
STATUTORY INSTRUMENTS

1972 No. 1073

Superannuation (Northern Ireland) Order 1972

Persons employed in local government service, etc.

Superannuation of persons employed in local government service, etc.

9.—(1) The Ministry of Development^{F1} may by regulations make provision with respect to the pensions, allowances or gratuities which, subject to the fulfilment of such requirements and conditions as may be prescribed by the regulations, are to be, or may be, paid to or in respect of such persons, or classes of persons, as may be so prescribed, being—

- (a) persons, or classes of persons, employed by local authorities; and
- (b) other persons, or classes of persons, for whom it is appropriate, in the opinion of that Ministry, to provide pensions, allowances or gratuities under the regulations.

[^{F2}(1A) Paragraph (1) is subject to sections 18 and 19 of the Public Service Pensions Act (Northern Ireland) 2014 (restrictions on benefits provided under existing schemes).]

(2) Without prejudice to the generality of paragraph (1), regulations under this Article may include all or any of the provisions referred to in Schedule 3.

[^{F3}(2A) Regulations under this Article may—

- (a) require any financial statement relating to any fund maintained under the regulations to be prepared in accordance with guidance for the time being by the Department of Finance and Personnel; and
- (b) regulate the issue of such guidance by that Department.]

(3) ^{F4} Notwithstanding anything in the Pensions (Increase) Act (Northern Ireland) 1971 , regulations under this Article may provide—

- (a) that increases under that Act of such of the pensions, allowances or gratuities payable under the regulations as may be prescribed by the regulations, or such part of those increases as may be so prescribed, shall be paid out of such of the superannuation funds established under the regulations as the regulations may provide; and
- (b) that the cost of those increases or of that part thereof, as the case may be, shall be defrayed by contributions from the persons to whom any services in respect of which the pensions, allowances or gratuities are or may become payable were or are being rendered or by such of those persons as may be so prescribed;

and any provisions of the said Act of 1971, or of regulations made under section 5 thereof, relating to liability for the cost of increases under that Act of pensions, allowances or gratuities payable under the regulations shall have effect subject to the provisions of any regulations made by virtue of this paragraph and for the time being in force.

(4) Before making any regulations under this Article the Ministry of Development^{F1} shall consult with—

- (a) such associations of local authorities as appear to that Ministry to be concerned;
- (b) any local authority with whom consultation appears to that Ministry to be desirable; and

- (c) such representatives of other persons likely to be affected by the proposed regulations as appear to that Ministry to be appropriate.

F1 1976 NI 6

F2 Art. 9(1A) inserted (28.4.2014) by [Public Service Pensions Act \(Northern Ireland\) 2014 \(c. 2\)](#), s. 37(2), [Sch. 8 para. 12](#); S.R. 2014/123, art. 2(1)(r)

F3 2005 NI 18

F4 1974 NI 2

Modifications etc. (not altering text)

C1 Arts. 910: transfer of functions (8.5.2016) by [The Departments \(Transfer of Functions\) Order \(Northern Ireland\) 2016 \(S.R. 2016/76\)](#), art. 1(2), [Sch. 5 Pt. 1](#) (with art. 9(2))

Local schemes

10.—(1) The Ministry of Development^{F5} may make regulations providing for—

- (a) the revocation of any local scheme administered by a local authority;
- (b) the winding-up of any superannuation fund maintained under that scheme and the transfer of its assets and liabilities to such superannuation fund or scheme as may be specified in the regulations;
- (c) the modification of any transferred provision for the purpose of securing that rights enjoyed by and in respect of the persons who were entitled to participate in the benefits of the local scheme which is revoked or of the superannuation fund which is to be wound up are preserved;
- (d) such other consequential and incidental matters as appear to that Ministry to be necessary or expedient.

(2) In this Article “local scheme” in relation to a local authority means a superannuation scheme that applies only to that authority.

F5 1976 NI 6

Modifications etc. (not altering text)

C1 Arts. 910: transfer of functions (8.5.2016) by [The Departments \(Transfer of Functions\) Order \(Northern Ireland\) 2016 \(S.R. 2016/76\)](#), art. 1(2), [Sch. 5 Pt. 1](#) (with art. 9(2))

Changes to legislation:

There are currently no known outstanding effects for the Superannuation (Northern Ireland) Order 1972, Persons employed in local government service, etc..