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STATUTORY INSTRUMENTS

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**1994 No. 948**

**PENSIONS**

**The Local Government Superannuation (Greater Manchester Buses Limited) Regulations 1994**

<i>Made</i>	- - - -	<i>25th March 1994</i>
<i>Laid before Parliament</i>		<i>28th March 1994</i>
<i>Coming into force</i>	- -	<i>29th March 1994</i>

The Secretary of State, in exercise of the powers conferred on him by sections 7 and 12 of the Superannuation Act 1972<sup>(1)</sup> 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, the local authorities with whom consultation appeared to him to be desirable and 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 (Greater Manchester Buses Limited) Regulations 1994 and shall come into force on 29th March 1994, but regulation 2 shall have effect as from 13th December 1993.

(2) In these Regulations—

“the 1971 Act” means the Pensions (Increase) Act 1971<sup>(2)</sup>;

“the Bus Company” means Greater Manchester Buses Limited;

“the Executive” means the Greater Manchester Passenger Transport Executive;

“the North Company” means Greater Manchester Buses North Limited;

“the principal Regulations” means the Local Government Superannuation Regulations 1986<sup>(3)</sup>;

“the South Company” means Greater Manchester Buses South Limited.

(3) In these Regulations, unless the context otherwise requires, any expression which is also used in the principal Regulations has the same meaning as in those Regulations.

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

(2) 1971 c. 56.

(3) S.I. 1986/24: relevant amending instruments are S.I. 1987/293, 1989/372, 1990/503, 1992/3229, 1993/3043.

### **Pensions increase**

2.—(1) In its application to a pension (within the meaning of the 1971 Act) which has become payable to or in respect of a person in relation to service ending with service with the Bus Company, Schedule 3 to the 1971 Act and regulation P14 of the principal Regulations shall have effect as if any reference to the last employing authority were a reference to the Executive.

(2) In its application to a pension (within the meaning of the 1971 Act) which has become payable to or in respect of a person in relation to service ending with service with either the North Company or the South Company, Schedule 3 to the 1971 Act and regulation P14 of the principal Regulations shall have effect as if any reference to the last employing authority were a reference to either the North Company or the South Company, as the case may be.

(3) Regulation 4 of the Pensions Increase (Local Authorities' etc Pensions) Regulations 1974<sup>(4)</sup> shall cease to have effect in the case of a pension which is payable in respect of service ending with service which was with the Bus Company, the North Company or the South Company.

### **Liability of Greater Manchester Passenger Transport Executive**

3. The Executive shall pay to the fund administered under the principal Regulations by Tameside Borough Council such amounts as shall at any time be required to meet the liabilities created by the principal Regulations or by or under the 1971 Act in respect of persons whose service ends with service with the Bus Company.

### **Preservation of membership of scheme**

4. Notwithstanding regulation 2(3) of the Local Government Superannuation (Membership) Regulations 1993<sup>(5)</sup> the admission agreement which Tameside Borough Council has entered into under regulation B3 of the principal Regulations with the South Company on 10th December 1993 shall continue to be treated for the purposes of the principal Regulations as an admission agreement for those employees who are admitted employees by virtue thereof immediately before the coming into force of these Regulations.

### **Termination of membership of scheme**

5. Notwithstanding anything to the contrary in the admission agreement referred to in regulation 4 above, that agreement shall not be terminated by the South Company except by the majority of admitted employees for the time being of that company, voting by ballot in favour of such termination not later than 3 months before that termination.

Signed by authority of the Secretary of State

25th March 1994

*David Curry*  
Minister of State,  
Department of the Environment

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(4) S.I. 1974/1740, amended by S.I. 1983/1315, 1986/391, and 1992/3229.

(5) S.I. 1993/3043.

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## EXPLANATORY NOTE

*(This note is not part of these Regulations)*

The Regulations provide that the Greater Manchester Passenger Transport Executive will meet the liability of the pensions increases for employees whose service ended with Greater Manchester Buses Limited. Greater Manchester Buses North Limited and Greater Manchester Buses South Limited are to meet the liability of the pensions increases for employees whose service ends with either of them (regulation 2). The funding of this liability is provided for by regulations 2 and 3. Regulation 2 is by virtue of section 12 of the Superannuation Act 1972 retrospective to 13th December 1993, the date on which certain employees transferred to the two new companies.

Employees of Greater Manchester Buses South Limited who are members of the Local Government Superannuation Scheme on the coming into force of these Regulations may continue as members by virtue of an admission agreement between their employers and the scheme administering authority notwithstanding the Local Government Superannuation (Membership) Regulations 1993 under which they otherwise would have had to leave the scheme on the sale to the private sector of that bus company (regulation 4). Provision is made that this arrangement may only be terminated on 3 months' notice by the agreement of a majority of the company's employees who are in the scheme (regulation 5).