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STATUTORY INSTRUMENTS

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**2018 No. 493**

**The Local Government Pension Scheme  
(Amendment) Regulations 2018**

**Amendment of the Local Government Pension Scheme Regulations 2013**

4.—(1) In regulation 3(1) (active membership) for paragraph (1) substitute—

“(1) Subject to regulation 4 (restriction on eligibility for active membership), a person is eligible to be an active member of the Scheme—

(a) if working in local government service; or

(b) if—

(i) by virtue of regulation 2(1C) (introductory: potential eligibility for membership) the Scheme may potentially relate to that person;

(ii) a determination under section 25(5) of the Public Service Pensions Act 2013 has been made in respect of that person; and

(iii) that person’s employer has designated that person, or a class of employees to which that person belongs, as being eligible for membership of the Scheme.”.

(2) After paragraph (1) insert—

“(1A) The following functions are delegated to administering authorities—

(a) the function of making a determination under section 25(5) of the Public Service Pensions Act 2013 (“a determination”), in relation to persons of the description in regulation 2(1C); and

(b) the function of publishing a list under section 25(9) of that Act of the persons to whom the Scheme relates by virtue of a determination.”.

(3) In paragraph (2) for “by virtue of paragraph 1(d)” substitute “by virtue of regulation 2(1B)(b)”.