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STATUTORY INSTRUMENTS

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**2022 No. 1230**

The Police, Fire and Crime Commissioner for  
Cumbria (Fire and Rescue Authority) Order 2022

PART 4

Transitional provisions and modification

**Shadow authority**

**11.**—(1) The person who is for the time being the PCC is the shadow fire and rescue authority for the area specified in article 3(3), for the period beginning on 1 January 2023 and ending on 1st April 2023.

(2) The shadow fire and rescue authority has the functions of a fire and rescue authority created by an order under section 4A of the 2004 Act, for the purposes of Chapter 4 (precepts) and Chapter 4ZA (referendums relating to council tax increases) of the Local Government Finance Act 1992<sup>(1)</sup>.

(3) The Police and Crime Panels (Precepts and Chief Constable Appointments) Regulations 2012<sup>(2)</sup> have effect, as modified by the Fire and Rescue Authority (Police and Crime Commissioner) (Application of Local Policing Provisions, Inspection, Powers to Trade and Consequential Amendments) Order 2017<sup>(3)</sup>, in relation to the scrutiny of a proposed precept prepared by the shadow fire and rescue authority created under paragraph (1).

**Provision for continuity in the exercise of functions**

**12.**—(1) Anything to which paragraph (2) applies is deemed to have been done by or in relation to the Cumbria Commissioner Fire and Rescue Authority.

(2) This paragraph applies to anything done on or before 31st March 2023 by or in relation to—

- (a) Cumbria County Council in the exercise of its functions as a fire and rescue authority, or
- (b) the shadow fire and rescue authority referred to in article 11(1).

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

**13.**—(1) The Local Government Pension Scheme Regulations 2013<sup>(4)</sup> are modified as follows.

(2) Regulation 64 (special circumstances where revised actuarial valuations and certificates must be obtained) is to be read as if after paragraph (8) there were inserted—

“(8A) Paragraph (8B) applies where the exiting employer is Cumbria County Council and the liabilities of the fund in respect of benefits due to that Authority’s current and former employees (or those of any predecessor authority) have been or are to be transferred to the

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(1) 1992 c. 14.

(2) S.I. 2012/2271.

(3) S.I. 2017/863.

(4) S.I. 2013/2356, amended by S.I. 2014/1012, 2014/1146, 2015/755, 2016/449, 2016/653, 2017/126, 2017/251, 2017/612, 2018/103, 2018/269, 2018/493, 2018/1133, 2019/615, 2020/123, 2020/179, 2020/893, 2021/272.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Cumbria Commissioner Fire and Rescue Authority under a transfer scheme made under section 4C of the Fire and Rescue Services Act 2004.

(8B) Where this paragraph applies, no exit payment is due under paragraph (1) and paragraph (2) does not apply.”