STATUTORY RULES OF NORTHERN IRELAND

2015 No. 77

LOCAL GOVERNMENT

The Local Government Pension Scheme (Governance) (Amendment) Regulations (Northern Ireland) 2015

Made - - - - 23rd February 2015

Coming into operation 1st April 2015

The Department of the Environment, with the consent of the Department of Finance and Personnel, makes these Regulations in exercise of the powers conferred by sections 1(1), 3, 5(1), 5(2), 5(5), 7(1), 7(4) and Schedule 3 of the Public Service Pensions Act (Northern Ireland) 2014(**1**).

In accordance with section 21 of that Act, the Department has consulted with such persons or representatives of such persons as appeared to the Department likely to be affected by these Regulations.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as The Local Government Pension Scheme (Governance) (Amendment) Regulations (Northern Ireland) 2015 and shall come into operation on 1st April 2015.

(2) In these Regulations "the Principal Regulations" means the Local Government Pension Scheme Regulations (Northern Ireland) 2014(**2**).

Amendment of the Principal Regulations 2014

2. The Principal Regulations 2014 are amended in accordance with regulations 3 to 5.

3. After regulation 62(2) (governance policy statement) insert—

"(3) A statement under paragraph (1) shall include the terms, structure and operational procedures of the pension board established under regulation 116 (establishment of the pension board).".

4. After regulation 114 (EU scheme transfers) insert—

(**1**) 2014 c. 2 (NI).
(**2**) S.R 2014 No. 188.

"PART 3

Governance

Pension board

115.—(1) A pension board known as "the Board" shall be established no later than 1st April 2015 and is responsible for assisting the Committee—

(a) to secure compliance with—

(i) these Regulations;

(ii) any other legislation relating to the governance and administration of the Scheme; and

(iii) requirements imposed by the Pensions Regulator in relation to the Scheme; and

(b) to ensure the effective and efficient governance and administration of the Scheme.

Establishment of the Pension Board

116.—(1) The Department may designate the Committee as the Board.

(2) The Board shall include employer representatives and member representatives in equal number.

(3) Where paragraph (1) applies the designation will be subject to such conditions as the Department thinks fit.

(4) The Department may withdraw the designation under paragraph (1) if such conditions are not met or if in the opinion of the Department it is no longer appropriate for the Committee to be the Board.

(5) Where paragraph (1) applies, the Committee may, with the approval of the Department pay an allowance to the Chairperson and members of the Board in respect of their duties and responsibilities as such and where this allowance is paid it shall be defrayed out of the pension fund.

(6) The expenses of the Board, including out-of-pocket expenses incurred by the Chairperson and members of the Board in connection with the discharge of their duties as such, shall be defrayed out of the pension fund.

(7) Where regulation 116(1) does not apply the Committee shall establish the Board.

(8) The Board established under paragraph (7), shall consist of—

(a) a chairperson;

(b) members appointed after consultation with such organisations as may be recognised by the Committee as representative of employing authorities;

(c) members appointed after consultation with such organisations as may be recognised by the Committee as representative of Scheme members; and

(d) a number of other members as appear to the Committee to be appropriate.

(9) The number of members appointed under paragraph (8)(b) shall equal the number of members appointed under paragraph (8)(c).

(10) There shall be no less than 6 and no more than 11 members of the Board established under paragraph (7).

(11) Where paragraph (7) applies, the Committee may determine the procedures applicable to the Board and the payment of allowances and expenses.

(12) The payment of allowances and expenses of the Board established under paragraph (7) shall be defrayed out of the pension fund.

The board: appointments

117. Where the Board is established under regulation 116(7), the Committee shall determine—

(a) the manner in which members of the Board may be appointed and removed; and

(b) the terms of appointment of members of the Board.

The board: conflict of interest

118.—(1) The Committee must be satisfied that any person to be appointed as a member of the Board does not have a conflict of interest.

(2) The Committee must be satisfied from time to time that none of the members of the Board has a conflict of interest.

(3) A person who is to be appointed as a member of the Board must provide the Committee with such information as it reasonably requires for the purposes of paragraph (1).

(4) A person who is a member of the Board must provide the Committee with such information as it reasonably requires for the purposes of paragraph (2).

Advisory board: establishment

119.—(1) A scheme advisory board known as "the Advisory Board" shall be established.

(2) The Advisory Board shall be responsible for providing advice to the Department at its request on the desirability of making changes to the Scheme.

(3) Subject to these Regulations, the Advisory Board may determine its own procedures.

Advisory board: membership

120.—(1) The Advisory Board shall consist of the following members appointed by the Minister—

(a) a chairperson;

(b) members from organisations as may be recognised by the Minister as representative of employing authorities; and

(c) members from organisations as may be recognised by the Minister as representative of members.

(2) There shall be no less than 6 and no more than 11 members of the Advisory Board.

(3) A member of the Advisory Board is to hold and vacate office in accordance with the terms of that member's appointment.

Advisory board: conflict of interest

121.—(1) Before appointing, or approving the appointment of any person to be a member of the Advisory Board, the Department must be satisfied that the person does not have a conflict of interest.

(2) The Department must be satisfied from time to time that none of the members of the Advisory Board has a conflict of interest.