

1980 No. 216

PENSIONS

**The Local Government Superannuation
(Amendment) Regulations 1980**

<i>Made</i>	-	-	-	<i>19th February 1980</i>
<i>Laid before Parliament</i>				<i>28th February 1980</i>
<i>Coming into Operation</i>				<i>25th March 1980</i>

The Secretary of State for the Environment, in exercise of the powers conferred upon him by section 110(1) of the National Insurance Act 1965(a), having been determined by the Minister for the Civil Service to be the appropriate Minister of the Crown under that section, and in exercise of the powers conferred upon him by section 7 of the Superannuation Act 1972(b), and of all other powers enabling him in that behalf, after consultation with such associations of local authorities as appeared to him to be concerned, the local authorities with whom consultation appeared to him to be desirable and such representatives of other persons likely to be affected by the regulations as appeared to him to be appropriate, hereby makes the following regulations:—

Citation etc.

1.—(1) These regulations may be cited as the Local Government Superannuation (Amendment) Regulations 1980 and shall come into operation on 25th March 1980.

(2) These regulations and the Local Government Superannuation Regulations 1974 to 1979(c) may be cited together as the Local Government Superannuation Regulations 1974 to 1980.

(3) In these regulations, the “principal regulations” means the Local Government Superannuation Regulations 1974(d).

Reduction of contributions

2. Regulation F5 of the principal regulations is amended by inserting after the word “Contributions” the words “for any period ending before 1st April 1980”.

(a) 1965 c. 51 (continued in force by regulation 3 of, and Schedule 1 to, the National Insurance (Non-participation—Transitional Provisions) Regulations 1974 (S.I. 1974/2057)).

(b) 1972 c. 11.

(c) S.I. 1974/520, 1977/1121, 1845, 1978/266, 822, 1738, 1739, 1979/2, 592, 1534.

(d) S.I. 1974/520, relevant amendments are made by S.I. 1978/266 and 1979/1534.

“local authorities” means

- (a) in Greater London the Inner London Education Authority and the councils of outer London boroughs,
- (b) in England and Wales outside Greater London the councils of non-metropolitan counties and metropolitan districts,
- (c) in Scotland the councils of islands areas and regions,
- (d) in Northern Ireland Education and Library Boards;

“the Lomé Convention” means the ACP-EEC Convention of Lomé, signed at Lomé on 28th February 1975 between the African, Caribbean and Pacific States of the one part and the European Economic Community of the other part as set out in Council Regulation (EEC) No. 199/76 of 30th January 1976(a);

“the Minister” means the Minister of Agriculture, Fisheries and Food;

“the quota” means the Community quota for the importation of frozen beef and veal provided for by Council Regulation (EEC) No. 2956/79 of 20th December 1979(b) opening, allocating and providing for the administration of a Community tariff quota for frozen beef and veal falling within subheading 02.01 AIIb) of the Common Customs Tariff (1980).

3.—(1) The Minister shall determine the allocation of the United Kingdom’s share of the quota.

(2) The determination mentioned in paragraph (1) of this article shall be made by the Minister by allocating an amount not exceeding one third of the United Kingdom’s share to Government Departments and local authorities, and allocating the remainder to importers of frozen beef and veal by reference to the amounts of frozen beef and veal which such importers have imported from outside the European Economic Community and entered for home use during the period from 1st November 1976 to 31st October 1979, other than any amounts imported free of duty pursuant to the Lomé Convention during that period. Any such allocation shall be made subject to such conditions as appear to the Minister to be expedient to secure the object or prevent abuse of the relief.

4. Any entitlement to relief under the United Kingdom’s share of the quota shall be subject to:

- (a) the production of the licence in respect of the goods on which relief is sought appropriately endorsed by the Board with a statement that the amount of frozen beef or veal appearing in the licence may be imported free of levy under the quota;
- (b) the observance by the importer of any conditions subject to which the allocation was made.

5. No licence, endorsed with the statement referred to in article 4(a) of this order, may be issued to an importer unless the Board is satisfied, after taking into account any levy-free imports of beef or veal authorised under previous licences issued to that importer, that the amount of levy-free beef or veal allocated to him in pursuance of this order will not be exceeded by the import of beef or veal under that licence.

(a) O.J. No. L25, 30.1.76, p. 1.

(b) O.J. No. L336, 29.12.79, p. 3.

Reduction of benefit attributable to added years etc.

7. Regulation F15 of the principal regulations is amended by inserting at the beginning the words "Subject to regulation F15A,".

8. The principal regulations are amended by inserting after regulation F15 the following regulation —

"**F15A.** In the case of a person to whom regulation F12(1) applies who makes any additional contributions in respect of years added under regulation D10 which are payable on or after 1st April 1980, no reduction to any part of the pension to which the person concerned subsequently becomes entitled is to be made under the provisions of this Part in connection with those added years."

Calculation of ill-health pension

9. Regulation F16 of the principal regulations is amended by inserting after the words "within Case B" the words "and he ceased to hold the employment in respect of which the pension is payable before 1st April 1980".

Right to reckon service

10. Regulation N8(4) of the principal regulations is amended by inserting after the word "and" where second occurring the words ", in the case of a person who became employed in his local government employment before 1st April 1980,".

National Insurance modification for flat-rate pension

11. Regulation N10(1) of the principal regulations is amended by inserting after the word "where—" the following sub-paragraph—

"(aa) he became employed in his local government employment before 1st April 1980; and".

National Insurance modification for graduated retirement pension

12. Regulation N11(1) of the principal regulations is amended by inserting after the word "where—" the following sub-paragraph—

"(aa) he became employed in his local government employment before 1st April 1980; and".

19th February 1980.

Michael R. D. Heseltine,
Secretary of State for the Environment.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations further amend the Local Government Superannuation Regulations 1974. They provide for the discontinuance of the modification of the local government superannuation scheme on account of flat-rate retirement pensions under section 28 of the Social Security Act 1975 for periods of employment after 31st March 1980.