

SCHEDULES

SCHEDULE 1

Regulation 2

Interpretation

“active member” means a person who is in an employment, and—

- (a) paying contributions to the Scheme,
- (b) treated as paying contributions to the Scheme, or
- (c) absent from that employment for one of the reasons mentioned in regulation 11;

“actuarial guidance issued by the Secretary of State” means guidance identified by the Secretary of State as such which has been issued in accordance with regulation 2(3);

“additional maternity or adoption leave” means leave under section 73 or 75B of the Employment Rights Act 1996(1);

“additional paternity leave” means leave under the Additional Paternity Leave Regulations 2010(2);

“additional pension” means pension under these Regulations other than earned pension;

“administering authority” means a body listed in Part 1 of Schedule 3 which is required to hold a fund for the purposes of these Regulations;

“admission agreement” means an agreement between an administering authority and an admission body that named individuals, or all or any specified class of the admission body’s employees, may be members of the Scheme;

“admission body” has the meaning given in paragraph 1 of Part 3 of Schedule 2;

“amount of accrued pension” means the earned pension in a member’s pension account adjusted to take account of any revaluation adjustment applicable;

“amount of pension payable” means the earned and additional pension in a member’s pension account adjusted to take account of any revaluation adjustment, index rate adjustment, commutation amount or pension account adjustment applicable;

“annual allowance charge” has the meaning given to that expression by section 227 of the Finance Act 2004(3);

“assumed pensionable pay” has the meaning given by regulation 21;

“automatic enrolment date” means the automatic enrolment date within the meaning of section 3 of the Pensions Act 2008(4);

“automatic re-enrolment date” means the automatic re-enrolment date chosen by a member’s employer in accordance with section 5 of the Pensions Act 2008(5) and regulation 12 of the

(1) 1996 c. 18; section 73 was substituted by the Employment Relations Act 1999; section 75B was inserted by the Employment Act 2002.

(2) S.I. 2010/1055

(3) 2004 c. 12; section 227 has been amended by the Finance Act 2009 and the Finance Act 2011.

(4) 2008 c. 30; section 3 was substituted by the Pensions Act 2011 and there have been further amendments which are not relevant to this instrument.

(5) Section 5 was substituted by the Pensions Act 2011 and there have been further amendments which are not relevant to this instrument.

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Occupational and Personal Pensions Schemes (Automatic Enrolment) Regulations 2010⁽⁶⁾ for those of its eligible jobholders who are not active members (or the date the employer would have chosen if the employer does not have any such employees);

“AVC” means a payment of additional voluntary contributions made under regulation 17;

“base rate” means the base rate for the time being quoted by the reference banks or, where there is for the time being more than one such base rate, the rate which, when the base rate quoted by each bank is ranked in a descending sequence of seven, is fourth in the sequence;

“benefit crystallisation event” has the meaning given by section 216 of the Finance Act 2004⁽⁷⁾;

“child-related leave” means—

- (a) ordinary adoption leave;
- (b) ordinary maternity leave;
- (c) additional maternity or adoption leave during which the member receives some pensionable pay;
- (d) paternity leave; or
- (e) additional paternity leave during which the member receives some pensionable pay.

“children’s pension” means a pension payable to an eligible child in accordance with regulation 42, 45 or 48;

“commutation amount” means the amount of pension a member has elected to give up in return for a lump sum in accordance with regulation 33;

“cohabiting partner” means a person whom the appropriate administering authority is satisfied fulfils the following conditions—

- (a) the person (P) has fulfilled the condition in paragraph (b) for a continuous period of at least 2 years on the date the member (M) died, and
- (b) the condition is that—
 - (i) M is able to marry, or form a civil partnership with P,
 - (ii) M and P are living together as if they were husband and wife or as if they were civil partners,
 - (iii) neither M nor P is living with a third person as if they were husband and wife or as if they were civil partners, and
 - (iv) either P is financially dependent on M, or M and P are financially interdependent;

“deferred member” has the meaning given by regulation 6;

“deferred payment enhancement” means the amount by which a member’s entitlement is increased pursuant to regulation 30(4) or (11);

“deferred pensioner member” has the meaning given by regulation 6;

“dependent” in relation to a person means that in the opinion of the administering authority, at the date of the member’s death—

- (a) the person was financially dependent on the member,
- (b) the person’s financial relationship with the member was one of mutual dependence, or
- (c) the person was dependent on the member because of physical or mental impairment;

⁽⁶⁾ S.I. 2010/772.

