
STATUTORY INSTRUMENTS

1987 No. 1850

**The Local Government Superannuation
(Scotland) Regulations 1987**

PART B

PENSIONABLE EMPLOYMENT

Other elections as to pensionability

B4.—(1) A person may by notice in writing to the employing authority elect to cease to be a pensionable employee if—

- (a) he is in a relevant employment as defined in regulation B3(2) or relevant employments, and
 - (i) he was a pensionable employee on 31st March 1986,
 - (ii) there has since been no period of a day or more during which he was not a pensionable employee, and
 - (iii) he is not a person who falls within regulation B3(6)(b), or
- (b) he has made an election under regulation B2A of the 1974 Regulations or regulation B3 while in a relevant employment falling within regulation B3(2)(a), and—
 - (i) is in a single relevant employment falling within regulation B3(2)(b) of that definition and is not in any relevant employment falling within regulation B3(4)(b), or
 - (ii) is in relevant employments falling within regulation B3(3).

(2) An election under paragraph (1) has effect from the date on which it is made, and for so long as the person who made it continues to be in a relevant employment or relevant employments.

(3) While an election under paragraph (1) has effect the person who made it is not entitled—

- (a) under regulation B1 to be a pensionable employee in any superannuation fund maintained under these Regulations, or
- (b) to make any election under regulation B3.

(4) If—

- (a) a person became entitled by virtue of an election or elections under regulation B3 to participate in the benefits of the appropriate superannuation fund in relation to one or more employments, and
- (b) the contractual hours, or as the case may be the total of the contractual hours, have become fewer than 15, or the contractual weeks have become fewer than 35,

he may elect to cease to be a pensionable employee.

(5) An election under paragraph (4) must be made in writing to the employing authority within 6 months from the date on which the contractual hours or as the case may be the total of the contractual hours became fewer than 15, or the contractual weeks became fewer than 35.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(6) For the purposes of these Regulations other than regulation C12 a person who makes an election under paragraph (1) or paragraph (4) shall be treated as if he had, on the date on which the election was made, ceased to hold the employment or employments in which he was a Pensionable employee.