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STATUTORY INSTRUMENTS

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**1997 No. 1612**

**The Local Government Pension Scheme Regulations 1997**

**PART II**

**PRIMARY PROVISIONS**

**CHAPTER I**

**MEMBERSHIP**

*Joining and leaving the Scheme*

**Joining the Scheme**

7.—(1) A person who wishes to become an active member must apply in writing to his employer or future employer.

(2) An eligible person who applies before he begins his employment becomes a member when his employment begins unless he applies to join later.

(3) An eligible employee who applies becomes a member on the first day of the first payment period following the application.

(4) A payment period is a period of service to which the employee's wages or salary payment relate.

(5) An employee is deemed to have applied to become a member, unless he notified his employer in writing that he did not wish to do so—

- (a) before his employment began, or
- (b) if he only became eligible to be a member later, before the date he became eligible.

(6) But paragraph (5) does not apply—

- (a) to employees of admission bodies,
- (b) to casual employees, or
- (c) to former members who opted to leave the Scheme by a notification under regulation 8.

(7) An application for membership may be withdrawn before membership begins.

(8) A former active member may reapply for such membership.

(9) But a person who has given more than one notification under regulation 8 may only reapply again if—

- (a) his employer or future employer consents; or
- (b) he is beginning a new employment with a new employing authority and he reapplies before he has been employed for three months.

### **Leaving the Scheme**

**8.—**(1) A person may leave the Scheme if he wishes and stops being a member if he stops being eligible for membership.

(2) A person who wishes to leave the Scheme must notify his employer in writing.

(3) A member who gives such a notification stops being a member from the date the notification specifies.

(4) But, if a date earlier than the notification or no date is specified, he stops being a member at the end of the payment period during which the notification is given.

(5) Where notification is given by a person before he has been a member for three months, he must be treated as not having been a member in that period.