⁽⁷⁾ 2004 c. 12; section 216 has been amended by the Finance Acts 2005, 2006, 2008 and 2011.

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“early payment reduction” means the amount by which a member’s entitlement is reduced pursuant to regulation 30(5), (6) or (12);

“earned pension” means pension accrued from the member’s pensionable pay pursuant to regulation 23(4) or (5) or credited pursuant to regulation 101(1) (effect of acceptance of transfer value);

“eligible child”, in relation to a deceased member, means—

- (a) a natural or adopted child of a member who meets any of conditions A to C and who was born before, on, or in the case of a natural child, within 12 months of the member’s death; or
- (b) a step-child or child accepted by the deceased as a member of the family (excluding a child sponsored by the member through a registered charity) who—
 - (i) meets any of conditions A to C; and
 - (ii) was dependent on the member at the date of death.

Condition A is that the person is aged under 18.

Condition B is that the person is in full-time education or vocational training and has not reached the age of 23 (but an administering authority may continue to treat a person as fulfilling Condition B notwithstanding any break in a course of education or vocational training, although the person does not fulfil Condition B during such a break).

Condition C is that the person is unable to engage in gainful employment because of physical or mental impairment and either—

- (i) has not reached the age of 23; or
- (ii) the impairment is in the opinion of an IRMP likely to be permanent and the person was dependent on the member at the date of the member’s death because of that physical or mental impairment.

“European pensions institution” has the same meaning as in section 293(8) of the Pensions Act 2004⁽⁸⁾;

“gainful employment” means paid employment for not less than 30 hours in each week for a period of not less than 12 months;

“index rate adjustment” means the percentage increase that would apply if the balance in the member’s account were a pension in payment eligible for increase under the Pensions (Increase) Act 1971⁽⁹⁾;

“IRMP” means an independent registered medical practitioner who is registered with the General Medical Council and—

- (a) holds a diploma in occupational health medicine (D Occ Med) or an equivalent qualification issued by a competent authority in an EEA state; and for the purposes of this definition, “competent authority” has the meaning given by section 55(1) of the Medical Act 1983⁽¹⁰⁾; or
- (b) is an Associate, a Member or a Fellow of the Faculty of Occupational Medicine or an equivalent institution of an EEA state;

“joint liability amount” has the meaning given to that expression by section 237B(3) of the Finance Act 2004⁽¹¹⁾;

⁽⁸⁾ 2004 c. 35; section 293(8) was amended by S.I. 2007/3014.

⁽⁹⁾ 1971 c. 56.

⁽¹⁰⁾ 1983 c. 54; the definition of “competent authority” was inserted by S.I. 2007/3101.

⁽¹¹⁾ 2004 c.12; section 237B was inserted by the Finance Act 2011.

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“local government service” means an employment by virtue of which the person employed is or has been a member of the Scheme;

“membership” is to be construed in accordance with section 124(1) of the Pensions Act 1995(12)

“normal pension age” means the pensionable age of a person as specified from time to time in Schedule 4 to the Pensions Act 1995(13), or if higher, age 65.

“occupational pension scheme” has the meaning given by section 1 of the Pensions Schemes Act 1993(14);

“ordinary adoption leave” means leave under section 75A of the Employment Rights Act 1996(15);

“ordinary maternity leave” means leave under section 71 of the Employment Rights Act 1996;

“partner” in relation to an active member means a spouse, civil partner or cohabiting partner;

“paternity leave” means leave under regulation 4 or 8 of the Paternity and Adoption Leave Regulations 2002(16);

“payment period” means a period of service to which an employee’s wages or salary payments relate;

“pensionable age” has the meaning given in section 181 of the Pension Schemes Act 1993;

“pensionable pay” has the meaning given by regulation 20 but if the circumstances specified in regulation 21(2) apply, references in these Regulations to a member’s pensionable pay are references to that member’s assumed pensionable pay;

“pension account” means an account of the description in regulation 22.

