



Local Government (Miscellaneous Provisions) Act 1976

1976 CHAPTER 57

PART I

GENERAL

Financial provisions

30 Power to forgo repayment of advances of remuneration paid to deceased employees.

- (1) If a person in the employment of a local authority—
- (a) receives from the authority remuneration in respect of a future period on the assumption that he will be employed in that employment throughout that period; and
 - (b) dies before the expiration of that period,

the authority may, subject to the following subsection, forgo the repayment of so much of the remuneration as relates to the period after his death.

- (2) An authority shall not be entitled to forgo such a repayment in respect of a period after the relevant death if—
- (a) a pension is payable for that period in respect of the deceased out of money provided by Parliament or out of a fund which is maintained by the authority or into which contributions have been paid by the authority in respect of service of the deceased; and
 - (b) the rate of the pension is not less than the rate of relevant remuneration which was received by the deceased for his last year of service in the employment in question or, if relevant remuneration at different rates was received by him for that year, is not less than the highest of those rates;

and in paragraph (b) of this subsection “relevant remuneration”, in relation to a deceased person and a year, means remuneration which would have fallen to be taken into account in respect of that year in calculating a retirement pension payable to him

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Local Government (Miscellaneous Provisions) Act 1976, Section 30. (See end of Document for details)

in respect of the employment in question on his attaining pensionable age and being granted such a retirement pension.

- (3) References to a local authority in the preceding provisions of this section include a body which is a police authority by virtue of the ^{M1}Police Act 1964 other than the Secretary of State; and for the purposes of those provisions a member of a police force maintained by such a body shall be treated as employed by the body and references to employment in those provisions shall be construed accordingly.

Modifications etc. (not altering text)

C1 S. 30 amended by Local Government Act 1985 (c. 51, SIF 81:1), s. 57(7), **Sch. 13 para. 13(g)**

C2 S. 30 extended (5.7.1994) by 1994 c. 19, s. 39, **Sch. 13 para. 20(f)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

Marginal Citations

M1 1964 c. 48.

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