1986 No. 294

LOCAL GOVERNMENT

Local Government (Superannuation) (Amendment) Regulations (Northern Ireland) 1986

Made . . . . . *10th September 1986*

Coming into operation . . . *1st November 1986*

The Department of the Environment in exercise of the powers conferred by Articles 9 and 14(1) of the Superannuation (Northern Ireland) Order 1972(**a**) and now vested in it(**b**) and of every other power enabling it in that behalf and after consultation with the Association of Local Authorities for Northern Ireland, the district councils, the Northern Ireland Local Government Officers' Superannuation Committee and such representatives of other persons likely to be affected by the regulations as appeared to it to be appropriate, hereby makes the following regulations:—

Citation, commencement and retrospection

1.—(1) These regulations may be cited as the Local Government (Superannuation) (Amendment) Regulations (Northern Ireland) 1986 and shall come into operation on 1st November 1986 and, except as provided in paragraph (2), shall have effect from that date.

(2) Regulations 3(*a*) and 7 shall have effect as from 6th January 1986 and regulations 8 and 11 shall have effect as from 1st October 1983.

(3) The Local Government (Superannuation) Regulations (Northern Ireland) 1981 to 1985(**c**) and these regulations may be cited together as the Local Government (Superannuation) Regulations (Northern Ireland) 1981 to 1986.

Interpretation

2. In these regulations "the principal regulations" means the Local Government (Superannuation) Regulations (Northern Ireland) 1981(**d**).

Definition in principal regulations

3. Regulation 2(1) of the principal regulations is amended—

(*a*) by substituting for the words "16 years" wherever they occur in the definition of "child", the words "17 years"; and

(*b*) by inserting after the definition of "short-service gratuity" the following definition:

" "standard rate" means 1% above the rate which is for the time being the base rate published by members of the Committee of London Clearing Bankers or, where there is for the time being more than one such base rate, the lowest of them;".

(**a**) S.I. 1972/1073 (N.I. 10)
(**b**) S.R. & O. (N.I.) 1973 No. 504 Article 7(1); S.I. 1976/424 (N.I. 6)
(**c**) S.R. 1981 No. 96, S.R. 1982 No. 58, S.R. 1984 No. 175, S.R. 1984 No. 355 and S.R. 1985 No. 315
(**d**) S.R. 1981 No. 96 to which there are amendments not relevant to these regulations

Amendment to reference to fire officer or fireman in principal regulations

4. For regulation 11(2)(*b*) of the principal regulations there shall be substituted the following sub-paragraph:

"(*b*) any member of the fire brigade as defined in Article 2(2) of the Fire Services (Northern Ireland) Order 1984(**a**);".

Contributions

5. For regulation 14(8) of the principal regulations there shall be substituted the following paragraph:

"(8)(*a*) If any sum due after 1st November 1986 under the provisions of paragraph (7) remains unpaid beyond a period of 10 days after the date on which it becomes due, the sum shall bear interest at the standard rate on a day to day basis from the due date of payment to the date of payment and compounded with 3-monthly rests, on the amount remaining unpaid.

(*b*) Where immediately before 1st November 1986 interest was payable at the rate of 9% per annum on a sum remaining unpaid at that date, the Committee may require interest to be paid from that date as if the sum had remained unpaid at the end of one month after that date.".

Payments by employees to avoid reduction under regulation 20(2)(a) or (b) of retiring allowance and under regulation 23(2)(b)(i) or (4) of death gratuity

6. Regulation 15 of the principal regulations is amended—

(*a*) by substituting for paragraph (10)(*b*) the following sub-paragraph:

"(*b*) he ceases to hold his employment and—

(i) one of the conditions prescribed in regulation 18(3)(*a*) or (*b*) applies in his case,

(ii) the last day of his employment is not less than 12 months later than the date of receipt of the notice given under paragraph (3) or, as the case may be, paragraph (4),

(iii) payment by him in accordance with paragraph (3) or, as the case may be, paragraph (4), has not been discontinued by virtue of paragraph (9), and

(iv) he gives notice in writing for the purpose to the Committee within the period of 3 months beginning on the day after the last day of his employment,

he may pay to the fund within the period specified in paragraph (11) an amount calculated by the Government Actuary to represent the capital value of the payments remaining to be made, and shall in that event be treated as having completed payment in accordance with paragraph (3) or, as the case may be, paragraph (4); or" and

(*b*) by inserting after paragraph (10) the following paragraph:

"(10A) The Committee may accept a notice given under paragraph (10)(*b*)(iv) notwithstanding that paragraph (10)(*b*)(ii) is not satisfied.".

