
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 33

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

PART 4

PENSION FUND AND EMPLOYERS' PAYMENTS

Exclusion of rights to return of contributions

42.—(1) A person is not entitled to a repayment under regulation 41 (rights to return of contributions) if—

- (a) he becomes a member again within one month and one day;
- (b) he left his employment because of—
 - (i) an offence of a fraudulent character; or
 - (ii) grave misconduct,in connection with his employment; or
- (c) regulation 75(2) (rights to payment out of the fund) applies.

(2) But where paragraph (1)(b) applies the employing authority may direct the payment out of the fund or admission agreement fund to him or, in a case of an offence of a fraudulent character, to him or to his spouse, civil partner, nominated cohabiting partner or any dependant of his, of a sum equal to all or part of his contributions.

(3) A person is not entitled to a repayment under regulation 41(1), if a transfer value has been credited to the fund or admission agreement fund for him.

(4) A person ceases to be entitled to such a repayment under regulation 41(1) if he returns to local government employment before receiving it.