“pension credit” means a credit under section 29(1)(b) of the Welfare Reform and Pensions Act 1999(17);

“pension credit member” has the meaning given by regulation 8(1);

“pension debit” means a debit under section 29(1)(a) of the Welfare Reform and Pensions Act 1999;

“pensioner member” has the meaning given by regulation 7(1);

“pensions board” means a board or committee established by an administering authority to discharge functions under regulation 53(4);

“pension sharing order” means any provision or order specified in section 28 of the Welfare Reform and Pensions Act 1999;

“Pensions Regulator” means the body corporate established under section 1 of the Pensions Act 2004(18)

“permanently incapable” means that the member will, more likely than not, be incapable until at the earliest, the member’s normal pension age;

“public service pension scheme” has the meaning given by section 1 of the Pension Schemes Act 1993(19);

(12) 1995 c. 26.

(13) 1995 c. 26.

(14) 1993 c. 48; the definition of “occupational pension scheme” was substituted by the Pensions Act 2004 and was amended by S.I. 2007/3014.

(15) 1996 c. 18; section 75A was inserted by the Employment Act 2002 and was amended by the Work and Families Act 2006.

(16) S.I. 2002/2788.

(17) 1999 c. 30.

(18) 2004 c. 35.

(19) 1993 c. 48; section 1 has amendments which are not relevant to this instrument.

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“qualifying recognised overseas pension scheme” has the meaning given by section 169(2) of the Finance Act 2004(20);

“qualifying service for a period of two years” has the meaning given by regulation 3(7);

“reference banks” means the seven largest persons for the time being who—

- (a) have permission under Part 4A of the Financial Services and Markets Act 2000(21) to accept deposits;
- (b) are incorporated in the United Kingdom and carry on there a regulated activity of accepting deposits; and
- (c) quote a base rate in sterling,

and for the purposes of this definition, the size of the person at any time is to be determined by reference to the gross assets denominated in sterling of that person, together with any subsidiary (as defined in section 1159 of the Companies Act 2006(22)), as shown in the audited end-of-year accounts last published before that time;

“registered pension scheme” has the same meaning as in section 150(2) of the Finance Act 2004(23);

“reserve forces pay” means the total of—

- (a) pay for performing relevant reserve forces service (including marriage, family and similar allowances), and
- (b) any payments under Part 5 of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951(24);

“reserve forces service leave” means absence from duty because of being called out or recalled for permanent service in Her Majesty’s armed forces pursuant to a call-out notice served, or a call-out or recall order made, under the Reserve Forces Act 1996(25);

“retirement pension” includes earned pension and additional pension;

“revaluation adjustment” means the percentage specified in the relevant Treasury order made under section 9(2) of the Public Service Pensions Act 2013(26) which is to be applied to the sum in a pension account at the beginning of the next scheme year;

“the Scheme” means the scheme established by these Regulations;

“Scheme employer” means a body listed in Schedule 2 employing an employee who is eligible to be a member and includes an admission body;

“Scheme employer’s consent” includes the consent of the appropriate administering authority in circumstances where the member’s former employer is no longer a Scheme employer;

“Scheme employment” means an employment by virtue of which a person is entitled to be a member of this Scheme;

“Scheme pays election” means a member giving the administering authority notice of joint and several liability under section 237B of the Finance Act 2004(27) in respect of the member’s annual allowance charge;

“Scheme year” means a period of one year beginning with 1st April and ending with 31st March;

(20) 2004 c. 12.

(21) 2000 c. 8; Part 4A was inserted by the Financial Services Act 2012.

(22) 2006 c. 46.

(23) 2004 c. 12.

(24) 1951 c. 65.

(25) 1996 c. 14.

(26) 2013 c. 25.

