
STATUTORY INSTRUMENTS

1995 No. 817

LOCAL GOVERNMENT, ENGLAND AND WALES

The Local Government (Compensation for Redundancy and Premature Retirement) (Amendment) Regulations 1995

<i>Made</i>	- - - -	<i>16th March 1995</i>
<i>Laid before Parliament</i>		<i>24th March 1995</i>
<i>Coming into force</i>	- -	<i>14th April 1995</i>

The Secretary of State for the Environment, in exercise of the powers conferred on him by section 24 of the Superannuation Act 1972(1) and of all other powers enabling him in that behalf, hereby makes the following Regulations: —

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Local Government (Compensation for Redundancy and Premature Retirement) (Amendment) Regulations 1995 and shall come into force on 14th April 1995 but, subject to regulation 4, shall have effect as from 1st April 1993.

(2) In these regulations “the 1982 Regulations” means the Local Government (Compensation for Premature Retirement) Regulations 1982(2).

Paying authority

2. Regulation 20 of the 1982 Regulations(3) is amended —

(a) by omitting paragraph (3A)(4); and

(b) in paragraph (3B), by inserting after the words “specified in paragraph” the reference “4,5.”.

Employment in connection with education

3. Part 2 of Schedule 1 to the 1982 Regulations(5) is amended —

(1) 1972 c. 11.

(2) S.I. 1982/1009, amended by S.I. 1984/740, 1986/151, 1988/466, 1989/372, 1815, 1990/2380, 1992/2432, 1993/2890 and 1994/3025.

(3) Regulation 20 of the 1982 Regulations was amended by S.I. 1990/2380.

(4) Regulation 20(3A) of the 1982 Regulations was inserted by S.I. 1990/2380, regulation 4.

(5) Part 2 of Schedule 1 to the 1982 Regulations was substituted by S.I. 1990/2380, regulation 6.

Status: This is the original version (as it was originally made).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

- (a) in column 1 of paragraph 1, by deleting the words “or Chapter III of Part II” and adding at the end “or section 85 of the Further and Higher Education Act 1992⁽⁶⁾ (“the 1992 Act”); and
- (b) by substituting for paragraphs 4, 5, 6 and 7 the following—

4. Employment at an institution conducted by a body corporate established under section 15 or 16 of the 1992 Act or in respect of which an order has been made under section 47 of that Act.	the corporation	the corporation
5. Employment at an institution designated under section 28 of the 1992 Act	Governing body of institution	Governing body of institution.
6. Employment at an institution conducted by a body corporate established under section 121 or section 122 of the 1988 Act or in respect of which an order has been made under section 122A of that Act ⁽⁷⁾ .	the corporation	the corporation
7. Employment at an institution designated under section 129 of the 1988 Act.	Governing body of institution.	Governing body of institution.

Retrospective effect

4. Nothing in these Regulations shall place any individual who is qualified to participate in the benefits for which the 1982 Regulations provide in a worse position than he would have been in if regulations 2 and 3 above had been framed so as to have effect only from the date of their making.

Signed by authority of the Secretary of State

16th March 1995

David Curry
Minister of State,
Department of the Environment

⁽⁶⁾ 1992 c. 13.

⁽⁷⁾ Section 122A of the Education Reform Act 1988 c. 40 was inserted by section 74 of the Further and Higher Education Act 1992 c. 13.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments to the Local Government (Compensation for Premature Retirement) Regulations 1982 (“the 1982 Regulations”).

Part 2 of Schedule 1 to the 1982 Regulations sets out the kinds of employment in connection with education. Regulation 3(b) of these Regulations substitutes new categories for further and higher education institutions which changes are consequent upon the Further and Higher Education Act 1992. Regulation 2 makes consequential amendments to regulation 20 of the 1982 Regulations which deals with the paying authority for educational establishments.

Regulation 3(a) substitutes a reference to section 85 of the Further and Higher Education Act 1992 in place of a repealed Chapter of the Education Reform Act 1988.

These Regulations have effect from 1st April 1993. Regulation 4 provides that no individual who is qualified to receive benefits under the 1982 Regulations will be placed in a worse position than he would have been in if these Regulations had had effect only from the date of their making.