
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 187

The Local Government (Discretionary Payments and Injury Benefits) (Scotland) Amendment Regulations 2009

Amendment of the Local Government Pension Scheme (Administration) (Scotland) Regulations 2008

32. After regulation 38 (payment by employing authorities to appropriate administering authorities), insert—

“Additional costs arising from employing authority’s level of performance

38A.—(1) This regulation applies where, in the opinion of the appropriate administering authority, it has incurred additional costs which should be recovered from an employing authority because of that employing authority’s level of performance in carrying out its functions under these Regulations or the Benefits Regulations.

(2) The administering authority may give written notice to the employing authority stating—

- (a) the administering authority’s reasons for forming the opinion mentioned in paragraph (1);
- (b) the authority’s opinion that the employing authority’s contribution under regulation 38(1)(d) (payment by employing authorities to appropriate administering authorities) should include an amount specified in the notice in respect of the additional costs attributable to that authority’s level of performance;
- (c) the basis on which the specific amount is calculated; and
- (d) where the administering authority has prepared a pension administration strategy under regulation 60A (pension administration strategy), the provisions of the strategy which are relevant to the decision to give the notice and to the matters in sub-paragraph (a), (b) or (c).”