(27) 2004 c. 12. Section 237B was inserted by the Finance Act 2011.

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“statutory pay” means any statutory maternity, paternity or adoption pay payable under the Social Security Contributions and Benefits Act 1992**(28)**;

“survivor member” means a person entitled to a survivor pension or a children’s pension;

“survivor pension” means a pension payable under regulations 41, 42, 44, 45, 47 or 48;

“SVAVC” means an arrangement established under regulation 17 to which both the Scheme employer and the active member contribute;

“Tier 1 benefits” has the meaning given by regulation 35(5) calculated in accordance with regulation 39;

“Tier 2 benefits” has the meaning given by regulation 35(6) calculated in accordance with regulation 39;

“Tier 3 benefits” has the meaning given by regulation 35(7) calculated in accordance with regulation 39;

“trade dispute” has the meaning given in section 218 of the Trade Union and Labour Relations (Consolidation) Act 1992**(29)**;

“transferred in benefit” means a benefit in a member’s pension account deriving from a transfer value payment;

“transfer value payment” means a payment made from the Scheme to another registered pension scheme or qualifying recognised overseas pension scheme, or a payment received by the Scheme from a registered pension scheme or from a European pensions institution.

SCHEDULE 2

Regulation 3

Scheme employers

PART 1

1. In England, a county council, a district council, a London borough council, the Greater London Authority, the Common Council of the City of London and the Council of the Isles of Scilly.
2. In Wales, a county council or a county borough council.
3. A joint board, body or committee appointed under any Act or statutory order or statutory scheme, of which all the constituent authorities are councils of a description in paragraph 1 or 2 or a combination of such councils.
4. A Mayoral development corporation within the meaning of section 198 of the Localism Act 2011**(30)**.
5. A fire and rescue authority within the meaning of the Fire and Rescue Services Act 2004**(31)**.
6. A police and crime commissioner.
7. A chief constable within the meaning of section 2 of the Police Reform and Social Responsibility Act 2011**(32)**.

(28) 1992 c. 4.

(29) 1992 c.52.

(30) 2011 c.20.

(31) 2004 c. 21.

(32) 2011 c.13.

8. The Commission for Local Administration in England.
9. A probation trust established under section 5 of the Offender Management Act 2007(33) or a National Probation Service local board.
10. The Chichester Harbour Conservancy.
11. The Lee Valley Regional Park Authority.
12. An integrated transport authority within the meaning of Part 5 of the Local Transport Act 2008(34).
13. The Broads Authority.
14. A further education corporation, a sixth form college corporation or a higher education corporation within the meaning of section 90 of the Further and Higher Education Act 1992(35).
15. The London Pensions Fund Authority.
16. The South Yorkshire Pensions Authority.
17. The Environment Agency.
18. A National Park Authority established under Part 3 of the Environment Act 1995(36).
19. An Education Action Forum within the meaning of section 11 of the School Standards and Framework Act 1998(37).
20. A proprietor of an Academy within the meaning of section 579 (general interpretation) of the Education Act 1996(38) who has entered into Academy arrangements within the meaning of section 1 (academy arrangements) of the Academies Act 2010(39).
21. A body set up by a local housing authority as a housing management company to exercise management functions of the authority under an agreement approved by the appropriate minister under section 27 of the Housing Act 1985(40).
22. The Valuation Tribunal Service established under section 105 of the Local Government Act 2003(41) and the Valuation Tribunal for Wales established under regulation 4 of the Valuation Tribunal for Wales Regulations 2010(42).
23. A conservation board established under section 86 of the Countryside and Rights of Way Act 2000(43).

PART 2

1. The Board of Governors of the Museum of London.
2. A body (other than a body listed in Part 1 of this Schedule) which is—

(33) 2007 c. 21.

(34) 2008 c. 26.

(35) 1992 c. 13. Relevant amendments to section 90 were made by the Education Act 2011 (c. 21) and the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22).

(36) 1995 c. 25.

(37) 1998 c. 31.

(38) 1996 c. 56.

(39) 2010 c. 32. Section 1 has been amended by the Education Act 2011 (c. 21).

