

1988 No. 625 (S.69)

PENSIONS

The Local Government Superannuation (Scotland)
Amendment Regulations 1988

<i>Made</i>	- - - -	<i>22nd March 1988</i>
<i>Laid before Parliament</i>		<i>6th April 1988</i>
<i>Coming into force</i>		<i>27th April 1988</i>

The Secretary of State, in exercise of the powers conferred on him by sections 7 and 12 of the Superannuation Act 1972(a) 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 and such representatives of other persons likely to be affected by the Regulations as appeared to him to be appropriate in accordance with section 7(5) of that Act, and not having considered consultation with any individual local authority desirable, hereby makes the following Regulations:

Citation and commencement

1.—(1) These Regulations may be cited as the Local Government Superannuation (Scotland) Amendment Regulations 1988.

(2) These Regulations shall come into force on 27th April 1988.

(3) The provisions inserted in the principal Regulations by regulation 3(3) and (5) of these Regulations have effect, in accordance with the provision inserted by regulation 3(1), as from 1st April 1986.

Interpretation

2. In these Regulations a reference to “the principal Regulations” is a reference to the Local Government Superannuation (Scotland) Regulations 1987(b).

Amendment of the principal Regulations

3.—(1) In regulation A1 of the principal Regulations, at the end there shall be added the words “and regulations P5(2) and P15(1A) shall have effect as from 1st April 1986”.

(2) In regulation A4 of the principal Regulations—

(a) in paragraph (1)(b) after the words “Local Government Superannuation Regulations 1974” there shall be inserted “or the Local Government Superannuation Regulations 1986(c)”; and

(b) in the third line of paragraph (2) the words “to 1970” shall be deleted.

(3) Regulation P5 of the principal Regulations shall be renumbered as regulation P5(1) and at the end of it there shall be added the following paragraph:—

(a) 1972 c.11; section 7(3) was extended by the Pensions (Increase) Act 1974 (c.9), section 2(2).
(b) S.I. 1987/1850.
(c) S.I. 1986/24.

“(2) An administering authority may pay out of monies forming part of a superannuation fund any costs, charges and expenses incurred by them in administering the fund.”.

(4) In regulation P15(1)(e) of the principal Regulations, before the words “a contribution” there shall be inserted the words “except where paragraph (1A) applies,”.

(5) In regulation P15 of the principal Regulations, after paragraph (1) there shall be inserted the following paragraph:—

“(1A) A scheduled body who are not an administering authority shall not be required to pay to an administering authority a contribution towards the cost of administering a fund where that cost is, under regulation P5(2), paid out of monies forming part of the fund.”.

New St. Andrew's House, Edinburgh
22nd March 1988

Michael B. Forsyth
Parliamentary Under Secretary of State,
Scottish Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Local Government Superannuation (Scotland) Regulations 1987 (“the principal Regulations”) by inserting a provision enabling administering authorities to recover the costs incurred by them in administering a superannuation fund from that fund, and by providing that, where they do so, employing authorities will not require to pay contributions towards such costs (regulation 3(3), (4) and (5)).

The new provision takes effect as from 1st April 1986, which is before the Local Government Superannuation (Scotland) Regulations 1987 were made. This retrospective effect is authorised by section 12(1) of the Superannuation Act 1972.

These Regulations also make two technical amendments to regulation A4 of the principal Regulations (regulation 3(2)).

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