
STATUTORY INSTRUMENTS

1992 No. 172

**The Local Government Superannuation
(Amendment) Regulations 1992**

PART VI

AMENDMENTS HAVING EFFECT AS FROM 1ST APRIL 1990

Pensionable employees

- 19.** Regulation B1 of the principal Regulations is amended—
- (a) in paragraph (2), by substituting for the word “officer” the word “employee”;
 - (b) by deleting paragraph (3);
 - (c) in paragraph (17)(d), by substituting for the word “18” the word “16”.

Opting into pensionable employment

- 20.** Regulation B1A of the principal Regulations⁽¹⁾ is amended—
- (a) by inserting after paragraph (2) the following:

“(2A) A whole-time employee who commences his employment after 31st March 1990 shall, if he is eligible to make an election under paragraph (1), be deemed to have made such an election unless, before commencing his employment, he notifies the employing authority in writing that he does not wish to become a pensionable employee.”;
 - (b) by inserting after paragraph (3) the following:

“(3A) Subject to paragraph (4), where a person is deemed by virtue of paragraph (2A) to have made an election, the election shall have effect from the date on which he commences his employment with the employing authority.”.

Opting out of pensionable employment

- 21.** Regulation B1B of the principal Regulations⁽²⁾ is amended—
- (a) in paragraph (2), by substituting for the words “paragraph (3)” the words “paragraphs (3) and (7)”;
 - (b) by inserting after paragraph (6) the following:

“(7) Where a person gives a notification under paragraph (1) within 3 months after first becoming a pensionable employee, he shall be treated as never having been a pensionable employee.

(1) Regulation B1A was inserted by [S.I. 1988/466](#), regulation 3(2).

(2) Regulation B1B was inserted by [S.I. 1988/466](#), regulation 3(2).

(8) Where a person first becomes a pensionable employee after 31st March 1990 and before 28th February 1992, paragraph (7) shall have effect as if he had first become a pensionable employee on 28th February 1992.”

Power to admit employees of other bodies

22. Regulation B3(4) of the principal Regulations is amended by substituting for the word “18” the word “16”.

Gratuities

23. Regulation K1(3)(a) of the principal Regulations is amended by substituting for the word “18” the word “16”.

Pensions increase

24. Regulation P14(2) of the principal Regulations⁽³⁾ is amended by inserting after sub-paragraph (c) the following:

“, and

- (d) where the last employing authority ceases after 31st March 1990 to be a body which is required by regulation P7 to contribute to that superannuation fund, the Schedule shall have effect in relation to so much of the cost of any such increase as, in the opinion of the fund’s actuary, has not already been provided for by contributions paid under that regulation.”.

Pensionable employees

25. Schedule 2 to the principal Regulations is amended—

- (a) in Part II, by substituting for the words “which is a local authority for the purposes of the Local Loans Act 1875.” the words “which is a precepting authority, as defined in section 144 of the Local Government Finance Act 1988⁽⁴⁾, a levying body within the meaning of section 74 of that Act, or a body as regards which section 75 of that Act applies.”;
- (b) by deleting Part III;
- (c) in Part IV, by deleting sub-paragraphs (4)(a) and (5) of paragraph 1.

⁽³⁾ A new regulation P14 was substituted by [S.I. 1990/503](#), regulation 3(1).

⁽⁴⁾ [1988 c. 41](#).