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STATUTORY INSTRUMENTS

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**1997 No. 1613**

**PENSIONS**

**The Local Government Pension Scheme  
(Transitional Provisions) Regulations 1997**

<i>Made</i>	- - - -	<i>30th June 1997</i>
<i>Laid before Parliament</i>		<i>3rd July 1997</i>
<i>Coming into force</i>		<i>1st April 1998</i>

**THE LOCAL GOVERNMENT PENSION SCHEME  
(TRANSITIONAL PROVISIONS) REGULATIONS 1997**

*Preliminary provisions*

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2. Interpretation

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**SCHEDULE 1 — ADDITIONAL REGULATIONS WHICH ARE “OLD PROVISIONS”**

**SCHEDULE 2 — RE-EMPLOYMENT OF MEMBERS (SCHEDULE D5 TO THE 1995 REGULATIONS ETC.)**

*Interpretation*

1. In this Schedule— “active pensioner” means a person who was...

*Active and rejoining pensioners: general*

2. Despite regulation 3— (a) the saved provisions shall continue to...

*Re-employment and abatement*

3. (1) Where immediately before the commencement date Part I of...

*Combined benefits*

4. (1) An active pensioner or a former active pensioner may...

*Separate benefits and dependants' benefits*

5. (1) This paragraph applies where an active pensioner, a rejoining...

*Members with preserved rights*

6. (1) Where immediately before the commencement date there is an...

*Elections for aggregation: members rejoining immediately before commencement*

7. Where immediately before the commencement date a member was eligible...

*Limitations on benefits*

8. (1) Where an active pensioner, a rejoining pensioner or a...

*Continuity of elections by certain rejoining deferred members*

9. (1) This sub-paragraph applies where a rejoining deferred member—

**SCHEDULE 3 — MINOR AND CONSEQUENTIAL AMENDMENTS**

*The Local Government Superannuation (Overseas Employment) Regulations 1985*

1. After paragraph (2)(d) of regulation 3 of the Local Government...

*The Local Government Superannuation (Miscellaneous Provisions) Regulations 1986*

2. In regulation 4(2) of the Local Government Superannuation (Miscellaneous Provisions)...

*The Local Government Superannuation (Miscellaneous Provisions) Regulations 1987*

3. In regulation 2(2) of the Local Government Superannuation (Miscellaneous Provisions)...

*The Local Government Superannuation (South Yorkshire Transport Limited) Regulations 1993*

4. In the Local Government Superannuation (South Yorkshire Transport Limited) Regulations...

*The Local Government Superannuation (Greater Manchester Buses Limited) Regulations 1994*

5. In the Local Government Superannuation (Greater Manchester Buses Limited) Regula...

*The Local Government Superannuation (Greater Manchester Buses North Limited) Regulations 1994*

6. In regulation 2 of the Local Government Superannuation (Greater Manchester...

*The Local Government (Compensation for Redundancy) Regulations 1994*

7. In regulation 2(1) of the Local Government (Compensation for Redundancy)...
8. At the end of regulation 9(4)(b) of those regulations add...

*The Local Government Superannuation (Amendment) Regulations 1994*

9. In regulation 10(1) of the Local Government Superannuation (Amendment) Regulations...

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*The Local Government Pension Scheme Regulations 1995*

10. In regulation D8(5) of the Local Government Pension Scheme Regulations...
11. In regulation D12 of those regulations— (a) in paragraph (1)(a)(i)...
12. At the end of regulation D15 of those regulations insert...
13. In regulation D17(9) of those regulations— (a) after the words...
14. In regulation D21 of those regulations— (a) after the words...
15. In regulations E3(1)(b) and (2)(ii) and E4(1)(b) and (3) of...
16. In regulation E6 of those regulations— (a) after the words...
17. In regulation F1(2) of those regulations after the words “Schedule...
18. In regulation F2(2) of those regulations after the words “Schedule...
19. In regulation F4(1)(b) and (2) of those regulations—
20. In regulation F5 of those regulations— (a) in paragraphs (2)...
21. In regulation F7(1) of those regulations after the words “Except...
22. At the end of regulation F10 of those regulations add...
23. In regulation F11(3) of those regulations— (a) after the words...
24. In regulation G3(5)(b) of those regulations after the words “Schedule...
25. In regulations G6(1)(b) and (3) and G7(1)(b) of those regulations—...
26. In regulation G12 of those regulations after the words “Schedule...
27. In Schedule A1 to those regulations— (a) for the definition...
28. In paragraph 4 of Schedule B6 to those regulations after...

*The Local Government Pension Scheme (Local Government Reorganisation in Wales) Regulations 1995*

29. In regulation 1(2) of the Local Government Pension Scheme (Local...
30. In regulation 3(6) of those regulations after the words “the...
31. In regulation 4 of those regulations— (a) in paragraph (1)...
32. At the end of regulation 5(2) of those regulations add...
33. In regulation 6 of those regulations— (a) in paragraph (2)...

*The Local Government Pension Scheme (Environment Agency) Regulations 1996*

34. In regulation 1(2) of the Local Government Pension Scheme (Environment...
35. In regulation 2(1) of those regulations after the words “the...
36. In regulation 6 of those regulations— (a) in paragraph (1)—...
37. In regulation 8 of those regulations— (a) in paragraph (1)...

*The Local Government (Discretionary Payments) Regulations 1996*

38. In regulation 2 of the Local Government (Discretionary Payments) Regulations...
39. In regulation 5 of those regulations— (a) in paragraph (1)...
40. In regulation 6(1) of those regulations— (a) in sub-paragraph (b)(i)...
41. In regulation 7 of those regulations— (a) in paragraph (1)(d)(ii)...
42. In regulation 8(1) of those regulations for the words “to...
43. In regulations 9(2) and 10(2) of those regulations—
44. In regulation 11 of those regulations— (a) in paragraph (1)(c)(ii)...
45. In regulation 16 of those regulations— (a) in paragraph (3)(a)...
46. In regulation 17 of those regulations— (a) in paragraph (3)...
47. In regulation 18(4) of those regulations for the words “regulation...
48. In regulation 19 of those regulations— (a) in paragraphs (1)...
49. In regulation 20 of those regulations— (a) in paragraph (1)...

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50. In regulation 21(2)(b) of those regulations for the words “regulation...
51. In regulation 22(1)(a) and (2)(a) of those regulations for the...
52. In regulation 24(1)(a) and (2)(a) of those regulations for the...
53. In regulation 25 of those regulations— (a) in paragraph (3)(b)...
54. In regulation 26(1) and (2) of those regulations for the...
55. In regulation 33(1)(b) of those regulations for the words “regulation...
56. In regulation 36 of those regulations— (a) in paragraph (1)(b)...
57. In regulation 39(3)(d) of those regulations for the words “regulation...
58. In regulation 40 of those regulations— (a) in paragraph (5)...
59. IN regulation 42(1)(c)(i) of those regulations for the words “regulation...
60. In paragraph 9 of Schedule 3 to those regulations—

*The Occupational Pension Schemes (Transfer Values) Regulations 1996*

61. In the definition of “base rate” in regulation 1(2) of...

*The Local Government Pension Scheme (Provision of Information, Administrative Expenses and Restitution) Regulations 1997*

62. (1) The Local Government Pension Scheme (Provision of Information, Administrative...

**SCHEDULE 4 — TRANSITIONAL AND TRANSITORY PROVISIONS AND SAVINGS**

1. In this Schedule— (a) “the former provisions” means any provisions...
2. (1) The substitution of the 1997 provisions for the former...
3. (1) Where— (a) any provision continues to have effect in...
4. (1) Without prejudice to the generality of the previous provisions...
5. Where any person is treated by paragraph 15 of Schedule...
6. (1) Nothing in the 1997 provisions affects any agreement made...
7. These Regulations do not affect the time before or after...
8. Despite regulation 4, regulation 93 of the 1997 regulations shall...
9. (1) If any person to whom a relevant benefit is...

Explanatory Note