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STATUTORY INSTRUMENTS

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**1987 No. 1850**

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

**PART B**

**PENSIONABLE EMPLOYMENT**

**Power to admit employees of other bodies**

**B6.**—(1) Subject to paragraphs (3) to (6), an administering authority may make an agreement (“an admission agreement”) with any body specified in paragraph (8) providing for employees of that body (“the employing body”) to participate in the benefits of the superannuation fund or further fund maintained by the authority.

(2) In relation to an employee participating in the benefits of a fund by virtue of an admission agreement (“an admitted employee”) these Regulations have effect as if he were a pensionable employee and the employing body were a scheduled body.

(3) Subject to paragraph (4), an admission agreement may provide for members of any specified class or classes of employees of the employing body to become admitted employees.

(4) An admission agreement may not provide for any person who—

- (a) has not attained the age of 18 years, or
- (b) has attained the age of 65 years and does not fall within regulation B1(12)(e),

to become an admitted employee.

(5) Except as provided in paragraph (6), an admission agreement cannot confer any greater or lesser rights or liabilities on any admitted employee than those he would have had if he had become a pensionable employee by virtue of regulation B1.

(6) An admission agreement may—

- (a) provide that any previous period of employment of an admitted employee by the employing body is to be reckonable as reckonable service to such extent as may be specified in the agreement,
- (b) where the employing body is a development corporation established under the New Towns (Scotland) Act 1968(1), provide that a percentage, not exceeding 4.4%, of the remuneration of an admitted employee shall, if he is an employee of a description specified for the purpose in the agreement, be treated as not being remuneration for the purposes of these Regulations, and
- (c) in the case of an employee of a body specified in column (1) of Schedule 20 who is admitted to participate in the benefits of a superannuation fund or further fund on or after the date in column (2) of Schedule 20 appropriate to the body by reason of an agreement made under this regulation or regulation B4 of the 1974 Regulations, contain a provision

providing for the termination of the agreement and where an agreement is so terminated then for the purposes of these Regulations other than regulation C12 that person shall be treated as if he had on the day on which the agreement terminated ceased to hold the employment or employments in respect of which he was admitted to participate in the benefits of the superannuation fund or further fund.

(7) On making an admission agreement an administering authority shall forthwith inform the Secretary of State of the name of the employing body and the date from which the agreement takes effect.

(8) The bodies mentioned in paragraph (1) are—

- (a) a voluntary organisation engaged in the provision of services—
  - (i) under Part III of the National Health Service (Scotland) Act 1978<sup>(2)</sup>; or
  - (ii) under Part III of the National Assistance Act 1948<sup>(3)</sup>; or
  - (iii) under the Disabled Persons (Employment) Act 1958<sup>(4)</sup>; or
  - (iv) under the Mental Health (Scotland) Act 1984<sup>(5)</sup>; or
  - (v) under section 14 of the Social Work (Scotland) Act 1968<sup>(6)</sup>;
- (b) a body representative of local authorities or of local authorities and officers of local authorities or a body representative of officers of local authorities formed for the purpose of consultation as to the common interests of those authorities and the discussion of matters relating to local government;
- (c) a body authorised by any enactment to carry on any railway, light railway, tramway, road transport, water transport, canal, inland navigation, dock, harbour, pier, lighthouse or airport undertaking or any undertaking for the supply of electricity, gas, hydraulic power or water;
- (d) a body approved for the purposes of this regulation by the Secretary of State who are primarily engaged in carrying on any undertaking of a kind mentioned in sub-paragraph (c) though not authorised by any enactment to carry on any such undertaking;
- (e) a body who provide a public service in the United Kingdom otherwise than for the purposes of gain;
- (f) a body to whose funds any local authority contribute or to whom any grant is made out of monies provided by Parliament;
- (g) a development corporation established under the New Towns (Scotland) Act 1968.

(9) Any agreement made under regulation B4 of the 1974 Regulations, or continued in force by regulation 14 of the 1974 Regulations as if so made, continues in force as if it were an admission agreement made under this regulation.

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(2) 1978 c. 29  
(3) 1948 c. 29  
(4) 1958 c. 33  
(5) 1984 c. 36  
(6) 1968 c. 49