
STATUTORY INSTRUMENTS

1997 No. 1612

The Local Government Pension Scheme Regulations 1997

PART V

SPECIAL CASES

CHAPTER II

MODIFICATIONS FOR CERTAIN EMPLOYEES ETC.

Employees of probation committees

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136.—(1) These Regulations apply to a person employed by a probation committee with the following modifications.

(2) For an employee of the probation committee for the inner London area, the Receiver for the Metropolitan Police District is to be treated—

- (a) as employing him for the purposes of regulation 79 (employer's contributions),
- (b) as his employing authority for the purposes of regulation 80 (employer's further payments) and regulation 89 (deduction and recovery of member's contributions).

(3) The probation committee for the inner London area are to report to the Secretary of State any decision made by them under—

- (a) regulation 31 (early leavers: deferred retirement benefits and elections for early payment),
- (b) regulation 52 (power of employing authority to increase total membership),
- (c) regulation 53 (power of employing authority to increase total membership of new members),
- (d) regulation 88(2) (direction for return of contributions despite offences etc. in connection with employment),
- (e) regulation 111 (forfeiture of pension rights after conviction of employment-related offences), or
- (f) regulation 112 (interim payments directions).

(4) Such a decision has no effect until approved by the Secretary of State.

(5) The probation committee for an area other than the inner London area are to report any such decision made by them to the body or bodies responsible for meeting the committee's expenses.

(6) Regulation 105 (appeals by administering authorities) has effect as if—

- (a) a body receiving such a report were the administering authority maintaining the pension fund to which that body pays employer's contributions for the purposes of regulation 105(1), and
- (b) paragraph (3) of regulation 103 were omitted.

(7) In the application of regulation 11 (length of period of membership) to part-time service as a probation officer, instead of the fraction mentioned in paragraph (4) of that regulation, the appropriate fraction for each year of part-time service is the fraction—

- (a) of which the numerator is the pay received by him in the year, and
- (b) the denominator is the mean of the annual salary scale applicable to probation officers in respect of that year.

(8) For any year of part-time service before 1st April 1965, paragraph (7) applies as if the mean of the annual salary scale applicable to probation officers in respect of that year were—

- (a) in a case where the date on which that year commenced was on or after 1st July 1937 and before 1st July 1944, for male officers £330 and for female officers £290;
- (b) in a case where that date was on or after 1st July 1944 and before 1st December 1946, for male officers £375 and for female officers £330;
- (c) in a case where that date was on or after 1st December 1946 and before 1st April 1954, for male officers £485 and for female officers £420;
- (d) in a case where that date was on or after 1st April 1954, for male officers £620 and for female officers £555.

(9) Separate calculations must be made for each year of part-time service (and the calculation must be adjusted appropriately for periods of part-time service of less than a year).

(10) In the application of regulation 28(5) (enhanced membership periods in cases of ill-health) the appropriate fraction is the fraction specified in paragraph (7).