [legislation.gov.uk](https://legislation.gov.uk) editorial team to *The Local Government Pension Scheme Regulations (Northern Ireland) 2014*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

## PART 3

### Expense and Allowances Payable by the Committee

1. The expenses of the Committee, including payments in respect of reasonable out-of-pocket expenses incurred by the Committee members in connection with the discharge of their duties as such, shall be defrayed out of the pension fund.

2. The Committee may, with the approval of the Department, in addition to any payment made under paragraph 1 of this Part of this Schedule, pay to the Chairperson of the Committee such allowance as it considers to be reasonable.

3.—(1) The Committee may, with the approval of the Department, pay to a Committee member an allowance, in addition to any payments made under paragraph 1 of this Part of this Schedule.

(2) Such allowance shall not exceed the amount as the Department may from time to time determine<sup>F40</sup> ...

(3) The allowance shall be claimed in respect of an approved duty by a Committee member.

(4) A claim shall be made to the Secretary of the Committee in such form as the Committee may direct and shall include a declaration that the Committee member—

(a) has not and will not make any claim for allowances from any other body in respect of the approved duty to which the claim refers; and

(b) the amounts claimed are strictly in accordance with the provisions of this Part.

#### Textual Amendments

**F40** Words in Sch. 3 Pt. 3 para. 3(2) omitted (18.11.2019) by virtue of [The Local Government Pension Scheme \(Amendment\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/206\)](#), regs. 1(1), **83**

4. A claim for an allowance shall be submitted to the Committee within one month, or such longer period as the Committee may in exceptional circumstances allow, from the date of the approved duty in respect of which the allowance is claimed.

5. In this Part of this Schedule, “approved duty” means attendance at a meeting of the Committee or of any sub-committee thereof or the doing of anything approved by the Committee for the purpose of, or in connection with, the discharge of the functions of the Committee.

## SCHEDULE 4

Regulation 4

### COUNCILLOR MEMBERS

## PART 1

### Contributions

1. Delete regulation 12 (temporary reduction in contributions).

2. In regulation 19 (additional voluntary contributions)—

(a) in paragraph (1), delete “or contribute to shared cost additional voluntary contribution arrangements (“SCAVCs”)”; and

- (b) where it occurs, delete “or SCAVCs”.
- 3. Delete regulation 21(1)(d) (exclusion of rights to return of contributions).
- 4. For regulation 22 (meaning of “pensionable pay”) substitute—

“22.—(1) A councillor member's pensionable pay in any year is the total of all basic allowance and special responsibility allowance paid to that councillor member by a district council under the Local Government (Payments to Councillors) Regulations (Northern Ireland) 2012<sup>M44</sup>.

(2) ”Basic allowance” and “special responsibility allowance” have the same meaning as in regulations 4 and 5 respectively of the Local Government (Payments to Councillors) Regulations (Northern Ireland) 2012.

(3) All references to “pay” in these Regulations in respect of a councillor member and the councillor membership shall be construed in accordance with paragraph (1).”.

**Marginal Citations**

**M44** S.R. 2012 No. 85

- 5. In regulation 23 (assumed pensionable pay)—
  - (a) in paragraph (1), replace “an active” with “ a councillor ”;
  - (b) in paragraphs (1) and (5), insert “ councillor ” before “member's”;
  - (c) in paragraphs (2) to (6), where it occurs, replace “member” with “ councillor member ”; and
  - (d) in paragraph (5), replace “employer” with “ district council ”.

## **PART 2**

### **Pension Accounts**

- 1. Regulation 24(5), 24(7), 24(8) and 24(10) (pension accounts), shall only apply to a councillor member in respect of any councillor membership where both the former membership and the membership as an active member referred to in those paragraphs are councillor membership.
- 2. Delete regulations 24(6), 24(9) (pension accounts).

## **PART 3**

### **Benefits**

- 1. Delete regulations 31(6) to (7) (retirement benefits: flexible retirement and redundancy).
- 2. Delete regulation 32 (award of additional pension).

