



Greater London Authority Act 1999

1999 CHAPTER 29

PART XII

SUPPLEMENTARY PROVISIONS

Transfers

411 Pensions

- (1) A Minister of the Crown may by order make provision with respect to the provision of pensions for or in respect of persons who are or have been employees of, or of subsidiaries of,—
 - (a) any of the bodies or persons falling within subsection (2) of section 408 above;
 - (b) any of the bodies or persons falling within subsection (3) of that section; or
 - (c) any body or person whose undertaking, or part of whose undertaking, has been transferred by or under any enactment to a body or person falling within paragraph (b) above.
- (2) The provision that may be made by virtue of subsection (1) above includes provision for or in connection with—
 - (a) the establishment of pension schemes or pension funds;
 - (b) the administration or management of pension schemes or pension funds;
 - (c) enabling persons to participate, or continue to participate, in any pension scheme and requiring their employers to make contributions under that scheme;
 - (d) the rates, or the variation of the rates, of contributions to be made under any pension scheme, whether by employees or employers;
 - (e) the re-arrangement, amalgamation, simplification or assimilation of pension schemes.
- (3) An order under subsection (1) above may make provision for or in connection with—
 - (a) the alteration or winding up of any pension scheme or pension fund, whether in whole or in part;

Status: This is the original version (as it was originally enacted).

- (b) the variation of any trust;
 - (c) the transfer of the whole or any part of any pension fund or of any rights, obligations or liabilities under a pension scheme;
 - (d) the persons by whom any function under or relating to the scheme is to be exercisable;
 - (e) establishing a body to administer or assist in administering a pension scheme;
 - (f) enabling all or any of the participants in a pension scheme to become instead participants in another pension scheme;
 - (g) empowering the persons responsible for administering a pension scheme to carry out arrangements for the participation in the scheme of a person who has been an employee of, or of a subsidiary of, a body or person falling within paragraph (b) or (c) of subsection (1) above;
 - (h) the amendment of a pension scheme;
 - (i) the manner in which questions arising under the order are to be determined.
- (4) An order under subsection (1) above may amend—
- (a) the trust deed of any pension scheme;
 - (b) the rules of any such scheme; or
 - (c) any other instrument relating to the constitution, management or operation of any such scheme;
- and any reference in this section to the amendment of a pension scheme includes a reference to the amendment of any such trust deed, rules or other instrument.
- (5) An order under subsection (1) above may make provision for or in connection with cases where a person who, having pension rights to which such an order relates, becomes—
- (a) the Mayor or an Assembly member;
 - (b) a member of a body or person falling within subsection (2) of section 408 above; or
 - (c) a director of a subsidiary of such a body or person.
- (6) The provision that may be made by virtue of subsection (5) above includes, in particular, provision for or in connection with—
- (a) treating a person's service as such a member or director as service in the employment of, or of a subsidiary of, such a body or person; or
 - (b) treating two or more periods of service as continuous.
- (7) An order under this section may be made so as to have effect from a date prior to the making of the order.
- (8) An order under this section may only be made after consultation with the trustees or managers, or the administrators, of any pension fund or pension scheme to which the order relates.
- (9) An order under subsection (1) above which makes provision by virtue of subsection (3) (f) above in relation to persons who are or have been employees of the Metropolitan Police Authority shall only be made—
- (a) after consultation with the Metropolitan Police Authority, and
 - (b) with the consent of the Minister for the Civil Service.

- (10) Schedule 32 to this Act (which makes provision in relation to schemes for the provision of pensions or other benefits for or in respect of employees etc of London Regional Transport and its subsidiaries) shall have effect.
- (11) In this section—
- “instrument” includes an enactment or any subordinate legislation;
 - “pension” means a pension of any kind payable to or in respect of a person and includes—
 - (a) a lump sum, allowance or gratuity so payable; and
 - (b) a return of contributions, with or without interest or other addition;
 - “pension rights” includes—
 - (a) all forms of right to or eligibility for the present or future payment of a pension to or in respect of a person; and
 - (b) a right of allocation in respect of the present or future payment of a pension;
 - “pension scheme” means an occupational pension scheme, as defined in section 1 of the Pension Schemes Act 1993.