
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 228

**The Local Government Pension Scheme
(Administration) (Scotland) Regulations 2008**

PART 7

POLICY STATEMENTS AND INFORMATION

Exchange of information by authorities

- 60.**—(1) An employing authority which is not an administering authority must—
- (a) inform the appropriate administering authority of all decisions made by the employer under this Part concerning members; and
 - (b) give that authority such other information as it requires for discharging its Scheme functions.
- (2) If—
- (a) an administering authority makes any decision under this Part about a person for whom it is not the employing authority; and
 - (b) information about the decision is required by that person's employing authority for discharging that employer's Scheme functions,

that authority must give that employer that information.

Statements of policy about exercise of discretionary functions

61.—(1) Each employing authority must prepare a written statement of its policy in relation to the exercise of its functions under regulations 12 (power of employing authority to increase total membership of active members), 13 (power of employing authority to award additional pension), 18 (flexible retirement) and 30 (choice of early payment of pension) of the Benefits Regulations.

(2) Before the expiry of the period of three months beginning with the commencement date each employing authority must send a copy of its statement to each relevant administering authority and must publish its statement.

- (3) An employing authority must—
- (a) keep its statement under review; and
 - (b) make such revisions as are appropriate following a change in its policy.

(4) Before the expiry of the period of one month beginning with the date any such revisions are made each employing authority must send a copy of its revised statement to each relevant administering authority and must publish its statement as revised.

(5) In preparing, or reviewing and making revisions to, its statement an employing authority must have regard to the extent to which the exercise of any of the functions mentioned in paragraph (1) in accordance with its policy could lead to a serious loss of confidence in the public service.

(6) In this regulation a relevant administering authority, in relation to an employing authority, is any authority which is an appropriate administering authority for that employer's employees.

Annual benefit statements

62.—(1) An administering authority must issue an annual benefit statement to each of its active, deferred and pension credit members.

(2) The first such statement must be issued on or before 1st April 2011 and subsequent statements must be issued on or before 1st April in each year after that year.

(3) A statement must contain an illustration of the amount of benefit entitlement, in respect of the rights that may arise under the Scheme, which—

- (a) has been accrued by the member at the relevant date; and
- (b) in the case of an active member, is capable of being accrued by the active member if the active member remains in the Scheme until the active member's normal retirement age.

(4) The illustration must be calculated—

- (a) in the case of active members on the member's pay (or as respects part time employees the whole time equivalent) for the 12 month period ending with the relevant date;
- (b) in the case of deferred members, on the member's final pay; and
- (c) in the case of pension credit members, in accordance with regulation 95(3) ("appropriate rights"/ "pension credit benefits" under the scheme).

(5) The relevant date is—

- (a) 31st March before the date that the statement is issued, or
- (b) such later date as the authority may choose.

Information to be supplied by employees

63.—(1) Before the expiry of the period of three months beginning with the date a person becomes a member, the employing authority must ask the person in writing for the documents specified in paragraph (2).

(2) Those documents are—

- (a) a statement in writing listing all the person's previous periods of employment; and
- (b) copies of all notifications previously given to the person under these Regulations and the Earlier Regulations.

(3) It must also ask for those documents before the expiry of the period of three months beginning with the occurrence of any change as respects the person's employment which is material for the Scheme.

(4) A request under paragraph (1) or (3) must include a conspicuous statement that it is important that the member gives full and accurate information, especially for ascertaining the member's rights under the Scheme.

(5) The employing authority need not request any documents if satisfied that it, or the appropriate administering authority (if different), already has all material information.