(40) 1985 c. 68. Section 27 was substituted by SI 2003/940 and was subsequently amended by SI 2010/844. For the definition of “appropriate minister” see section 27(18).

(41) 2003 c. 26. Section 27 was amended by the Local Government and Public Involvement in Health Act 2007 (c.28).

(42) SI 2010/713 (W 69).

(43) 2000 c. 37. There are amendments to section 86 which are not relevant.

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- (a) a precepting authority within the meaning of section 69 of the Local Government Finance Act 1992(44) (interpretation),
 - (b) a levying body within the meaning of section 74 of the Local Government Finance Act 1988(45) (levies), or
 - (c) a body to which section 75 of that Act (special levies) applies.
3. A passenger transport executive.
 4. An institution designated by an order under section 129 of the Education Reform Act 1988(46).
 5. An entity connected with a local authority listed in paragraphs 1 to 5 of Part 1 of this Schedule where “connected with” has the same meaning as in section 212(6) of the Local Government and Public Involvement in Health Act 2007(47).
 6. A company under the control of a body listed in paragraphs 6 to 23 of Part 1 of this Schedule where “under the control” has the same meaning as in section 68 or, as the case may be, 73 of the Local Government and Housing Act 1989(48) (except that any direction given by the Secretary of State must be disregarded, and any references to a local authority treated as references to such a body).
 7. The Public Services Ombudsman for Wales.
 8. The Serious Organised Crime Agency.
 9. Transport for London.
 10. The London Transport Users’ Committee.
 11. The Cultural Strategy Group for London.
 12. The Children and Family Court Advisory and Support Service.
 13. An urban development corporation.

PART 3

1. The following bodies are admission bodies with whom an administering authority may make an admission agreement—
 - (a) a body which provides a public service in the United Kingdom which operates otherwise than for the purposes of gain and has sufficient links with a Scheme employer for the body and the Scheme employer to be regarded as having a community of interest (whether because the operations of the body are dependent on the operations of the Scheme employer or otherwise);
 - (b) a body, to the funds of which a Scheme employer contributes;
 - (c) a body representative of—
 - (i) any Scheme employers, or
 - (ii) local authorities or officers of local authorities;
 - (d) a body that is providing or will provide a service or assets in connection with the exercise of a function of a Scheme employer as a result of—

(44) 1992 c.14.

(45) 1988 c. 41.

(46) 1988 c. 40. Section 129 has been amended by the Further and Higher Education Act 1992 (c. 13); S.I. 2009/1941; and the Education Act 2011 (c. 21).

(47) 2007 c. 28. Section 212 was amended by the Police Reform and Social Responsibility Act 2011

(48) 1989 c. 42.

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- (i) the transfer of the service or assets by means of a contract or other arrangement,
 - (ii) a direction made under section 15 of the Local Government Act 1999⁽⁴⁹⁾ (Secretary of State's powers),
 - (iii) directions made under section 497A of the Education Act 1996⁽⁵⁰⁾;
- (e) a body which provides a public service in the United Kingdom and is approved in writing by the Secretary of State for the purpose of admission to the Scheme.

2. An approval under paragraph 1(e) may be subject to such conditions as the Secretary of State thinks fit and the Secretary of State may withdraw an approval at any time if such conditions are not met.

3. The Scheme employer, if it is not also the administering authority, must be a party to the admission agreement with a body falling within the description in paragraph 1(d).

4. In the case of an admission body falling within the description in paragraph 1(b), where at the date of the admission agreement the contributions paid to the body by one or more Scheme employers equal in total 50% or less of the total amount it receives from all sources, the Scheme employer paying contributions (or, if more than one pays contributions, all of them) must guarantee the liability of the body to pay all amounts due from it under these Regulations.

5. If the admission body is exercising the functions of the Scheme employer in connection with more than one contract or other arrangement under paragraph 1(d)(i), the administering authority and the admission body shall enter into a separate admission agreement in respect of each contract or arrangement.

