
STATUTORY INSTRUMENTS

1987 No. 1850

**The Local Government Superannuation
(Scotland) Regulations 1987**

PART J

INTERCHANGE ETC.

Certain persons who become subject to certain other superannuation schemes

J13.—(1) Subject to the conditions in paragraph (2) being satisfied, this regulation applies to a person—

- (a) who either—
 - (i) is in the employment of a passenger transport executive by virtue of which he is a pensionable employee; or
 - (ii) is in the employment of a body (other than a scheduled body) mentioned in regulation B5 by virtue of which he is deemed to be a pensionable employee; or
 - (iii) is in the employment of a body mentioned in paragraph (8) of regulation B6 and by virtue of an agreement made, or continued in force as if made, under that regulation is in that employment entitled to participate in the benefits of a superannuation fund maintained under Part P; and
- (b) for whose superannuation in that employment that body can make other provision under an approved non-local government scheme.

(2) The conditions referred to in paragraph (1) are that—

- (a) the person shall notify the body in whose employment he is as mentioned in paragraph (1) (a) and the appropriate administering authority in writing that he desires this regulation to apply to him; and
- (b) that body and that authority shall consent to the application to him of this regulation.

(3) A person to whom this regulation applies—

- (a) shall not, on and after the date on which he becomes subject in the employment mentioned in paragraph (1)(a) to an approved non-local government scheme, in that employment be liable to contribute to the appropriate superannuation fund; and
- (b) shall be treated for the purposes of these Regulations (other than regulation C12 and, in the case of a person to whom regulation J14 applies, regulation J2) as if he had ceased to hold that employment on the day immediately before that date.

(4) In this regulation, for the purpose of giving on or after 21st December 1987 a notification under paragraph (2), “approved non-local government scheme” means such a scheme which is a contracted-out scheme within the meaning of the Pensions Act.