
STATUTORY INSTRUMENTS

2014 No. 525

The Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014

Pension increases under the Pensions (Increase) Acts

- 25.**—(1) This regulation applies—
- (a) where an increase under the Pensions (Increase) Act 1971⁽¹⁾ (“the 1971 Act”) or the Pensions (Increase) Act 1974 (“the 1974 Act”)⁽²⁾ would have effect in relation to an increase payable by a Scheme employer before 1st April 1990;
 - (b) where the last employer was a Water Act Company; or
 - (c) where the last Scheme employer was a relevant body.
- (2) Where paragraph (1)(a) applies, Schedule 3 to the 1971 Act has effect in relation to the increase under the 1971 or 1974 Act.
- (3) Where paragraph (1)(b) applies, the Environment Agency—
- (a) must reimburse the appropriate administering authority the cost of any increase payable under the 1971 Act or the 1974 Act arising on or after 1st April 1990 from the Closed Water Authorities Fund; and
 - (b) may discharge all future liabilities by way of a lump sum payment from the Closed Water Authorities Fund.
- (4) The Closed Water Authorities Fund is the Closed Fund vested in the Environment Agency by regulation 2(1) of the Local Government Pension Scheme (Environment Agency) Regulations 1996⁽³⁾.
- (5) The amounts due where paragraph (3)(a) applies not paid by way of a lump sum under paragraph (3)(b) must be paid on or before such dates falling at intervals of not more than 12 months as the appropriate administering authority may determine.
- (6) Where a lump sum is to be paid under paragraph (3)(b), such sum must be calculated by reference to—
- (a) an actuary appointed by the Environment Agency working in agreement with an actuary appointed by the appropriate administering authority; but
 - (b) where the respective actuaries cannot agree the calculation of the lump sum, the amounts due shall be paid in accordance with paragraph (3)(a).
- (7) A “Water Act Company” is—
- (a) a company nominated in accordance with section 4 of the Water Act 1989⁽⁴⁾ as the successor company of a water authority, or
 - (b) a company nominated by order under section 83(1) of that Act.

(1) 1971 c. 56.

(2) 1974 c.9.

(3) S.I. 1996/711; regulation 2 was amended by S.I. 1997/1613.

(4) 1989 c.15.

(8) Where paragraph (1)(c) applies, the reference to “the last employing authority” in paragraph 1(2) of Schedule 3 to the 1971 Act is a reference to a relevant body where pension has become payable by reason of service with a relevant body.

(9) “Relevant body” in this regulation means—

- (a) an admission body which has made an admission agreement;
- (b) a body employing persons deemed to be in employment under—
 - (i) regulation 129 (miscellaneous transport employees),
 - (ii) regulation 130 (miscellaneous airport employees), or
 - (iii) regulation 130C (employees in the Rent Service Agency)⁽⁵⁾ of the 1997 Regulations; or
- (c) a company under the control of a Scheme employer.

⁽⁵⁾ Regulation 130C was inserted by [S.I. 2001/770](#).