STATUTORY INSTRUMENTS

2013 No. 2356

PUBLIC SERVICE PENSIONS, ENGLAND AND WALES

The Local Government Pension Scheme Regulations 2013

Made - - - - 12th September 2013
Laid before Parliament 19th September 2013
Coming into force in accordance with regulation 1

THE LOCAL GOVERNMENT PENSION SCHEME REGULATIONS 2013

PART 1

Membership, contributions and benefits

Preliminary Provisions

- 1. Citation, commencement and extent
- 2. Introductory

Membership

- 3. Active membership
- 4. Restriction on eligibility for active membership
- 5. Ending active membership
- 6. Deferred and deferred pensioner members
- 7. Pensioner members
- 8. Pension credit and survivor members

Contributions

- 9. Contributions
- 10. Temporary reduction in contributions
- 11. Contributions during absence from work
- 12. Contributions during child-related leave
- 13. Contributions during reserve forces service leave
- 14. Contributions during absence for illness etc
- 15. Employer contributions during absences
- 16. Additional pension contributions

Status: This is the original version (as it was originally made).

- 17. Additional voluntary contributions
- 18. Rights to return of contributions
- 19. Exclusion of rights to return of contributions
- 20. Meaning of pensionable pay
- 21. Assumed pensionable pay

Pension accounts

- 22. Pension accounts
- 23. Active member's pension accounts
- 24. Deferred member's pension account and deferred refund account
- 25. Retirement pension accounts: active members
- 26. Retirement pension accounts : deferred, deferred pensioner and pension credit members
- 27. Flexible retirement pension accounts
- 28. Deferred pensioner member accounts
- 29. Pension credit accounts

Benefits

- 30. Retirement benefits
- 31. Award of additional pension
- 32. Commencement of pensions
- 33. Election for lump sum instead of pension
- 34. Commutation and small pensions

Ill-health retirement

- 35. Early payment of retirement pension on ill-health grounds: active members
- 36. Role of the IRMP
- 37. Special provision in respect of members receiving Tier 3 benefits
- 38. Early payment of retirement pension on ill-health grounds: deferred and deferred pensioner members
- 39. Calculation of ill-health pension amounts

Survivor benefits

- 40. Death grants: active members
- 41. Survivor benefits: partners of active members
- 42. Survivor benefits: children of active members
- 43. Death grants: deferred members, pension credit members and deferred pensioner members
- 44. Survivor benefits: partners of deferred members and deferred pensioner members
- 45. Survivor benefits: children of deferred members
- 46. Death grants: pensioner members
- 47. Survivor benefits : partners of pensioner members
- 48. Survivor benefits: children of pensioner members

Adjustments of benefits

- 49. No double entitlement
- 50. Limit on total amount of benefits
- 51. Guaranteed minimum pensions
- 52. Pension debits

PART 2

Administration

Administering authorities

- 53. Scheme managers
- 54. Admission agreement funds
- 55. Administering authorities: governance compliance statement
- 56. Accounts and audit

Strategies, statements and reports

- 57. Pension fund annual report
- 58. Funding strategy statement
- 59. Pension administration strategy
- 60. Statements of policy about exercise of discretionary functions
- 61. Statements of policy concerning communications with members and Scheme employers

Actuarial valuations

- 62. Actuarial valuations of pension funds
- 63. Aggregate Scheme costs
- 64. Special circumstances where revised actuarial valuations and certificates must be obtained
- 65. Aggregate Scheme costs: revised certificates
- 66. Supply of copies of valuations, certificates etc

Payments

- 67. Employer's contributions
- 68. Employer's further payments
- 69. Payment by Scheme employers to administering authorities
- 70. Additional costs arising from Scheme employer's level of performance
- 71. Interest on late payments by Scheme employers

Decisions

- 72. First instance decisions
- 73. Notification of first instance decisions
- 74. Applications for adjudication of disagreements
- 75. Decisions of the adjudicator
- 76. Reference of adjudications to administering authority
- 77. Decisions of the administering authority on reconsideration
- 78. Rights of representation
- 79. Appeals by administering authorities
- 80. Exchange of information
- 81. Interest on late payment of certain benefits
- 82. Payments due in respect of deceased persons
- 83. Payments for persons incapable of managing their affairs
- 84. Non-assignability
- 85. Deduction and recovery of member's contributions
- 86. Joint liability in respect of annual allowance charge
- 87. Tax
- 88. Pension increase under the Pensions Schemes Act 1993

- 89. Annual benefit statements
- 90. Information to be supplied by employees

Forfeiture

- 91. Forfeiture of pension rights after conviction for employment-related offences
- 92. Interim payments directions
- 93. Recovery or retention where former member has misconduct obligation
- 94. Adjustment of accounts following forfeiture etc
- 95. Protection of guaranteed minimum pension rights

Transfers

- 96. Rights to payment out of pension fund
- 97. Contracting-out requirements affecting transfers out
- 98. Bulk transfer (transfers of undertakings etc)
- 99. Calculation of amount of transfer payment
- 100. Inward transfers of pension rights
- 101. Effect of acceptance of transfer value
- 102. EU scheme transfers
- 103. Changes of administering authority Signature

SCHEDULES

SCHEDULE 1 — Interpretation

SCHEDULE 2 — Scheme employers

PART 1

- 1. In England, a county council, a district council, a London...
- 2. In Wales, a county council or a county borough council....
- 3. A joint board, body or committee appointed under any Act...
- 4. A Mayoral development corporation within the meaning of section 198...
- 5. A fire and rescue authority within the meaning of the...
- 6. A police and crime commissioner.
- 7. A chief constable within the meaning of section 2 of...
- 8. The Commission for Local Administration in England.
- 9. A probation trust established under section 5 of the Offender...
- 10. The Chichester Harbour Conservancy.
- 11. The Lee Valley Regional Park Authority.
- 12. An integrated transport authority within the meaning of Part 5...
- 13. The Broads Authority.
- 14. A further education corporation, a sixth form college corporation or...
- 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...
- 19. An Education Action Forum within the meaning of section 11...
- 20. A proprietor of an Academy within the meaning of section...
- 21. A body set up by a local housing authority as...
- 22. The Valuation Tribunal Service established under section 105 of the...
- 23. A conservation board established under section 86 of the Countryside...

PART 2

- 1. The Board of Governors of the Museum of London.
- 2. A body (other than a body listed in Part 1...
- 3. A passenger transport executive.
- 4. An institution designated by an order under section 129 of...
- 5. An entity connected with a local authority listed in paragraphs...
- 6. A company under the control of a body listed in...
- 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...
- 2. An approval under paragraph 1(e) may be subject to such...
- 3. The Scheme employer, if it is not also the administering...
- 4. In the case of an admission body falling within the...
- 5. If the admission body is exercising the functions of the...
- 6. An admission agreement must require the admission body to carry...
- 7. Notwithstanding paragraph 6, and subject to paragraph 8, the admission...
- 8. Where, for any reason, it is not desirable for an...
- 9. An admission agreement must include—(a) provision for it to...
- 10. An admission agreement must include a requirement that the admission...
- 11. When an administering authority makes an admission agreement it must...
- 12. Where an admission body is such a body by virtue...
- 13. Where an admission body of the description in paragraph 1(d)...

PART 4

SCHEDULE 3 — Pension funds

PART 1

- 1. The following bodies are required to maintain a pension fund...
- 1. Subject to paragraph 3, the appropriate administering authority for a...
- 2. The appropriate administering authority for a former member of the...
- 3. The Secretary of State may, on application by a Scheme...
- 4. A direction under paragraph 3— (a) may only be given...

Explanatory Note