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STATUTORY INSTRUMENTS

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**1986 No. 24**

**The Local Government Superannuation Regulations 1986**

**PART C**

**PAYMENTS BY EMPLOYEES**

**Appropriate superannuation fund**

**C1.**—(1) Subject to paragraphs (2) and (3), in relation to a pensionable employee of an administering authority the appropriate superannuation fund is the fund maintained by that authority.

(2) In relation to a person who—

- (a) is a pensionable employee of a London borough council or of the Common Council, and
- (b) immediately before 1st April 1974 was by virtue of article 14 or 15 of the London Authorities (Superannuation) Order 1965(1) entitled to participate in the benefits of the superannuation fund maintained under Part I of the Act of 1937 by the Greater London Council, and
- (c) became a pensionable employee on 1st April 1974, and
- (d) during the period beginning on 1st April 1974 and ending with 28th February 1986 continued in the employment of the same London borough council, or, as the case may be, of the Common Council,

the appropriate superannuation fund is, so long as he continues in the employment of the body in question, the fund maintained by the Greater London Council.

(3) In relation to a pensionable employee who was transferred after 30th June 1985 by or under the Greater London Council (Staff Transfer and Protection) Order 1979(2), the appropriate superannuation fund is, for any period before 1st April 1986 during which he continues to be employed by the authority to which he was transferred, the superannuation fund maintained by the Greater London Council.

(4) In relation to a person who—

- (a) is a pensionable employee by virtue of regulation B1(11) and
- (b) immediately before 1st April 1974 was entitled to participate in the benefits of the superannuation fund maintained under Part I of the Act of 1937 by—
  - (i) the Greater London Council, or
  - (ii) Newham London borough council,

the appropriate superannuation fund is the fund maintained by the same body.

(5) In relation to a person who—

- (a) is a pensionable employee by virtue of regulation B1(13), or

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(1) S.I. 1965/621.  
(2) S.I. 1979/1737.

(b) is a pensionable employee of the probation committee for any area in Greater London other than the City of London probation area, or

(c) is a pensionable employee of the London Residuary Body,

the appropriate superannuation fund is the fund maintained by the Greater London Council.

(6) In relation to a pensionable employee of a water authority, the appropriate superannuation fund is the fund which the Severn-Trent Water Authority became required to maintain by virtue of regulation 5 of the Local Government Superannuation (National Water Council Dissolution) Regulations 1983(3) (“the dissolution regulations”).

(7) In relation to a person to whom these regulations apply by virtue of an agreement made under regulation B3 with the Severn-Trent Water Authority, the appropriate superannuation fund is the second fund which that authority became required to maintain by virtue of regulation 3 of the dissolution regulations.

(8) Subject to paragraph (9), in relation to a pensionable employee whose case does not fall within paragraphs (1) to (6) the appropriate superannuation fund is the fund maintained by the administering authority within whose area lies the greater part of the area of his employing authority.

(9) Where paragraph (8) applies to any pensionable employees of a scheduled body the Secretary of State may, after consultation with the bodies appearing to him to be concerned, by direction substitute as the appropriate superannuation fund in relation to those employees or any of them the fund maintained by some other administering authority (“the substituted fund”).

(10) A direction under paragraph (9) may—

(a) require the making of financial adjustments between the funds, whether by way of a payment to the substituted fund or of a transfer of assets or both, or

(b) contain provision as to the transfer of liabilities to the substituted fund and any other consequential and incidental matters.