6. An admission agreement must require the admission body to carry out, to the satisfaction of the administering authority, and to the satisfaction of the Scheme employer in the case of a body falling within paragraph 1(d)(i), an assessment, taking account of actuarial advice, of the level of risk arising on premature termination of the provision of service or assets by reason of insolvency, winding up, or liquidation of the admission body.

7. Notwithstanding paragraph 6, and subject to paragraph 8, the admission agreement must further provide that where the level of risk identified by the assessment is such as to require it, the admission body shall enter into an indemnity or bond in a form approved by the administering authority with—

- (a) a person who has permission under Part 4 of the Financial Services and Markets Act 2000⁽⁵¹⁾ to accept deposits or to effect and carry out contracts of general insurance;
- (b) a firm in an EEA state of the kind mentioned in paragraph 5(b) and (d) of Schedule 3 to that Act⁽⁵²⁾, which has permission under paragraph 15 of that Schedule (as a result of qualifying for authorisation under paragraph 12 of that Schedule)⁽⁵³⁾ to accept deposits or to effect and carry out contracts of general insurance; or
- (c) a person who does not require permission under that Act to accept deposits, by way of business, in the United Kingdom.

8. Where, for any reason, it is not desirable for an admission body to enter into an indemnity or bond, the admission agreement must provide that the admission body secures a guarantee in a form satisfactory to the administering authority from—

⁽⁴⁹⁾ 1999 c. 27; section 15 has been amended by the Local Government and Public Involvement in Health Act 2007 (c. 28) and the Local Government (Wales) Measure 2009.

⁽⁵⁰⁾ 1996 c. 56. Section 497A was inserted by the School Standards and Framework Act 1998 (c. 31) and has been amended by S.I. 2010/1158; the Education Act 2002 (c. 32); and the Apprenticeship, Skills, Children and Learning Act 2009 (c. 22).

⁽⁵¹⁾ 2000 c.8.

⁽⁵²⁾ Paragraph 5(b) of Schedule 3 was amended by S.I. 2006/3221, and paragraph 5(d) of that Schedule was amended by S.I. 2004/3379.

⁽⁵³⁾ There are amendments to paragraphs 12 and 15 of the Schedule which are not relevant to these Regulations.

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- (a) a person who funds the admission body in whole or in part;
 - (b) in the case of an admission body falling within the description in paragraph 1(d), the Scheme employer referred to in that paragraph;
 - (c) a person who—
 - (i) owns, or
 - (ii) controls the exercise of the functions of, the admission body; or
 - (d) the Secretary of State in the case of an admission body—
 - (i) which is established by or under any enactment, and
 - (ii) where that enactment enables the Secretary of State to make financial provision for that admission body.
- 9.** An admission agreement must include—
- (a) provision for it to terminate if the admission body ceases to be such a body;
 - (b) a requirement that the admission body notify the administering authority of any matter which may affect its participation in the Scheme;
 - (c) a requirement that the admission body notify the administering authority of any actual or proposed change in its status, including a take-over, reconstruction or amalgamation, insolvency, winding up, receivership or liquidation and a material change to the body's business or constitution;
 - (d) a right for the administering authority to terminate the agreement in the event of—
 - (i) the insolvency, winding up or liquidation of the admission body,
 - (ii) a material breach by the admission body of any of its obligations under the admission agreement or these Regulations which has not been remedied within a reasonable time,
 - (iii) a failure by the admission body to pay any sums due to the fund within a reasonable period after receipt of a notice from the administering authority requiring it to do so.
- 10.** An admission agreement must include a requirement that the admission body will not do anything to prejudice the status of the Scheme as a registered scheme.
- 11.** When an administering authority makes an admission agreement it must make a copy of the agreement available for public inspection at its offices and must promptly inform the Secretary of State of—
- (a) the date the agreement takes effect;
 - (b) the admission body's name; and
 - (c) the name of any Scheme employer that is party to the agreement.
- 12.** Where an admission body is such a body by virtue of paragraph 1(d), an admission agreement must include—
- (a) a requirement that only employees of the body who are employed in connection with the provision of the service or assets referred to in that sub-paragraph may be members of the Scheme;
 - (b) details of the contract, other arrangement or direction by which the body met the requirements of that sub-paragraph;
 - (c) a provision whereby the Scheme employer referred to in that sub-paragraph may set off against any payments due to the body, an amount equal to any overdue employer and

