
 STATUTORY INSTRUMENTS

1980 No. 342 (S.32)

PENSIONS

**The Local Government Superannuation (Scotland)
Amendment (No. 2) Regulations 1980**

Made - - - - - 5th March 1980

Laid before Parliament 10th March 1980

Coming into Operation 1st April 1980

In exercise of the powers conferred on me by section 7 of the Superannuation Act 1972(a) and section 110 of the National Insurance Act 1965(b) as continued in force by regulation 3 of the National Insurance (Non-participation—Transitional Provisions) Regulations 1974(c) as read with section 3(3) of and paragraph 7 of Schedule 3 to the Social Security (Consequential Provisions) Act 1975(d) being the appropriate Minister for the purposes of the said section 110 in relation to the schemes for the provision of pensions and other benefits under regulations made under section 7 of the Superannuation Act 1972, and of all other powers enabling me in that behalf, after consultation with such associations of local authorities as appeared to me to be concerned and such representatives of other persons likely to be affected by the regulations as appeared to me to be appropriate, I hereby make the following regulations:—

Title and commencement

1.—(1) These regulations may be cited as the Local Government Superannuation (Scotland) Amendment (No. 2) Regulations 1980 and the Local Government Superannuation (Scotland) Regulations 1974 to 1980(e) (in these regulations referred to as “the principal regulations”) and these regulations may be cited together as the Local Government Superannuation (Scotland) Regulations 1974 to 1980.

(2) These regulations shall come into operation on and have effect from 1st April 1980.

Interpretation

2. In these regulations, unless the context otherwise requires, words and expressions to which meanings are assigned by the principal regulations have the same respective meanings.

Reduction of contributions

3. In regulation F5 of the principal regulations after the word “Contributions” there shall be added the words “for any period ending before 1st April 1980”.

Reduction of contributions in respect of added years, etc.

4.—(1) At the beginning of regulation F6(1) of the principal regulations there shall be added the words “Subject to paragraph (1A),”.

(a) 1972 c. 11.

(b) 1965 c. 51.

(c) S.I. 1974/2057

(d) 1975 c. 18.

(e) S.I. 1974/812; 1975/638; 1978/425,1378, 1794, 1926; 1980/198..

(2) After regulation F6(1) of the principal regulations there shall be added the following regulation—

“(1A). No reduction shall be made under paragraph (1)(a) for any additional contributions in respect of years added under regulation D10 which are payable on or after 1st April 1980.”.

Reduction of pension

5.—(1) At the end of regulation F7(2A) of the principal regulations there shall be added the words “and had provided that service on or after 1st April 1980 was not to be taken into account in calculating that basic reduction”.

(2) After regulation F7(3) of the principal regulations there shall be added the following regulation—

“(3A). In the case of a person to whom regulation F6(1)(a) 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 the retirement pension is to be made under this regulation in connection with those added years.”.

(3) In regulation F7(4) of the principal regulations after the words “under Schedule 9” there shall be added the words “and he ceased to hold the employment in respect of which the pension is payable before 1st April 1980”.

Old modification schemes

6.—(1) At the end of regulation F9(2) of the principal regulations there shall be added the words “,but no such modifications shall be made in respect of contributions for any period ending on or after 1st April 1980”.

(2) In regulation F9(3) of the principal regulations after the words “modification scheme” there shall be added the words “,but no such modification shall be made in respect of any service on or after 1st April 1980”.

Reduction of payments for added years and additional contributory payments

7.—(1) At the beginning of regulation F12(1) of the principal regulations there shall be added the words “Subject to paragraph (1A),”.

(2) After regulation F12(1) of the principal regulations there shall be added the following regulation—

“(1A). No reduction shall be made under paragraph (1) for any additional contributions in respect of years added under regulation D10 which are payable on or after 1st April 1980.”.

Reduction of benefit attributable to added years, etc.

8.—(1) At the beginning of regulation F15 of the principal regulations there shall be added the words “Subject to regulation F15A,”.

(2) After regulation F15 of the principal regulations there shall be added 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. In regulation F16 of the principal regulations after the words "within case B" there shall be added the words "and he ceased to hold the employment in respect of which the pension is payable before 1st April 1980".

National Insurance modification of retirement pension in respect of the period reckonable by virtue of regulation P8 as reckonable service

10.—(1) In regulation P10(1) of the principal regulations—

(a) after the word "applies" there shall be added the words "and who became employed in his local government employment before 1st April 1980"; and

(b) for the words "his local government" where they occur for the first time there shall be substituted the word "that".

(2) In regulation P10(2) of the principal regulations after the word "applies" there shall be added the words "and who became employed in his local government employment before 1st April 1980".

George Younger,
One of Her Majesty's Principal
Secretaries of State.

New St. Andrew's House,
Edinburgh.
5th March 1980.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Local Government Superannuation (Scotland) Regulations 1974 to 1978 to provide for the cessation of National Insurance flat-rate modification of contributions and benefits in respect of service on or after 1st April 1980.

