
STATUTORY INSTRUMENTS

1992 No. 3229

PENSIONS

**The Local Government Superannuation
(Merseyside Transport Limited) Regulations 1992**

Made - - - - *16th December 1992*
Laid before Parliament *18th December 1992*
Coming into force - - *8th January 1993*

The Secretary of State, in exercise of the powers conferred on him by sections 7 and 12 of the Superannuation Act 1972⁽¹⁾ and of all other powers enabling him in that behalf, after consultation with such associations of local authorities as appeared to him to be concerned, the local authorities with whom consultation appeared to him to be desirable and such representatives of other persons likely to be affected by the Regulations as appeared to him to be appropriate, hereby makes the following Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Local Government Superannuation (Merseyside Transport Limited) Regulations 1992 and shall come into force on 8th January 1993, but regulation 2 shall have effect from 1st April 1990.

(2) In these Regulations—

“the 1971 Act” means the Pensions (Increase) Act 1971⁽²⁾;

“the Company” means Merseyside Transport Limited;

“the Council” means Wirral Borough Council;

“the Executive” means Merseyside Passenger Transport Executive;

“the Fund” means the superannuation fund maintained by the Council;

“the principal Regulations” means the Local Government Superannuation Regulations 1986⁽³⁾.

(3) In these Regulations, unless the context otherwise requires, any expression which is also used in the principal Regulations has the same meaning as in those Regulations.

(1) 1972 c. 11; section 12 was amended by section 10 of the Pensions (Miscellaneous Provisions) Act 1990 (c. 7).

(2) 1971 c. 56.

(3) S.I.1986/24; relevant amending instruments are S.I. 1987/293, 1989/372, 1990/503.

Pensions increase

2.—(1) In its application to a pension (within the meaning of the 1971 Act) which has become payable to or in respect of a person in relation to service ending with service which was with the Company, Schedule 3 to the 1971 Act and regulation P14 of the principal Regulations shall have effect as if any reference to the last employing authority were a reference to the Company.

(2) Regulation 4 of the Pensions Increase (Local Authorities' etc. Pensions) Regulations 1974(4) shall cease to have effect in the case of a pension which is payable in respect of service ending with service which was with the Company.

Amendment of actuary's certificate

3.—(1) The Council shall as soon as reasonably practicable obtain from the Fund's actuary a certificate specifying an individual adjustment of the common rate of employer's contributions in the case of the Executive for the year beginning with 1st April 1992 ("the new certificate").

(2) The actuary, in specifying an individual adjustment of the common rate of employer's contributions for the purposes of the new certificate,—

- (a) shall have regard to the provisions of the principal Regulations and regulation 2 of these Regulations;
- (b) shall not take into account the cost of any increase of a pension under the 1971 Act in relation to any person whose service ends with service with the Company after 31st March 1990; and
- (c) shall treat any contributions paid by the Executive to the Fund as not having been paid in respect of any such cost.

(3) The Council shall, upon receiving the new certificate, send a copy of it to the Secretary of State and to the Executive.

(4) The certificate under regulation P6 obtained by the Council in respect of the period of 3 years beginning with 1st April 1990 ("the old certificate") shall have effect in the case of the Executive for the last year of that period as if the common rate of employer's contribution specified in the old certificate were increased or reduced, as the case may be, by the amount of the individual adjustment specified in the new certificate.

Contributions to the Fund by the Executive

4. The Executive, in the year beginning with 1st April 1993 and in any subsequent year,—

- (a) shall pay to the Fund contributions in relation to any person whose service ended with service with the Company in the period beginning with 26th October 1986 and ending with 31st March 1990, in respect of the cost of that part of any increase of that person's pension under the 1971 Act which is attributable to that person's service with the Executive before 26th October 1986;
- (b) shall not pay to the Fund contributions in respect of the cost of any increase of a pension under the 1971 Act in relation to any person whose service ends with service with the Company after 31st March 1990; and
- (c) shall be treated by the Fund's actuary as if any contributions previously paid by the Executive were not contributions such as are mentioned in paragraph (b) above.

Contributions to the Fund by the Company

5. The Company shall pay to the Fund in the year beginning with 1st April 1993 and in any subsequent year contributions in respect of—

- (a) in relation to any person whose service ends with service with the Company after 31st March 1990, the cost of any increase of a pension under the 1971 Act; and
- (b) in relation to any person whose service ended with service with the Company in the period beginning with 26th October 1986 and ending with 31st March 1990, the cost of that part of any increase of that person's pension under the 1971 Act which is attributable to that person's service with the Company during that period.

16th December 1992

Michael Howard
Secretary of State for the Environment

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note does not form part of these Regulations)

These Regulations make special provision for meeting the cost of pension increases for employees and former employees of Merseyside Transport Limited, a company admitted to the superannuation fund administered by Wirral Borough Council. The pension increases arise from the provisions of the Pensions (Increase) Act 1971. The Regulations provide that the company pays the cost for employees leaving service after 31st March 1990 and for employees who left service on or after 26th October 1986 but before 1st April 1990 in respect of service between those dates. Related changes are also made to the contributions paid to the fund by Merseyside Passenger Transport Executive.