
STATUTORY INSTRUMENTS

1986 No. 24

The Local Government Superannuation Regulations 1986

PART K
GRATUITIES

Power to grant gratuities

K1.—(1) Any scheduled body may grant to any employee on his ceasing to be employed by them, or to the widow or any other dependant of an employee who dies in their employment, a gratuity either—

- (a) by way of a lump sum not exceeding an amount equal to twice that of the annual emoluments of the employment; or
- (b) by way of periodical payments not exceeding in the aggregate the amount aforesaid; or
- (c) by way of an annuity the capital value of which does not exceed the amount aforesaid:

Provided that—

- (i) a gratuity granted under this paragraph shall not be paid out of the superannuation fund;
 - (ii) this paragraph shall not apply in the case of a pensionable employee who is entitled to any payment out of the superannuation fund other than a return of contributions.
- (2) Where a body have granted a gratuity to an employee under paragraph (1) and either—
- (a) the gratuity was by way of periodical payments and the employee dies before all the payments are completed; or
 - (b) the gratuity was by way of an annuity and the employee dies before receiving an aggregate amount equal to the capital value of the annuity,

the body may grant a gratuity to the widow or any other dependant of the employee, and for that purpose paragraph (1) shall have effect as if the employee had died while in the employment of the body but as if for the amount specified in that paragraph there were substituted the aggregate amount of the periodical payments outstanding at the employee's death or, as the case may be, the difference between the capital value of the annuity and the aggregate amount of the payments made to the employee before his death.

Application to certain other bodies

K2.—(1) Subject to paragraphs (2) to (5), regulation K1 applies in relation to—

- (a) a probation committee,
- (b) a magistrates' courts committee, and
- (c) the committee of magistrates for the inner London area,

as if the committee were a scheduled body.

(2) The probation committee for an area other than the inner London area are to report any decision made by them under regulation K1 to the body responsible for defraying the expenses of

the committee, or, where two or more bodies contribute to the defraying of those expenses, to each of those bodies.

(3) A magistrates' courts committee are to report any decision made by them under regulation K1 to the body who paid the employee's remuneration.

(4) Where a report is made under paragraph (2) or (3) above, regulation N8 has effect as if any body receiving the report were a person mentioned in paragraph (3) of regulation N8 (service of notice of appeal) and paragraph (2) of regulation N8 were omitted.

(5) Any decision made under regulation K1 by—

- (a) the probation committee for the inner London area, or
- (b) the committee of magistrates for that area,

is to be reported by the committee to the Secretary of State, and has no effect until approved by him; and any gratuity granted by virtue of such an approved decision is to be paid by the Receiver for the Metropolitan Police District.