## **PART 4**

### **Ill-health Retirement**

- 1. For regulation 36 (early payment of retirement pension on ill-health grounds: active members) substitute—

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Government Pension Scheme Regulations (Northern Ireland) 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

“36.—(1) Where a councillor member who has qualifying service for a period of two years or more ceases to be a member of the councillor member's district council on the grounds that—

- (a) the councillor member's ill-health or infirmity of mind or body renders the councillor member permanently incapable of discharging efficiently [<sup>F41</sup>the duties of that office]; and
- (b) the councillor member, as a result of ill-health or infirmity of mind or body, has a reduced likelihood of being capable of undertaking any gainful employment, whether in local government or otherwise, before reaching normal pension age,

the Committee may, at the request of the employing authority, determine that the councillor member's retirement pension comes into payment before the councillor member's normal pension age in accordance with this regulation.

(2) If a councillor member satisfies the conditions in paragraphs 36(1)(a) and 36(1)(b) then the councillor member shall take early payment of a retirement pension.

(3) The amount of the retirement pension that a councillor member who satisfies the conditions mentioned in paragraphs 36(1)(a) and 36(1)(b) receives is determined by which of the benefit tiers specified in paragraphs 36(4) and 36(5) that councillor member qualifies for, calculated in accordance with regulation 39 (calculation of ill-health pension amounts).

(4) A councillor member is entitled to Tier 1 benefits if that councillor member is unlikely to be capable of undertaking any gainful employment before normal pension age.

(5) A councillor member is entitled to Tier 2 benefits if that councillor member—

- (a) is not entitled to Tier 1 benefits; and
- (b) is likely to become capable of undertaking any gainful employment before reaching normal pension age.

(6) Before determining whether a councillor who has ceased to be a member of a district council is entitled to a benefit under this regulation, the Committee shall obtain a certificate, in accordance with regulation 38 (role of the IRMP), from an IRMP qualified in occupational health medicine who is appointed by the Committee.”

#### Textual Amendments

**F41** Words in Sch. 4 Pt. 4 para. 1 substituted (1.4.2015) by [The Local Government Pension Scheme \(Amendment No. 2\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/162\)](#), **regs. 1(2), 25**

2. For regulation 37 (early payment of retirement pension on ill-health grounds: deferred members) substitute—

“37.—(1) Subject to paragraph (2), if a councillor member who has ceased to be a member of a council before the councillor member is entitled to the immediate payment of retirement benefits (apart from under this regulation) becomes permanently incapable of discharging efficiently the duties of that office because of ill-health or infirmity of mind or body the councillor member may make a written request to the Committee to receive payment of retirement benefits immediately, whatever the councillor member's age, provided the councillor member has total membership of at least two years.

(2) Before determining whether to agree to a request under paragraph (1), the Committee shall obtain a certificate from the IRMP, appointed under regulation 38, as to whether in the IRMP's opinion the councillor member is permanently incapable of discharging efficiently the duties of that office because of ill-health or infirmity of mind or body and, if so, whether



the councillor member has a reduced likelihood of being capable of undertaking any gainful employment (whether in local government or otherwise) before reaching normal pension age.”.

3. For regulation 38 (Role of the IRMP) substitute—

“38.—(1) A decision as to whether a councillor member who has ceased to be a member of the councillor member's district council is entitled to early payment of retirement pension under regulation 36 (early payment of retirement pension on ill-health grounds: active members), shall be made by the Committee after it has obtained a certificate from an IRMP as to—

- (a) whether or not the councillor member is suffering from a condition that renders the councillor member permanently incapable of discharging efficiently the duties of that office because of ill-health or infirmity of mind or body; and
- (b) whether as a result of that condition the councillor member has a reduced likelihood of being capable of undertaking any gainful employment before reaching normal pension age.

