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## STATUTORY INSTRUMENTS

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# 2013 No. 2356

## The Local Government Pension Scheme Regulations 2013

### PART 1

#### Membership, contributions and benefits

##### Contributions

#### Exclusion of rights to return of contributions

19.—(1) A person is not entitled to a return of contributions under regulation 18 if that person—

- (a) becomes an active member again within one month and one day of ceasing active membership in an employment, or before the date a return of contributions has been issued by the appropriate administering authority, whichever is the later;
- (b) left the employment because of—
  - (i) an offence of a fraudulent character, or
  - (ii) grave misconduct,in connection with the employment;
- (c) benefits from a transfer payment to another registered pension scheme or to a qualifying recognised overseas pension scheme;
- (d) continues as an active member in another employment held concurrently with the employment in which that person has ceased to be an active member; or
- (e) is an active member and dies in service.

(2) Where [<sup>F1</sup>paragraph (1)(b)] applies the Scheme employer may direct payment out of the appropriate fund of a sum equal to all or part of the member's contributions to the member, the member's spouse, civil partner, cohabiting partner or any of the member's dependents.

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#### Textual Amendments

- F1** Words in [reg. 19\(2\)](#) substituted (with effect in accordance with reg. 1(2)(b) of the amending S.I.) by [The Local Government Pension Scheme \(Amendment\) Regulations 2015 \(S.I. 2015/755\)](#), regs. 1(2), **9**

**Status:**

Point in time view as at 11/04/2015.

**Changes to legislation:**

The Local Government Pension Scheme Regulations 2013, Section 19 is up to date with all changes known to be in force on or before 04 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.