
STATUTORY INSTRUMENTS

1993 No. 3030

PENSIONS

**The Local Government Superannuation
(Educational Institutions) Regulations 1993**

<i>Made</i>	- - - -	<i>3rd December 1993</i>
<i>Laid before Parliament</i>		<i>10th December 1993</i>
<i>Coming into force</i>	- -	<i>31st December 1993</i>

The Secretary of State for the Environment, in exercise of the powers conferred on him by sections 7 and 12 of the Superannuation Act 1972(1) 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, with the local authorities with whom consultation appeared to him to be desirable and with 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, commencement and interpretation

1.—(1) These Regulations may be cited as the Local Government Superannuation (Educational Institutions) Regulations 1993 and shall come into force on 31st December 1993, but shall have effect—

(a) in the case of regulations 2 and 5(b), as from 1st April 1989; and

(b) in the case of regulations 3, 4 and 5(a), as from 1st April 1993.

(2) In these Regulations “the principal Regulations” means the Local Government Superannuation Regulations 1986(2).

Pensionable employees

2. Regulation B1 of the principal Regulations shall be amended by deleting paragraph (6A)(3).

Appropriate superannuation fund

3. Regulation C1 of the principal Regulations shall be amended—

(1) 1972 c. 11; section 12 was amended by section 10 of the Pensions (Miscellaneous Provisions) Act 1990 (c. 7).

(2) S.I.1986/24; relevant amending instruments are S.I. 1989/372, 1462, 1815, 1992/172.

(3) Paragraph (6A) was inserted by S.I. 1989/372, regulation 2.

- (a) in paragraph (5A) by substituting for the words from the beginning to “London Residuary Body” the words Subject to paragraph (9), in relation to a pensionable employee of a further education corporation, a higher education corporation, a designated institution or the governing body of a grant– maintained school, the appropriate superannuation fund is–
- (a) in the case of an institution or school formerly assisted or maintained by the Inner London Education Authority, or a corporation which has been established for the purpose of conducting an institution or school formerly assisted or maintained by that Authority, the fund maintained by the London Pensions Fund Authority;
- (b) by inserting after paragraph (5A) the following paragraph–
- “(5B) For the purposes of paragraph (5A),–
- (a) a further education corporation and a higher education corporation shall be treated as situated where the institution conducted by the corporation is situated; and
- (b) “assisted” and “maintained”, in relation to an institution or school, have the same meaning as in the Education Act 1944.”(4); and
- (c) in paragraph (9) by inserting after the words “where paragraph” the words “(5A)(a) or”.

Glossary of expressions

4. Schedule 1 to the principal Regulations shall be amended–

- (a) in the definition of “designated institution”(5) by adding at the end the words “or section 28 of the Further and Higher Education Act 1992”(6);
- (b) by inserting after the definition of “The former regulations” the following definition–

“Further education corporation”	A body corporate established under section 15 or 16 of the Further and Higher Education Act 1992 or in respect of which an order has been made under section 47 of that Act.”; and
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- (c) by substituting for the definition of “higher education corporation” the following definition–

“Higher education corporation”	A body corporate established under section 121 or 122 of the Education Reform Act 1988 or in respect of which an order has been made under section 122A of that Act.”(7).
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Pensionable employees

5. Schedule 2 to the principal Regulations shall be amended–

- (a) in column (1) of Part I, by inserting after the item relating to “The Broads Authority”(8) the following:

(4) 1944 c. 31.

(5) The entry was inserted by S.I. 1989/372, regulation 6(a).

(6) 1992 c. 13.

(7) 1988 c. 40. Section 122A was inserted by section 74 of the Further and Higher Education Act 1992.

(8) The item was inserted by S.I. 1989/372, regulation 7.

“A further education corporation.”;

(b) in Part II, by adding at the end the following:

“A whole-time employee of a designated institution which immediately before designation was assisted or maintained (within the meaning of the Education Act 1944) by a local education authority.

A whole-time employee of the governing body of a grant-maintained school which immediately before becoming such a school was a voluntary school.”.

Signed by authority of the Secretary of State

3rd December 1993

David Curry
Minister of State,
Department of the Environment

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Local Government Superannuation Regulations 1986.

Provision is made for the pensionable status of persons employed by further education corporations or institutions which, respectively, are established or designated under the Further and Higher Education Act 1992, and for the appropriate superannuation fund in relation to any such person. The Regulations also remove restrictions on the qualification for pensionable status of employees of a designated institution formerly assisted by a local educational authority and of the governing body of a grant-maintained school which was formerly a voluntary school.

The Regulations are, by virtue of section 12 of the Superannuation Act 1972, made retrospective to either 1st April 1989 (regulations 2 and 5(b)) or 1st April 1993 (regulations 3, 4 and 5(a)).