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STATUTORY INSTRUMENTS

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**1992 No. 2432**

**LOCAL GOVERNMENT, ENGLAND AND WALES**

**The Local Government (Compensation for Premature Retirement) (Amendment) Regulations 1992**

*Made - - - - 12th October 1992*  
*Laid before Parliament 20th October 1992*  
*Coming into force - - 10th November 1992*

The Secretary of State, in exercise of the powers conferred on him by section 24 of the Superannuation Act 1972(1), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Local Government (Compensation for Premature Retirement) (Amendment) Regulations 1992 and shall come into force on 10th November 1992, but regulation 2 shall have effect as from 19th December 1989.

(2) In these Regulations—

- (a) “additional duty”, “separate variable—time employment” and “whole—time employment” have the same respective meanings as in the Local Government Superannuation Regulations 1986(2);
- (b) “the 1982 Regulations” means the Local Government (Compensation for Premature Retirement) Regulations 1982(3).

**Persons to whom the 1982 Regulations apply**

2. Regulation 4 of the 1982 Regulations(4) is amended—

(a) in paragraph (1)—

- (i) by substituting for the words “the provisions of paragraph (2)” the words “the provisions of paragraphs (2) and (3)”;
- (ii) by omitting the words “in aggregate” in sub-paragraph (c)(iii);

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(1) 1972 c. 11.  
(2) S.I.1986/24, to which there are amendments not relevant to these Regulations.  
(3) S.I. 1982/1009.  
(4) Regulation 4 is amended by S.I. 1984/740, 1988/466.

(b) by inserting after paragraph (2) the following—

“(3) A person who in his employment immediately before the material date was subject to—

- (a) regulation B5 of the Superannuation Regulations shall, for the purposes of these regulations, be treated unless the context otherwise requires as if each additional duty were a separate variable—time employment with a scheduled body other than the body with whom he was in whole—time employment, or
- (b) regulation B6 of the Superannuation Regulations shall, for the purposes of these regulations, be treated unless the context otherwise requires in relation to each of the employments as if the other or others were held by him under another scheduled body.”(5).

Department of the Environment  
12th October 1992

*Michael Howard*  
One of Her Majesty’s Principal Secretaries of  
State

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(5) Regulation 3 of the 1982 Regulations defines “the Superannuation Regulations” as the Local Government Superannuation Regulations 1986; a relevant amending instrument is S.I. [1988/466](#).

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Local Government (Compensation for Premature Retirement) Regulations 1982 (“the 1982 Regulations”), which allow employers to compensate in certain cases persons who are pensionable under the Local Government Superannuation Regulations 1986 (“the Superannuation Regulations”) and who have ceased their employment through redundancy or in the interests of the efficiency of their employing authorities, by the award of additional years of service.

Regulation 2 amends regulation 4 of the 1982 Regulations so that people with certain additional duties or separate employments who are treated under regulation B5 or B6 of the Superannuation Regulations as having separate employing bodies and consequently, separate pension entitlements, are similarly treated for compensation purposes. Regulation 2 is, by virtue of section 24(3) of the Superannuation Act 1972, made retrospective to 19th December 1989.