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employee contributions and other payments (including interest) due from the body under these Regulations;

- (d) a provision requiring the admission body to keep under assessment, to the satisfaction of the bodies mentioned in paragraph 6, the level of risk arising as a result of the matters mentioned in that paragraph;
- (e) a provision requiring copies of notifications due to the administering authority under paragraph 9(b) or (c) to be given to the Scheme employer referred to in that sub-paragraph; and
- (f) a provision requiring the Scheme employer referred to in that sub-paragraph to make a copy of the admission agreement available for public inspection at its offices.

13. Where an admission body of the description in paragraph 1(d) undertakes to meet the requirements of these Regulations, the appropriate administering authority must admit to the Scheme the eligible employees of that body.

PART 4

<i>Column 1: Person eligible for membership</i>	<i>Column 2: Body deemed to be Scheme employer</i>
An employee of the governing body of a voluntary school where a local authority has, with the consent of the governing body, designated that employee or a class of employees to which that person belongs as being eligible for membership	The local authority referred to in column 1
An employee of the governing body of a foundation school or foundation special school where a local authority has, with the consent of the governing body, designated that employee or a class of employees to which that person belongs as being eligible for membership	The local authority referred to in column 1
An employee of the governing body of a technical institute or other similar institution which is for the time being assisted by a local authority under the Education Act 1996 ⁽⁵⁴⁾ where a local authority has, with the consent of the governing body, designated that employee or a class of employees to which that person belongs as being eligible for membership	The local authority referred to in column 1
An employee of the governing body of a federated school where a local authority has, with the consent of the governing body, designated that employee or a class of employees to which that person belongs as being eligible for membership	The local authority referred to in column 1
A person who was an active member of the 2008 Local Government Pension Scheme by virtue of	The London Pension Fund Authority

⁽⁵⁴⁾ 1996 c. 56.

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<i>Column 1: Person eligible for membership</i>	<i>Column 2: Body deemed to be Scheme employer</i>
regulation 8A of the Local Government Pension Scheme (Administration) Regulations 2008 ⁽⁵⁵⁾ and who continues in the employment of the Commissioners for Her Majesty’s Revenue and Customs.	
A coroner	The authority which appointed the coroner
The Mayor of London	The Greater London Authority
A member of the London Assembly	The Greater London Authority
A police and crime commissioner	That police and crime commissioner
A Local Commissioner within the meaning of Part 3 of the Local Government Act 1974 ⁽⁵⁶⁾	The Commission for Local Administration in England
A member of a passenger transport executive or a director of a subsidiary of a passenger transport executive, where the integrated transport authority for which the executive exercises its functions consents to the designation of that member or director as being eligible for membership	The passenger transport executive

SCHEDULE 3

Regulation 53

Pension funds

PART 1

1. The following bodies are required to maintain a pension fund and are administering authorities for the purposes of these Regulations—

- (a) a county council in England;
- (b) a London borough council;
- (c) the Corporation of London;
- (d) Bath and North East Somerset Council;
- (e) Bedford Borough Council;
- (f) City of Bradford Metropolitan District Council;
- (g) Cheshire West and Chester Council;
- (h) East Riding of Yorkshire Council;
- (i) Middlesbrough Borough Council;
- (j) South Tyneside Council;
- (k) Tameside Borough Council;

⁽⁵⁵⁾ SI 2008/239. Regulation 8A was inserted by SI 2009/447.

⁽⁵⁶⁾ 1974 c. 7.

- (l) Royal Borough of Windsor and Maidenhead Council;
- (m) Wirral Borough Council;
- (n) Wolverhampton City Council;
- (o) the South Yorkshire Pension Authority;
- (p) the Environment Agency;
- (q) the London Pensions Fund Authority;
- (r) Flintshire County Council;
- (s) Carmarthenshire County Council;
- (t) Cardiff Council;
- (u) City and County of Swansea;
- (v) Gwynedd Council;
- (w) Powys County Council;
- (x) Rhondda Cynon Taf County Borough Council;
- (y) Torfaen County Borough Council.