(2) The IRMP shall further determine whether, as a result of that condition, the councillor member—

- (a) is unlikely to be capable of undertaking any gainful employment before reaching normal pension age; or
- (b) is likely to become capable of undertaking any gainful employment before reaching normal pension age.

(3) A certificate from an IRMP, obtained under paragraphs (1) and (2), shall include a statement that—

- (a) that IRMP has not previously advised, or given an opinion on or otherwise been involved in the particular case for which the certificate has been requested; and
- (b) that IRMP is not acting, and has not at any time acted, as the representative of the councillor member, the employing authority or any other party in relation to the same case.

(4) The Committee and the IRMP shall have regard to guidance given by the Department when carrying out their function under this regulation, when making an ill-health determination.”

4. For regulation 39 (calculation of ill-health pension amounts) substitute—

“39.—(1) Subject to paragraphs (4) and (5), Tier 1 benefits are calculated by adjusting the councillor member's active member's pension account as follows—

- (a) An amount is added to the balance in the account for the year in which the councillor member's employment was terminated, equivalent to the amount of earned pension the councillor member would have accrued between the day following the date of termination and normal pension age, if that councillor member had been treated as receiving pensionable pay for each year and fraction of a year in that period; and
- (b) retirement pension is payable to the councillor member as if the councillor member had reached normal pension age on the date the councillor member's employment was terminated.

(2) Subject to paragraphs (4) and (5), Tier 2 benefits are calculated by adjusting the councillor member's active member's pension account as follows—

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Government Pension Scheme Regulations (Northern Ireland) 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) for the year in which the councillor member's employment was terminated, by adding one quarter of the sum calculated in accordance with paragraph 39(1)(a); and
  - (b) retirement pension is payable to the councillor member as if the councillor member had reached normal pension age on the date the councillor member's employment was terminated.
- (3) Where a councillor member entitled to Tier 1 benefits subsequently becomes an active member of the Scheme, no addition is to be made under paragraph 39(1)(a) or 39(2)(a) to any Tier 1 or Tier 2 benefits that the councillor member becomes entitled to after that subsequent period of membership.
- (4) Where a councillor member entitled to Tier 2 benefits (“the initial ill-health retirement”) subsequently becomes an active member of the Scheme, the addition made under paragraph 39(1)(a) or 39(2)(a) to any Tier 1 or Tier 2 benefits that the councillor member becomes entitled to after that subsequent period of membership is modified in accordance with paragraph (5).
- (5) The number of years for which a councillor member to whom paragraph (4) applies is treated as having received pensionable pay for the purposes of paragraph 39(1)(a) or 39(2)(a) shall not exceed—
- (a) the number of years at the date of the initial ill-health retirement up to the councillor member's normal pension age at that time, less
  - (b) a quarter of the number of years calculated in accordance with sub-paragraph (a), less
  - (c) the number of years during which the councillor member has been an active member of the Scheme after the initial ill-health retirement.”

## **PART 5**

### **Survivor Benefits**

1. For regulation 40(3) substitute—

“(3) the death grant of a councillor member is the councillor member's assumed pensionable pay multiplied by 3.”.

## **PART 6**

### **Transfers**

1. Delete regulations 110 to 114 (bulk transfer (transfers of undertakings, etc.), calculation of amount of transfer value payment, inward transfers of pension rights, effect of acceptance of transfer value payment, and EU scheme transfers).

