

1983 No. 1319

WATER, ENGLAND AND WALES

**The Water (Pensions and Pension Liabilities)
Regulations 1983**

<i>Made</i> - - - - -	31st August 1983
<i>Laid before Parliament</i>	8th September 1983
<i>Coming into Operation</i>	30th September 1983

The Secretary of State for the Environment, in exercise of the powers conferred upon him by paragraph 6 of Schedule 2 to the Water Act 1983(a), and of all other powers enabling him in that behalf, and with the consent of the Treasury, hereby makes the following regulations:

Title and commencement

1. These regulations may be cited as the Water (Pensions and Pension Liabilities) Regulations 1983 and shall come into operation on 30th September 1983.

Interpretation

2. In these regulations, unless the context otherwise requires—

“the Act” means the Water Act 1983, and “paragraph 6” means paragraph 6 of Schedule 2 to the Act;

“pension” includes an allowance, a gratuity, and a payment by way of an increase in a pension; and

“the pension authority” has the meaning assigned to it by regulation 3.

Designation of pension authority

3. For the purposes of paragraph 6, the Severn–Trent Water Authority is hereby designated as the pension authority.

(a) 1983 c. 23.

Pensions, etc. of and in respect of persons who have been members of the Council

4. Where a determination under paragraph 27(1)(b) of Schedule 3 to the Water Act 1973(a) (pensions etc. for appointed members of the National Water Council) has effect in relation to a person immediately before the commencement of section 11(3) of the Act (repeals), all persons having rights (whether immediate or contingent) by virtue of the application of the determination to that person shall after the commencement of that section continue to enjoy the same rights as they would have had if the section had not had effect.

Transfer of pension liabilities

5. All pension liabilities of the National Water Council except—

- (a) liabilities transferred by the Local Government Superannuation (National Water Council Dissolution) Regulations 1983(b), and
- (b) liabilities transferred by virtue of the Pensions Increase (Local Authorities' etc. Pensions) (Amendment) Regulations 1983(c),

are transferred to the pension authority and shall become liabilities of that authority.

Payment of pensions

6. Every pension—

- (a) of which a person is for the time being entitled to receive payment by virtue of a determination under paragraph 27(1)(b) of Schedule 3 to the Water Act 1973 or regulation 4 above, or
- (b) liability in connection with which has been transferred by regulation 5 above,

shall be paid by the pension authority.

Recovery of cost by pension authority

7.—(1) Where, in respect of any year or other period to which any determination is expressed to relate, the pension authority have calculated and notified in writing to any water authority the amount of the total cost, the pension authority may recover the relevant proportion of that cost from that authority.

(a) 1973 c. 37.

(b) S.I. 1983/1271.

(c) S.I. 1983/1315.

(2) In this regulation, “determination” means a determination made and issued by the Secretary of State in pursuance of paragraph 6; “the total cost” means the cost incurred by the pension authority in discharging their functions under these regulations; and, in relation to any water authority other than the pension authority, “the relevant proportion” means the proportion of the total cost specified in any determination in respect of that authority.

Signed by authority of the Secretary of State

Ian Gow,
Minister for Housing and Construction,
Department of the Environment.

17 August 1983.

We consent

D. J. F. Hunt,
Donald Thompson,
Two of the Lords Commissioners
of Her Majesty’s Treasury.

31st August 1983.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations make provision, in connection with the dissolution of the National Water Council (“the Council”), for the payment by the Severn–Trent Water Authority (“the pension authority”) of pensions to certain former members of the Council; for the transfer to, and discharge of by, the pension authority of certain pension liabilities of the Council; and for the recovery from other water authorities of proportions of the cost incurred by the pension authority in discharging their functions under the regulations.

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