
STATUTORY INSTRUMENTS

1997 No. 218

PENSIONS

The Local Government Pension Scheme (London Boroughs Children’s Regional Planning Committee) Regulations 1997

<i>Made</i>	- - - -	<i>3rd February 1997</i>
<i>Laid before Parliament</i>		<i>7th February 1997</i>
<i>Coming into force</i>	- -	<i>28th February 1997</i>

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 Pension Scheme (London Boroughs Children’s Regional Planning Committee) Regulations 1997 and shall come into force on 28th February 1997 (in these Regulations referred to as “the commencement date”) but regulation 2 has effect from 1st March 1986.

(2) In these Regulations “the principal Regulations” means the Local Government Pension Scheme Regulations 1995(2) and, unless the context otherwise requires, expressions which are also used in the principal Regulations have the same meaning as they have in those Regulations.

Meaning of appropriate pension fund

2. After paragraph (c) of regulation C1(1) of the principal Regulations there shall be inserted—
- “(cc) in relation to employees of the London Boroughs Children’s Regional Planning Committee (as defined in regulation B18), the fund maintained by the London Borough of Camden;”

(1) 1972 c. 11; section 12 was amended by section 10 of the Pensions (Miscellaneous Provisions) Act 1990 (c. 7).
(2) S.I. 1995/1019, amended by S.I. 1995/1985, 2249, 2953, 1996/185, 711, 1428, 2180.

Power to increase period of membership on termination of employment on redundancy etc

3. Regulation B18 of the principal Regulations(3) shall be amended—

- (a) in paragraph (5), by substituting for the words “before 1st April 1996” the following—
 - (i) “where the relevant employing authority is the Commission for New Towns or an urban development corporation, before 1st April 1996; and
 - (ii) where the relevant employing authority is the London Boroughs Children’s Regional Planning Committee, before the dissolution of that committee.”; and
- (b) in paragraph (9), by adding—
 - “(c) the London Boroughs Children’s Regional Planning Committee which in these Regulations means the joint committee established on 8th December 1983 by the thirty two London Boroughs and the City of London Corporation pursuant to section 31 of the Child Care Act 1980(4) and sections 101 and 102 of the Local Government Act 1972(5).”

Valuations of pension fund

4.—(1) The London Borough of Camden shall obtain an actuarial valuation of the liabilities as at 1st January 1997 of the London Boroughs Children’s Regional Planning Committee (“the Committee”) as respects the pension fund maintained by the London Borough of Camden and shall send copies of it to the Committee and to the Secretary of State as soon as is reasonably practicable.

(2) As soon as is reasonably practicable after the London Borough of Camden have obtained such a valuation, they shall obtain an actuary’s certificate specifying the sum to be paid by the Committee in respect of its liabilities (if any) to the pension fund (excluding any sums payable or to be payable by the Committee under regulation L13 (3A))(6) in respect of the pensions payable by, and other liabilities of, the fund in respect of former employees of the Committee and those persons who, under the principal Regulations, are or may become entitled to benefit through them.

(3) The Committee shall, as soon as reasonably practicable after production of such actuary’s certificate, pay to the pension fund maintained by the London Borough of Camden the sum specified in such certificate as the amount due from the Committee and, upon that being done, the Committee shall have no liability to make any further payments to the pension fund (except for any outstanding liability for payments under regulation L13 (3A)).

Elections

5.—(1) Where—

- (a) apart from this regulation, the amendments made by regulation 3 would place any person in a worse position than he would otherwise be, and
- (b) that person so elects by notice in writing given to the London Borough of Camden within the period of six months beginning with the date on which any relevant resolution under regulation B18 or any resolution under regulation B19 of the principal Regulations is passed in relation to him,

then the principal Regulations shall have effect in relation to him as if those amendments had never been made.

(3) Regulations B18 and B19 were added to the principal Regulations by S.I. 1995/2953.

(4) 1980 c. 5.

(5) 1972 c. 70.

(6) Regulation L13 (3A) was added to the principal Regulations by S.I. 1995/2953.

(2) For the purposes of paragraph (1) a resolution under B18 of the principal Regulations is a relevant resolution if the person in respect of whom it is passed ceased to hold his employment before the commencement date.

Signed by authority of the Secretary of State

3rd February 1997

Paul Beresford
Parliamentary Under Secretary of State,
Department of 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 is not part of the Regulations)

These regulations amend the Local Government Pension Scheme Regulations 1995 (“the principal Regulations”) which regulate the Local Government Pension Scheme.

Regulation 2 sets out that the appropriate pension fund for the London Boroughs Children’s Regional Planning Committee (“the LBCRPC”) is the pension fund maintained by the London Borough of Camden.

Regulation 3 amends regulation B18 of the principal Regulations to include the LBCRPC as a relevant employing authority so that the provisions in connection with the discretion to augment the period of pension scheme membership of certain members whose employment has ceased on redundancy or to convert periods credited under the Local Government (Compensation for Premature Retirement) Regulations 1982 (S.I.1982/1009) into periods of membership which were introduced by the Local Government Pensions Scheme (Augmentation) Regulations 1995 (S.I. 1995/2953) apply to persons employed by the LBCRPC.

Regulation 4 provides, by means of a valuation of the liabilities (if any) of the LBCRPC to the pension fund and the production of an actuary’s certificate, for the final settlement of any liability of the LBCRPC, as an employing authority, to contribute to the fund.

Regulation 5 contains a savings provision for retired members in respect of whom resolutions under regulations B18 and B19 are passed. If the provisions of the principal Regulations relating to the maximum length of additional periods to be credited disadvantage the retired member by reducing the total period credited by augmentation, the member may elect to retain the existing compensation award. The election has to be made within six months of the authority’s resolution to convert the award into an augmented pension.