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STATUTORY INSTRUMENTS

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**1987 No. 1850**

**The Local Government Superannuation  
(Scotland) Regulations 1987**

**PART R**

**MISCELLANEOUS POWERS AND DUTIES OF AUTHORITIES**

**Information to be supplied by certain employees**

**R1.**—(1) Subject to paragraph (4)—

- (a) within 3 months after a person enters the employment of a scheduled body, and
- (b) within 6 months after any change which is material for the purposes of these Regulations occurs in or in relation to a person's employment under a scheduled body,

the body are to request the person in writing to provide them with the documents specified in paragraph (2).

(2) The documents mentioned in paragraph (1) are—

- (a) a statement in writing of all his previous periods of employment (whether by a scheduled body or by any other person) and any national service and war service, and
- (b) copies of all notifications previously given to him under these Regulations, the 1974 Regulations, the Local Government Superannuation (Administration) (Scotland) Regulations 1954<sup>(1)</sup> or the Local Government Superannuation (Administration) (Scotland) Regulations 1938<sup>(2)</sup>.

(3) A request under paragraph (1) is to include a conspicuous statement directing the attention of the employee to the importance of his providing full and accurate information and warning him that any omission or inaccuracy may prejudice the ascertainment of his rights under these Regulations.

(4) Paragraph (1) does not apply where the body are satisfied—

- (a) that the person is not a pensionable employee, or
- (b) that they, or the administering authority if different, already have a complete and accurate record of any previous service or employment which is relevant for the purposes of these Regulations.

**Records to be kept by authorities**

**R2.**—(1) A scheduled body are to keep, in such form as they think fit, a record of—

- (a) the name of, and
- (b) all their decisions under regulation N2 in relation to,

each of their pensionable employees.

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(1) [S.I. 1954/1243](#)

(2) [S.R. & O. 1938/245](#)

- (2) An administering authority are to keep, in such form as they think fit, a record of—
- (a) the name of, and
  - (b) all their decisions under regulation N3 or N4 in relation to,
- every pensionable employee in relation to whom they are the appropriate administering authority.

### **Transmission of documents and information**

**R3.**—(1) A scheduled body who are not an administering authority are to send the appropriate administering authority, as soon as is reasonably practicable—

- (a) copies of all documents provided under regulation R1,
- (b) copies of all notifications of decisions made under regulation N2 or N5,
- (c) copies of all statements and statutory declarations provided under regulation C10, and
- (d) such other documents and information as the administering authority may reasonably require for the purposes of discharging their functions under these Regulations.

(2) A scheduled body who are not an administering authority—

- (a) on receiving from a pensionable employee notice of his intended retirement, or
- (b) on giving an employee notice to terminate his employment in circumstances in which he may become entitled to a return of contributions or to a benefit payable out of the appropriate superannuation fund, or
- (c) on becoming aware of any other circumstances which may necessitate any payment out of that fund,

are to comply, as soon as is reasonably practicable, with the requirements in paragraph (3).

(3) The requirements mentioned in paragraph (2) are to inform the appropriate administering authority of the notice or other circumstances and—

- (a) send them particulars of the employee's remuneration during the period that is relevant to a decision on the amount of the benefit that may become payable to or in respect of him, and
- (b) send them a copy of any relevant medical or death certificate and of any certificate issued by the body under regulation E24.

(4) An administering authority when notifying a person who is not in their employment of a decision under regulation N3 or N4 are to send a copy of the notification to the body, if any, who are the employing authority in relation to that person.

(5) If an administering authority decide, or the Secretary of State determines under regulation N8, that the conditions specified in regulation F3(2) to (9) are satisfied in relation to a person, and regulation F3(2)(f) applies and the scheme designated under regulation F5(2)(b) is not a scheme specified in Schedule 15, the authority shall as soon as is reasonably practicable—

- (a) inform the scheme managers of the designated scheme that on receipt by the authority of a transfer value (calculated in accordance with Part V of Schedule 16) regulation F6(1) (reckonable service and benefits in respect of war service) would apply to the person, and
- (b) inform them of the rate or amount, as the case may be, to be used in ascertaining C of the formula set out in that Part.

### **Provisions as to contributions equivalent premiums**

**R4.**—(1) Where a scheduled body pay a contributions equivalent premium under Part III of the Pensions Act in respect of any pensionable employee, they are entitled to recover, or if they are an administering authority to retain, out of the appropriate superannuation fund a sum not exceeding the

amount of that premium, less the amount (if any) which they could recover or retain under section 47 of that Act in respect of the premium.

(2) Where such a contributions equivalent premium is refunded under regulation 8(3)(c) of the Occupational Pension Schemes (Contracting-out) Regulations 1984<sup>(3)</sup>, the authority to whom it is refunded shall pay to the superannuation fund to which the person involved has become a contributor a sum equal to the amount of the premium.

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(3) [S.I. 1984/380](#), to which there are amendments not relevant to these Regulations.