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STATUTORY INSTRUMENTS

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**1998 No. 364**

**The Local Government Pension Scheme (Transitional Provisions) (Scotland) Regulations 1998**

*Pension funds and authorities*

**Superannuation funds and appropriate fund authorities**

19.—(1) The funds which are appropriate superannuation funds for the old provisions immediately before the commencement date shall continue to be appropriate superannuation funds for those provisions and shall be the appropriate funds for the 1998 Regulations.

(2) Without prejudice to paragraph (1), any liabilities under the old provisions, as they continue to apply by virtue of these Regulations, shall continue to be payable by the appropriate administering authority from the fund which is the appropriate superannuation fund as respects those liabilities immediately before that date.

(3) Where immediately before that date any body is or may become liable to make payments to any such authority or to any superannuation fund in respect of any liability arising under the old provisions in respect of any person, liabilities in respect of whom continue to arise on or after that date under those provisions, that body shall continue to be the body which is or may become so liable.

**Continuation of employers' liability for certain payments**

20.—(1) Nothing in these Regulations affects the liability of any body to make payments under regulation P13 of the 1987 Regulations in respect of any member who continues as an active member on the commencement date by virtue of regulation 3(1).

(2) However, if the member (or his executor) informs the relevant authority under regulation 14(2) (as applied by regulation 15(1)) that he does not wish a right which ceases to have effect under regulation 12(1)(a) to be treated as mentioned in regulation 14(1), regulation P13 of the 1987 Regulations shall cease to apply in relation to that member's payments so far as they become due on or after the commencement date.

(3) Where, in a case in which payments continue to be made under regulation P13(1) of the 1987 Regulations by virtue of paragraph (1), following an election under regulation 16(1) a member makes a capital payment in full satisfaction of his liabilities in respect of any period, any liabilities which any body has in respect of him under that regulation are not affected.