
STATUTORY INSTRUMENTS

1996 No. 2180

The Local Government Pension Scheme (Crown Prosecution Service) (Transfer of Pension Rights) Regulations 1996

Application of Regulations

3.—(1) In any case to which these Regulations apply—

- (a) no payment shall be made under Part J of the 1986 Regulations or Part K of the 1995 Regulations; and
- (b) the appropriate pension fund shall be apportioned.

(2) Where the appropriate pension fund is to be apportioned in accordance with paragraph (1), the value of the share of the fund which shall be paid to the administrators of the PCSPS in the case of any person shall be the amount of—

- (a) the value at the transfer date of the actual and potential liabilities of the fund accrued at the transfer date in connection with any employment before that date which relates to that person; and
- (b) the cost of increasing under the Pensions (Increase) Act 1971(1) that person's pension rights in respect of that employment;

as determined on the basis set out in the Schedule and as modified by the application of a revalorisation factor as mentioned in paragraph (5).

(3) The appropriate administering authority shall, subject to paragraph (4), pay to the administrators of the PCSPS on or before 31st January 1997 a sum equal to the amount calculated in accordance with paragraph (2).

(4) Where in any case to which these Regulations apply, the appropriate administering authority has on or before 31st January 1997 paid to the administrators of the PCSPS a transfer value under regulation J2 of the 1986 Regulations or regulation K2 of the 1995 Regulations, the administering authority shall pay to the administrators of the PCSPS on or before 31st January 1997 a sum equal to the amount, if any, by which the amount calculated in accordance with paragraph (2) exceeds the amount of the transfer value after application of a revalorisation factor as mentioned in paragraph (5).

(5) The revalorisation factor to be applied as referred to in paragraphs (2) and (4) shall be calculated in accordance with a method determined by the Government Actuary by reference to investment returns in the period between the transfer date, or the date of payment of a transfer value in accordance with regulation J2 of the 1986 Regulations or regulation K2 of the 1995 Regulations, and the date of payment to the PCSPS.

(6) Where paragraph (1) applies in relation to any person, he shall be treated for the purposes of regulation D3(7) of the 1986 Regulations or paragraph 4(7) of Schedule B6 to the 1995 Regulations (as the case may be) as if a transfer value had been paid in relation to him under regulation J2 of the 1986 Regulations or regulation K2 of the 1995 Regulations.

(1) 1971 c. 56.