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*Status: This version of this provision is prospective.*  
**Changes to legislation:** *There are outstanding changes not yet made by the legislation.gov.uk editorial team to Local Government Pension Scheme (Administration) Regulations (Northern Ireland) 2009. 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*

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## STATUTORY RULES OF NORTHERN IRELAND

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### 2009 No. 33

## Local Government Pension Scheme (Administration) Regulations (Northern Ireland) 2009

PROSPECTIVE

### PART 2

#### MEMBERSHIP OF SCHEME

##### Periods of membership

**11.—(1)** A person may not count any period of membership if his contributions for that period have been returned to him.

(2) A person may not count any period of membership if his rights in respect of it have been transferred by payment of a transfer value (see Part 9).

(3) A person may not count as a period of membership for the purpose of calculating any benefit under regulations 16 (normal retirement) to 20 (early leavers: ill-health) or 29 (calculation on leaving early) to 31 (early payment of pension: ill-health) of the Benefits Regulations so much of his membership as requires to be excluded to reduce the value under regulation 70(2)(b) by the amount recovered or retained under regulation 70 (recovery or retention where former member has misconduct obligation).

(4) Where a person pays contributions under regulation 16 (contributions during trade dispute absence) for any period, that period counts as a period within regulation 6 (periods of membership) of the Benefits Regulations even if his contract of employment did not subsist throughout that period.

(5) A period of membership under regulation 6(1)(a) of the Benefits Regulations includes any period for which a member is treated as having paid contributions under regulation 13 (concurrent employments) or 41(4) (rights to return of contributions) of these Regulations.

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##### Commencement Information

**11** Reg. 11 in operation at 1.4.2009, see [reg. 1](#)

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

- Regulations continued by [S.R. 2014/189 reg. 13\(1\)](#)
- Regulations revoked in pt. by [S.R. 2014/189 reg. 2Sch. 2](#)
- reg. 11 coming into force by [S.R. 2009/33 reg. 1](#)
- reg. 11(5) words substituted by [S.R. 2010/410 reg. 26](#)

**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. 2 para. 2A inserted by [S.R. 2013/71 reg. 24\(d\)](#)
- Sch. 4 inserted by [S.R. 2011/117 Sch. 2](#)
- reg. 3(1)(a)-(c) substituted for reg. 3(1)(a)(b) by [S.R. 2010/410 reg. 22](#)
- reg.003A words inserted by [S.R. 2011/117 reg. 3\(2\)](#)
- reg. 5(3A) inserted by [S.R. 2013/71 reg. 13\(a\)](#)
- reg. 11(6)-(7) inserted by [S.R. 2012/183 reg. 18](#)
- reg. 11(6)(a) word deleted by [S.R. 2016/329 reg. 10\(a\)\(i\)](#) (W/E as mentioned in reg. 2(a))
- reg. 11(6)(b) words inserted by [S.R. 2016/329 reg. 10\(a\)\(ii\)](#) (W/E as mentioned in reg. 2(a))
- reg. 11(6)(c) inserted by [S.R. 2016/329 reg. 10\(a\)\(iii\)](#) (W/E as mentioned in reg. 2(a))
- reg. 11(7) words inserted by [S.R. 2016/329 reg. 10\(b\)](#) (W/E as mentioned in reg. 2(a))
- reg. 20A continued (with modifications) by [S.R. 2014/189 reg. 14\(1\)\(d\)](#)
- regs. 20A-20B and cross-headings inserted by [S.R. 2010/410 reg. 32](#)
- reg. 20B continued (with modifications) by [S.R. 2014/189 reg. 14\(1\)\(d\)](#)
- reg. 22(9)-(10) inserted by [S.R. 2012/183 reg. 20\(e\)](#)
- reg. 22(10) omitted by [S.R. 2019/206 reg. 55](#)
- reg. 31(8)(a)-(c) substituted for reg. 31(8)(a)(b) by [S.R. 2010/410 reg. 33\(d\)](#)
- reg. 33(3)(a)-(c) substituted for reg. 33(3)(a)(b) by [S.R. 2013/71 reg. 18](#)
- reg. 33(7)-(9) inserted by [S.R. 2010/410 reg. 35\(e\)](#)
- reg. 33A inserted by [S.R. 2010/410 reg. 36](#)
- reg. 33A(2)(b) words deleted by [S.R. 2013/71 reg. 19](#)
- reg. 42(1)(b)-(d) substituted for reg. 42(1)(b)(c) by [S.R. 2010/410 reg. 39](#)
- regs. 45A-45B inserted by [S.R. 2010/410 reg. 40](#)
- reg. 45B(1) word omitted by [S.R. 2019/206 reg. 11](#)
- reg. 45C inserted by [S.R. 2013/71 reg. 20](#)
- reg. 47A inserted by [S.R. 2012/183 reg. 21](#)
- reg. 64A inserted by [S.R. 2013/71 reg. 21](#)
- reg. 71A inserted by [S.R. 2010/410 reg. 42](#)
- reg. 91(4)(5) inserted by [S.R. 2010/410 reg. 43\(b\)](#)

- [reg. 91\(4\) words substituted by S.R. 2016/128 reg. 33](#)