PART 2

1. Subject to paragraph 3, the appropriate administering authority for a member of the Scheme is the authority specified in column 2 of the following table for a person of that description.

2. The appropriate administering authority for a former member of the Scheme, or a person entitled to any benefit in respect of a person who is or has been a member of the Scheme, is the same authority as would be the appropriate administering authority for the member in question if that member were still an active member.

3. The Secretary of State may, on application by a Scheme employer, by a written direction substitute a different administering authority as the appropriate administering authority for a person or class of person.

4. A direction under paragraph 3—

- (a) may only be given after the Secretary of State has consulted any bodies appearing to be affected by a proposed direction, and
- (b) may include provision as to the making of adjustments between funds, the transfer of assets and liabilities, and any other consequential or incidental matters.

<i>Member</i>	<i>Appropriate administering authority</i>
An employee of an administering authority.	That administering authority.
Except where a Scheme employer is listed elsewhere in this table, an employee of a Scheme employer listed in paragraphs 1 to 7, 9, 10, 12, 14, 18, 19, 21, 22 and 23 of Part 1 of Schedule 2, or paragraph 2, 4 or 13 of Part 2 of Schedule 2, which is situated wholly or mainly within the local government area of an administering authority.	That administering authority.

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<i>Member</i>	<i>Appropriate administering authority</i>
<p>An employee of a Scheme employer listed in paragraphs 8, 9, 10 or 11 of Part 2 of Schedule 2.</p> <p>An employee of the Greater London Authority.</p> <p>An employee of the Commission for Local Administration in England.</p> <p>An employee of the Lee Valley Regional Park Authority.</p> <p>An employee of the Valuation Tribunal Service employed in the London headquarters.</p> <p>An employee of a proprietor of an Academy where immediately before the school achieved Academy status, the appropriate administering authority in relation to that school was the London Pensions Fund Authority.</p>	<p>The London Pensions Fund Authority.</p>
<p>An employee of the Board of Governors of the Museum of London.</p>	<p>The Corporation of London</p>
<p>Except where an employee falls within the category of employee for whom this table provides that the London Pensions Fund Authority is the appropriate administering authority, an employee of a proprietor of an Academy.</p>	<p>The administering authority within whose local government area the relevant Academy is located.</p>
<p>An employee of a passenger transport executive.</p>	<p>The same administering authority as is the appropriate administering authority for the integrated transport authority to which the passenger transport authority is accountable.</p>
<p>An employee of a Scheme employer listed in paragraphs 5 or 6 of Part 2 of Schedule 2.</p>	<p>The same administering authority, or administering authorities, as is the appropriate administering authority or are the administering authorities for the local authority or authorities, or body or bodies to which the Scheme employer is connected or which it is under the control of.</p>
<p>An employee of the Broads Authority</p>	<p>Norfolk County Council</p>
<p>An employee of the Council of the Isles of Scilly.</p>	<p>Cornwall Council.</p>
<p>An employee of an admission body eligible for membership of the Scheme.</p>	<p>The administering authority with which the employer has made the admission agreement.</p>
<p>An employee of the Natural Resources Body for Wales eligible for membership of the Scheme.</p>	<p>The Environment Agency.</p>
<p>An employee of the Children and Family Court Advisory and Support Service</p>	<p>City of Bradford Metropolitan District Council</p>

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<i>Member</i>	<i>Appropriate administering authority</i>
An employee of the Public Services Ombudsman for Wales;	Cardiff County Council.
An employee of the National Probation Service local board for the Thames Valley area.	Windsor and Maidenhead Council.
An employee of the National Probation Service local board for the South Wales area.	Rhondda Cynon, Taf County Borough Council.
An employee of the National Probation Service local board for the Dyfed Powys area.	Carmarthenshire Council.