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Government Pension Scheme Regulations (Northern Ireland) 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Sch. 1 words inserted by [S.R. 2023/149 reg. 3\(17\)\(a\)](#)
- Sch. 1 words inserted by [S.R. 2023/149 reg. 3\(17\)\(b\)](#)
- Sch. 1 words inserted by [S.R. 2023/157 reg. 19\(4\)\(d\)](#)
- Sch. 1 words inserted by [S.R. 2023/157 reg. 19\(4\)\(e\)](#)
- reg. 17(4)(b) comma substituted by [S.R. 2023/157 reg. 19\(2\)\(a\)](#)
- reg. 17(4)(b) words inserted by [S.R. 2023/157 reg. 19\(2\)\(b\)](#)
- reg. 18(17)(a) word substituted by [S.R. 2023/157 reg. 19\(3\)\(a\)](#)
- reg. 18(17)(a) words inserted by [S.R. 2023/157 reg. 19\(3\)\(b\)](#)
- reg. 41(4)(a) words inserted by [S.R. 2023/149 reg. 3\(4\)](#)
- reg. 44(3)(a) words inserted by [S.R. 2023/149 reg. 3\(5\)](#)
- reg. 44(4)(a) words inserted by [S.R. 2023/149 reg. 3\(5\)](#)
- reg. 45(3)(a) words inserted by [S.R. 2023/149 reg. 3\(5\)](#)
- reg. 45(4)(a) words inserted by [S.R. 2023/149 reg. 3\(5\)](#)
- reg. 46(3) words inserted by [S.R. 2023/149 reg. 3\(6\)\(a\)\(i\)](#)
- reg. 46(3)(a) word omitted by [S.R. 2023/149 reg. 3\(6\)\(a\)\(ii\)](#)
- reg. 46(3)(b) word inserted by [S.R. 2023/149 reg. 3\(6\)\(a\)\(iii\)](#)
- reg. 47(4) words inserted by [S.R. 2023/149 reg. 3\(7\)](#)
- reg. 48(4) words inserted by [S.R. 2023/149 reg. 17\(2\)](#)
- reg. 49(3) words inserted by [S.R. 2023/149 reg. 3\(8\)](#)
- reg. 49(4) words inserted by [S.R. 2023/149 reg. 3\(8\)](#)
- reg. 50(3) words inserted by [S.R. 2023/149 reg. 3\(8\)](#)
- reg. 50(4) words inserted by [S.R. 2023/149 reg. 3\(8\)](#)
- reg. 106(2)(b) words inserted by [S.I. 2023/1267 Sch. para. 35](#)
- reg. 108(4) inserted by [S.R. 2023/149 reg. 3\(14\)\(b\)](#)

**Changes and effects yet to be applied to the whole Rule associated Parts and Chapters:**

Whole provisions yet to be inserted into this Rule (including any effects on those provisions):

- Sch. 1(d) word omitted by [S.R. 2023/157 reg. 19\(4\)\(a\)](#)
- Sch. 1(f) word inserted by [S.R. 2023/157 reg. 19\(4\)\(b\)](#)
- Sch. 1(g) inserted by [S.R. 2023/157 reg. 19\(4\)\(c\)](#)
- reg. 31(14) inserted by [S.R. 2023/149 reg. 3\(2\)](#)
- reg. 35(2A) inserted by [S.R. 2023/149 reg. 3\(3\)\(a\)](#)
- reg. 35(4) inserted by [S.R. 2023/149 reg. 3\(3\)\(b\)](#)
- reg. 46(3)(c) inserted by [S.R. 2023/149 reg. 3\(6\)\(a\)\(iv\)](#)
- reg. 46(3B) inserted by [S.R. 2023/149 reg. 3\(6\)\(b\)](#)
- reg. 52(8) inserted by [S.R. 2023/149 reg. 3\(9\)](#)
- reg. 53(5B) inserted by [S.R. 2023/149 reg. 3\(10\)](#)
- reg. 68(6A) inserted by [S.R. 2023/149 reg. 3\(11\)](#)
- reg. 70(2ZA) inserted by [S.R. 2023/149 reg. 3\(12\)](#)
- reg. 91(A1) inserted by [S.R. 2023/149 reg. 3\(13\)](#)
- reg. 108(1B) inserted by [S.R. 2023/149 reg. 3\(14\)\(a\)](#)
- reg. 110(8) inserted by [S.R. 2023/149 reg. 3\(15\)](#)
- reg. 111(2A) inserted by [S.R. 2023/149 reg. 3\(16\)](#)