Child's pension

7. In regulation 25(4) for the words "16 years" there shall be substituted the words "17 years".

(**a**) S.I. 1984/1821 (N.I. 11)

Power to compound certain small pensions

8. Regulation 29 of the principal regulations is amended—

(*a*) by substituting for the figure "£39" in paragraph (1), the figure "£78"; and

(*b*) by substituting for the figure "£52" in paragraphs (4) and (6), the figure "£104".

Employer's additional contributions

9. Regulation 43 is amended by inserting after paragraph (6) the following paragraphs:

"(6A) Where on the officer ceasing to hold his employment, the employing authority agree to pay a sum under paragraph 4A(5) of Schedule 10 and the officer pays the required amount for the purposes of that paragraph, the employing authority shall pay the agreed sum into the fund before the end of the period of 1 month beginning on the date of the employee's payment."

"(6B) If all or part of the agreed sum remains unpaid at the end of that period, the Committee may require the employing authority to pay interest, calculated at the standard rate on a day to day basis from the day after the end of the period to the date of payment, and compounded with 3-monthly rests, on the amount remaining unpaid."

"(6C) Interest paid under paragraph (6B) shall be carried to the fund.".

Method and calculation of payment by employees to avoid reduction under regulation 20(2)(a) or (*b*)

10.—(1) Paragraph 2 of Part I of Schedule 3 to the principal regulations is amended—

(*a*) by substituting for the words from "F is the figure" to "that election" the following:

"F is, in the case of a man, the figure specified in column 2 of the table below opposite to his age on his birthday next following the date on which he made that election; and in the case of a woman, a figure to be specified by the Government Actuary"; and

(*b*) by substituting for the table the following table:

"TABLE

(1) *Age on birthday next following election*	(2) *Figure to be used*
25	2.76
26	2.61
27	2.51
28	2.44
29	2.39
30	2.35
31	2.31
32	2.28
33	2.25
34	2.23
35	2.21
36	2.20
37	2.18
38	2.17
39	2.16
40	2.15
41	2.14
42	2.13
43	2.12
44	2.11
45	2.10
46	2.09
47	2.08
48	2.08
49	2.09
50	2.10
51	2.12
52	2.14
53	2.16
54	2.18
55	2.20
56	2.22
57	2.24
58	2.26
59	2.28
60	2.30
61	2.31
62	2.32
63	2.33
64	2.34"

(2) Paragraph 3 of Part III of Schedule 3 to the principal regulations is amended—

(*a*) by substituting for the words from "F is the figure" to "specified birthday" the following:

"F is, in the case of a man, the figure specified, opposite to his age on his birthday next following the date on which he made that election, in the relevant column of the table below appropriate to his specified birthday; and in the case of a woman, a figure to be specified by the Government Actuary"; and

(*b*) by substituting for Table I and Table II the following table:

"TABLE

Age on birthday next following election	*Figure to be used by reference to the under-mentioned specified birthday*					
	60	61	62	63	64	65
25	.07					
26	.07					
27	.07					
28	.07					
29	.08					
30	.08					
31	.08					
32	.08					
33	.09					
34	.09					
35	.09					
36	.10					
37	.10	.10				
38	.11	.10	.10			
39	.12	.11	.10	.09		
40	.12	.11	.11	.10	.09	
41	.13	.12	.11	.10	.10	.09
42	.14	.13	.12	.11	.10	.10
43	.14	.13	.12	.12	.11	.10
44	.15	.14	.13	.12	.11	.11
45	.16	.15	.14	.13	.12	.11
46	.17	.16	.15	.14	.13	.12
47	.19	.17	.16	.15	.14	.13
48	.21	.19	.17	.16	.15	.14
49	.23	.21	.18	.17	.16	.15
50	.25	.23	.20	.18	.17	.16
51	.28	.25	.22	.20	.18	.17
52	.32	.28	.25	.22	.20	.18
53	.37	.32	.28	.24	.22	.20
54	.43	.36	.31	.27	.24	.22
55	.52	.42	.36	.31	.27	.24
56	.65	.51	.42	.35	.30	.27
57	.87	.63	.50	.41	.34	.30
58	1.30	.84	.62	.49	.40	.35
59	2.62	1.26	.83	.61	.48	.41
60		2.53	1.24	.82	.60	.48
61			2.48	1.22	.80	.60
62				2.40	1.20	.80
63					2.37	1.21
64						2.39"

Reduction of benefits under regulation 20(6)

11. For the table in Schedule 4 to the principal regulations there shall be substituted the following table: