

### SCHEDULE 3

Regulations 2(1) and 27.

#### MINOR AND CONSEQUENTIAL AMENDMENTS

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

1. After paragraph (2)(d) of regulation 3 of the Local Government Superannuation (Overseas Employment) Regulations 1985(1) add the words

“and

- (e) the Local Government Pension Scheme Regulations 1997 had had effect with the modifications set out in regulation 24 (overseas employment) of the Local Government Pension Scheme (Transitional Provisions) Regulations 1997.”

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

2. In regulation 4(2) of the Local Government Superannuation (Miscellaneous Provisions) Regulations 1986(2) for “1995” substitute “1997”.

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

3. In regulation 2(2) of the Local Government Superannuation (Miscellaneous Provisions) Regulations 1987(3) for “1995” substitute “1997”.

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

4. In the Local Government Superannuation (South Yorkshire Transport Limited) Regulations 1993(4)—

- (a) in the definition of “the principal Regulations” in regulation 1(2) for “1995” substitute “1997”;
- (b) insert at the appropriate place in that regulation the following definition—  
““the 1995 Regulations” means the Local Government Pension Scheme Regulations 1995”;
- (c) in regulation 2(1) and (2) for the words “regulation L19” substitute the words “regulation 91”;
- (d) in regulation 5(1)(b) for the words “regulation B7 of the principal Regulations” substitute the words “regulation B7 of the 1995 Regulations or regulation 5 of the principal Regulations”;
- (e) in regulation 5(1), in the words following paragraph (b), for the words “regulations K20 to K22” substitute the words “regulation 125”;
- (f) in regulation 5(2), for the words “regulation K21” substitute the words “regulation 125”;
- and
- (g) omit paragraph 5(3).

(1) S.I. 1985/1922. A relevant amending instrument is S.I. 1995/1019, Sch. M6, paragraph 1.

(2) S.I. 1986/380. A relevant amending instrument is S.I. 1995/1019, Sch. M6, paragraph 5.

(3) S.I. 1987/293. A relevant amending instrument is S.I. 1995/1019, Sch. M6, paragraph 6.

(4) S.I. 1993/2783. A relevant amending instrument is S.I. 1995/1019, Sch. M6, paragraph 10.

*Status:* This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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

**5.** In the Local Government Superannuation (Greater Manchester Buses Limited) Regulations 1994(5)—

- (a) in regulation 2(1) and (2) for the words “regulation L19 of the Local Government Pension Scheme Regulations 1995” substitute the words “regulation 91 of the Local Government Pension Scheme Regulations 1997”;
- (b) in regulation 4 for the words “paragraph 20(2) of Part III of Schedule M4 to the Local Government Pension Scheme Regulations 1995” and “those regulations of 1995” substitute respectively the words “paragraph 6(2) of Schedule 4 to the Local Government Pension Scheme (Transitional Provisions) Regulations 1997” and “the Scheme”.

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

**6.** In regulation 2 of the Local Government Superannuation (Greater Manchester Buses North Limited) Regulations 1994(6) for the words “regulation 2(3) of the Local Government Superannuation (Membership) Regulations 1993” and “the Local Government Pension Scheme Regulations 1995” substitute respectively the words “paragraph 6(2) of Schedule 4 to the Local Government Pension Scheme (Transitional Provisions) Regulations 1997” and “the Scheme”.

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

**7.** In regulation 2(1) of the Local Government (Compensation for Redundancy) Regulations 1994(7)—

- (a) in paragraph (c) of the definition of “eligible employee” for the words from “the occupational” to “the 1995 Regulations”, in the first place they occur, substitute the words “the Scheme”;
- (b) in the definition of “employing body” after the words “1995 Regulations” insert the words “a Scheme employer within the meaning of the 1997 Regulations;”;
- (c) after the definition of “the 1995 Regulations” insert—  
    ““the 1997 Regulations” means the Local Government Pension Scheme Regulations 1997;”
- (d) in paragraph (a) of the definition of “qualifying employment” for the words “the 1995 Regulations” substitute the words “the 1997 Regulations”;
- (e) in the definition of “the Scheme” for the words “the 1995 Regulations” substitute the words “the 1997 Regulations”.

**8.** At the end of regulation 9(4)(b) of those regulations add the words “or, by notice under regulation 26(3) of the 1997 regulations, under regulation 26 of those regulations”.

*The Local Government Superannuation (Amendment) Regulations 1994*

**9.** In regulation 10(1) of the Local Government Superannuation (Amendment) Regulations 1994(8) for paragraphs (a) to (c) substitute—

- “(a) a body specified in regulation 5(8) of the Local Government Pension Scheme Regulations 1997, which has entered into an admission agreement,

(5) S.I. 1994/948. A relevant amending instrument is S.I. 1995/1019, Sch. M6, paragraph 11.

(6) S.I. 1994/963. A relevant amending instrument is S.I. 1995/1019, Sch. M6, paragraph 12.

(7) S.I. 1994/3025; amended by S.I. 1996/456.

(8) S.I. 1994/3026. A relevant amending instrument is S.I. 1995/1019, Sch. M6, paragraph 13.

- (b) a body employing persons deemed to be in employment by virtue of regulation 129 or 130 of those regulations, or
- (c) a body which is a company under the control of a body listed in Schedule 2 to those regulations,”.

*The Local Government Pension Scheme Regulations 1995*

**10.** In regulation D8(5) of the Local Government Pension Scheme Regulations 1995(9) after the words “regulation J3” insert the words “or regulation 97 of the 1997 regulations (first instance decisions)”.

**11.** In regulation D12 of those regulations—

- (a) in paragraph (1)(a)(i) after the words “regulation C21 of these regulations” insert the words “or regulation 87 of the 1997 regulations”;
- (b) in paragraph (1)(a)(ii) for the words “the regulations” substitute the words “these regulations or regulation 121 of the 1997 regulations”.

**12.** At the end of regulation D15 of those regulations insert the words “or, as the case may be, the corresponding provisions of the 1997 regulations (in accordance with Schedule 2 to the Transitional Regulations)”.

**13.** In regulation D17(9) of those regulations—

- (a) after the words “these regulations” insert the words “or the 1997 regulations or the Transitional Regulations”;
- (b) in sub-paragraph (a) after the words “Schedule D5” insert the words “to these regulations or regulation 109 or 110 of the 1997 regulations (abatement) or any provision of the Transitional Regulations relating to those provisions”;
- (c) in sub-paragraph (b) after the words “regulation H4” insert the words “of these regulations or regulation 111 of the 1997 regulations or regulation 114 of those regulations (so far as it relates to regulation 111)”;
- (d) in sub-paragraph (c) after the words “regulation H5” insert the words “of these regulations or regulation 49 of the 1997 regulations”.

**14.** In regulation D21 of those regulations—

- (a) after the words “Schedule C5 (limitations on contributions and benefits)” insert the words “to those regulations or, as the case may be, the corresponding provisions of the 1997 regulations (in accordance with Schedule 2 to the Transitional Regulations)”;
- (b) for the words “Part H” substitute the words “regulations H2 and H8 of these regulations and regulations 49, 50, 94 to 96 and 111 to 115 of the 1997 regulations”.

**15.** In regulations E3(1)(b) and (2)(ii) and E4(1)(b) and (3) of those regulations after the words “Schedule D5”, wherever they occur, insert the words “to these regulations or regulation 110 (abatement) of the 1997 regulations”.

**16.** In regulation E6 of those regulations—

- (a) after the words “Schedule D5” insert the words “to these regulations”; and
- (b) at the end add the words “or, as the case may be, the corresponding provisions of the 1997 regulations (in accordance with Schedule 2 to the Transitional Regulations)”.

---

(9) S.I. 1995/1019; amended by S.I. 1995/1985, 2249, 2953, 1996/185, 711, 1428, 2180, 1997/218, 329, 578, 598, 954.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**17.** In regulation F1(2) of those regulations after the words “Schedule D5” insert the words “to these regulations or, as the case may be (in accordance with Schedule 2 to the Transitional Regulations), regulation 48(6) of the 1997 regulations”.

**18.** In regulation F2(2) of those regulations after the words “Schedule D5” insert the words “to these regulations or, as the case may be (in accordance with Schedule 2 to the Transitional Regulations), regulation 48 of the 1997 regulations”.

**19.** In regulation F4(1)(b) and (2) of those regulations—

- (a) after the words “regulation H6” insert the words “of these regulations or, as the case may be, regulation 50 of the 1997 regulations”; and
- (b) after the words “Schedule D5” insert the words “to these regulations or, as the case may be, regulation 110 (abatement) of the 1997 regulations”.

**20.** In regulation F5 of those regulations—

- (a) in paragraphs (2) and (3)(c) after the words “Schedule D5” insert the words “to these regulations or, as the case may be, regulation 110 (abatement) of the 1997 regulations”; and
- (b) in paragraph (3)(c) after the words “regulation H6” insert the words “of these regulations or, as the case may be, regulation 50 of the 1997 regulations”.

**21.** In regulation F7(1) of those regulations after the words “Except where paragraph (2) applies” insert the words “or the appropriate administering authority determine by resolution that this paragraph shall not apply”.

**22.** At the end of regulation F10 of those regulations add the words “or, as the case may be, regulation 48 of the 1997 regulations (in accordance with Schedule 2 to the Transitional Regulations)”.

**23.** In regulation F11(3) of those regulations—

- (a) after the words “these regulations” insert the words “or the 1997 regulations or the Transitional Regulations”;
- (b) in sub-paragraph (b) after the words “regulation H4” insert the words “of these regulations or regulation 111 of the 1997 regulations or regulation 114 of those regulations (so far as it relates to regulation 111)”;
- (c) in sub-paragraph (c) after the words “regulation H5” insert the words “of these regulations or regulation 49 of the 1997 regulations”.

**24.** In regulation G3(5)(b) of those regulations after the words “Schedule D5” insert the words “to these regulations or, as the case may be, regulation 110 (abatement) of the 1997 regulations”.

**25.** In regulations G6(1)(b) and (3) and G7(1)(b) of those regulations—

- (a) after the words “regulation H6” insert the words “of these regulations or, as the case may be, regulation 50 of the 1997 regulations”; and
- (b) after the words “Schedule D5” insert the words “to these regulations or, as the case may be, regulation 110 (abatement) of the 1997 regulations”.

**26.** In regulation G12 of those regulations after the words “Schedule D5” insert the words “to these regulations or, as the case may be, regulation 48 of the 1997 regulations (in accordance with the Transitional Regulations)”.

**27.** In Schedule A1 to those regulations—

- (a) for the definition of “appropriate pension fund” substitute—

““Appropriate pension fund” means the appropriate fund within the meaning of the 1997 regulations;”;

- (b) after the definition of “The 1986 regulations” insert—  
““The 1997 regulations” means the Local Government Pension Scheme Regulations 1997;”;
- (c) after the definition of “Trade dispute” insert—  
““The Transitional Regulations” means the Local Government Pension Scheme (Transitional Provisions) Regulations 1997”.

**28.** In paragraph 4 of Schedule B6 to those regulations after the words “Schedule D5”, wherever they occur, insert the words “or, as the case may be, regulation 29(1) to (8) of the 1997 regulations”.

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

**29.** In regulation 1(2) of the Local Government Pension Scheme (Local Government Reorganisation in Wales) Regulations 1995(**10**) after the definition of “the 1994 Act” insert—

““the 1997 regulations” means the Local Government Pension Scheme Regulations 1997;”.

**30.** In regulation 3(6) of those regulations after the words “the principal regulations” insert the words “or, as the case may be, the 1997 regulations”.

**31.** In regulation 4 of those regulations—

- (a) in paragraph (1) after the words “the principal regulations” insert the words “or, as the case may be, regulation 77(1) and (3) of the 1997 regulations”;
- (b) in paragraph (3) after the words “the principal regulations”, in the first place they occur, insert the words “or, as the case may be, regulation 79 of the 1997 regulations” and at the end add the words “or, as the case may be, regulation 77 of the 1997 regulations”.

**32.** At the end of regulation 5(2) of those regulations add the words “or, as the case may be, regulation 82(4) of the 1997 regulations”.

**33.** In regulation 6 of those regulations—

- (a) in paragraph (2) for the words “regulation L10 (other than paragraph (1)(a)) of the principal regulations” substitute the words “regulation 77 (except for the reference in paragraph (1) to 1998) of the 1997 regulations”;
- (b) in paragraph (3) for the words “regulation L10 of the principal regulations” substitute the words “regulation 77 of the 1997 regulations”;
- (c) in paragraph (4) after the words “the principal regulations” insert the words “or, as the case may be, regulation 77(1) and (3) of the 1997 regulations” and for the words “that regulation”, in both places they occur, substitute the words “those regulations”.

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

**34.** In regulation 1(2) of the Local Government Pension Scheme (Environment Agency) Regulations 1996(**11**) before the definition of “the Active Fund” insert—

““the 1997 regulations” means the Local Government Pension Scheme Regulations 1997;”.

**35.** In regulation 2(1) of those regulations after the words “the principal Regulations” insert the words “and the 1997 regulations”.

**36.** In regulation 6 of those regulations—

---

(10) S.I. 1995/1985.

(11) S.I. 1996/711.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

- (a) in paragraph (1)—
    - (i) after the words “these Regulations” insert the words “or, as the case may be, regulation 22 of the Local Government Pension Scheme (Transitional Provisions) Regulations 1997”; and
    - (ii) at the end add the words “or, as the case may be, Chapter IV of Part IV of the Pension Schemes Act 1993”;
  - (b) in paragraph (3) after the words “regulation K14(1)(a) of the principal Regulations” and the words “regulation K14(1)(a)” there shall be inserted respectively the words “or, as the case may be, regulation 122(1) of the 1997 regulations” and “or, as the case may be, regulation 122”.
- 37.** In regulation 8 of those regulations—
- (a) in paragraph (1) after the words “regulation L11(1) of the principal Regulations” insert the words “or, as the case may be, regulation 77(1) and (3) of the 1997 regulations”;
  - (b) in paragraph (3)—
    - (i) after the words “the principal Regulations”, in the first place they occur, insert the words “or, as the case may be, regulation 79 of the 1997 regulations”, and
    - (ii) at the end add the words “or, as the case may be, regulation 77 of the 1997 regulations”.

*The Local Government (Discretionary Payments) Regulations 1996*

- 38.** In regulation 2 of the Local Government (Discretionary Payments) Regulations 1996(12)—
- (a) in paragraph (1)—
    - (i) in the definition of “employing authority” for the words “Schedule B1 of the LGPS regulations (LGPS employers)” substitute the words “Schedule 2 of the LGPS Regulations (Scheme employers)”;
    - (ii) for the definition of “the LGPS Regulations” substitute—
 

““the LGPS Regulations” means the Local Government Pension Scheme Regulations 1997”;
    - (iii) after the definition of “the 1986 Regulations” insert—
 

““the 1995 Regulations” means the Local Government Pension Scheme Regulations 1995;

“the Transitional Regulations” means the Local Government Pension Scheme (Transitional Provisions) Regulations 1997;”
    - (iv) after the definition of “LGPS member” insert—
 

““pensionable remuneration” means pay within the meaning of regulation 13 of the LGPS Regulations;”;
  - (b) at the end of regulation 2(2) of those regulations add the words “or, if the expression is not defined in those regulations, in the 1995 Regulations”;
  - (c) in regulation 2(3) of those regulations after the words “1986 Regulations” insert the words “or, the 1995 Regulations”.
- 39.** In regulation 5 of those regulations—
- (a) in paragraph (1) in the definition of “occupational pension” after the words “LGPS Regulations”, in both places they occur, insert the words “or the 1995 Regulations”;

---

(12) S.I. 1996/1680.

- (b) in paragraph (3) for the words “regulation B5(1)” substitute the words “regulation 132(1)”;
  - (c) in paragraph (4) for the words “regulation B5(2)” substitute the words “regulation 132(2)”.
- 40.** In regulation 6(1) of those regulations—
- (a) in sub-paragraph (b)(i) for the words “regulation D6(2)(a)” substitute the words “regulation 26(1)(b)”;
  - (b) in sub-paragraph (e) for paragraph (ii) substitute—
    - “(ii) any periods of superannuable membership (as defined in regulation 10 of the LGPS Regulations) and any increase in membership under regulation 13 of the Transitional Regulations.”.
- 41.** In regulation 7 of those regulations—
- (a) in paragraph (1)(d)(ii) after the words “regulation B10” insert the words “of the 1995 Regulations or regulation 7”;
  - (b) in paragraph (1)(e) after the words “regulation B12” insert the words “of the 1995 Regulations or regulation 8”;
  - (c) in paragraph (2)(c) for the words “the LGPS Regulations”, “paragraph 3 of that Schedule”, “paragraph 4 or 5 of that Schedule” and “paragraph 6(b) of that Schedule” substitute respectively the words “the 1995 Regulations”, “paragraph 3 of Schedule D1 to the 1995 Regulations”, “paragraph 4 or 5 of Schedule D1 to the 1995 Regulations or regulation 22 or 23 of the LGPS Regulations” and “paragraph 6(b) of Schedule D1 to the 1995 Regulations”.
- 42.** In regulation 8(1) of those regulations for the words “to which Part II of Schedule B6 of the LGPS Regulations applies”, “would apply” and “regulation B18” substitute the words “which count as periods of superannuable membership (as defined in regulation 10 of the LGPS Regulations) and any increase in membership under regulation 13 of the Transitional Regulations,”, “would count or, as the case may be, apply or be awarded” and “regulation 52” respectively.
- 43.** In regulations 9(2) and 10(2) of those regulations—
- (a) in paragraph (a) for the words from “D6” to “satisfied” substitute the words “regulation 26”;
  - (b) in paragraph (b) for the words “regulation D6(2)(a)” substitute the words “regulation 26(1)(b)”.
- 44.** In regulation 11 of those regulations—
- (a) in paragraph (1)(c)(ii) for the words “regulation D6(2)” substitute the words “regulation 26”;
  - (b) in paragraph (2)(a) for the words “Part D” substitute the words “Part II”.
- 45.** In regulation 16 of those regulations—
- (a) in paragraph (3)(a) for the words from “D5” to “D9” and the words from “(including” to the end substitute respectively the words “regulation 25, 26, 27 or 31” and “(including a single pension under regulation 29 of those regulations)”;
  - (b) in paragraph (7) for the words from “paragraph 5 of Schedule D5” onwards substitute “no regard shall be had to regulation 110 (abatement) of the LGPS Regulations”.
- 46.** In regulation 17 of those regulations—
- (a) in paragraph (3) for the words “Part D” substitute the words “Part II”;
  - (b) in paragraph (4) for the words “paragraph 4(7) of Schedule B6 to” substitute the words “regulation 9(4) of”.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

- 47.** In regulation 18(4) of those regulations for the words “regulation D2” substitute the words “regulations 20 and 54”.
- 48.** In regulation 19 of those regulations—
- (a) in paragraphs (1) and (6) for the words “regulation D14” substitute the words “regulation 33”;
  - (b) in paragraph (3) for the words “regulation D6(2)(a)” substitute the words “regulation 26”.
- 49.** In regulation 20 of those regulations—
- (a) in paragraph (1) for the words “Part F” substitute the words “regulations 40 to 43”;
  - (b) in paragraph (3) for the words from “regulation F6(2)” to “regulation F6(8)” substitute the words “regulation 42”.
- 50.** In regulation 21(2)(b) of those regulations for the words “regulation D7(1)(b)” substitute the words “regulation 27(1)”.
- 51.** In regulation 22(1)(a) and (2)(a) of those regulations for the words “regulation G4 or G7” substitute the words “regulation 45”.
- 52.** In regulation 24(1)(a) and (2)(a) of those regulations for the words “regulation G3, G5 or G6” substitute the words “regulation 46”.
- 53.** In regulation 25 of those regulations—
- (a) in paragraph (3)(b) for the words “regulation D7(1)(b)” substitute the words “regulation 27(1)”;
  - (b) in paragraph (5)(i) for the words “regulation G10(1)” substitute the words “regulation 46(9)”.
- 54.** In regulation 26(1) and (2) of those regulations for the words “regulation G11” substitute the words “regulation 47”.
- 55.** In regulation 33(1)(b) of those regulations for the words “regulation B7” substitute the words “regulation 5”.
- 56.** In regulation 36 of those regulations—
- (a) in paragraph (1)(b) for the words “Part D” and “paragraph 4(1) of Schedule D1 to” substitute respectively the words “Part II” and “regulation 23 of”;
  - (b) in paragraph (1)(c) for the words “relevant period for the purposes of regulation D1 of” substitute the words “final pay period for”.
- 57.** In regulation 39(3)(d) of those regulations for the words “regulation B10(1)” and “regulation B10(2) or B12” substitute respectively the words “regulation 7” and “regulation 7(5) or 8”.
- 58.** In regulation 40 of those regulations—
- (a) in paragraph (5) for the words “regulation K21(5) and (6)” substitute the words “regulations 21 to 23”;
  - (b) in paragraph (7)(b)(ii) for the words “regulation B12” substitute the words “regulation 8”.
- 59.** IN regulation 42(1)(c)(i) of those regulations for the words “regulation D6(2)(a)” substitute the words “regulation 26(1)(b)”.
- 60.** In paragraph 9 of Schedule 3 to those regulations—
- (a) omit the words “Parts D, F and G of”; and



- (b) for the words “paragraphs 2 and 3 of Schedule F1 to those Regulations” substitute the words “the provisions of regulation 9 of the Transitional Regulations, by virtue of which her membership is treated as membership after 5th April 1988”.

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

**61.** In the definition of “base rate” in regulation 1(2) of the Occupational Pension Schemes (Transfer Values) Regulations 1996(**13**) for the word “1995” substitute the word “1997”.

*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 Expenses and Restitution) Regulations 1997(**14**) apply as respects the 1997 regulations with the following modifications.

(2) For regulation 3 substitute—

“**3.** At the end of regulation 8(9) of the Local Government Pension Scheme Regulations 1997 add the words “or

- (c) he is a person about whom information may be given under section 172(1) of the Pensions Act 1995, as it has effect in the case of the Scheme (see regulation 108A)”.

(3) In regulation 4 for the words from the beginning to the end of paragraph (b) substitute—

“**4.**—(1) After regulation 122 of the Local Government Pension Scheme Regulations 1997 insert—

**“Credited periods for transferring members with mis-sold pension rights**

**122A.**—(1) Regulation 122(3) does not apply where—

- (a) the transferring person is a person about whom information may be given under section 172(1) of the Pensions Act 1995 (mis-sold personal pensions), as it has effect in the case of the Scheme (see regulation 108A), and  
(b) the transfer value satisfies the conditions specified in paragraph (2).

(2) Those conditions are—

- (a) that it is paid by the trustees or managers of the personal pension scheme mentioned in section 172(1)(a)(ii),  
(b) that it represents all the rights relating to the member in that scheme,  
(c) that it is paid on an application made to the appropriate administering authority before the expiry of the period of 12 months beginning with the date the transferring person becomes an active member (or such longer period as they may allow); and  
(d) that in the opinion of the appropriate administering authority it is not less than the restitution amount.

(3) Where paragraph (1) applies, the credited period is the period of membership the transferring person could have counted if he had been an active member throughout the personal pension period.

---

(13) S.I. 1996/1847.

(14) S.I. 1997/954.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

- (4) The restitution amount is the aggregate—
- (a) of the capitalised value (as at the date on which the request for the calculation of the restitution amount is made) of the rights which would have accrued to the transferring person under the Scheme if he had been an active member of the Scheme throughout the personal pension period (including rights under the Pensions (Increase) Act 1971 and the Pensions (Increase) Act 1974),
  - (b) of the transfer value paid out of the Scheme to the personal pension scheme, and
  - (c) of interest on any such transfer value at such rate as is approved for the time being by the Government Actuary, calculated on a daily basis over the period from the date on which that transfer value was paid out of the Scheme to the date as at which the transfer value is taken to be paid to the Scheme.
- (5) The appropriate administering authority must determine the value mentioned in paragraph (4)(a) in such manner as is for the time being indicated in guidance issued by the Government Actuary.
- (6) The personal pension period is the period for which the transferring person was eligible to be an active member but in respect of which he made contributions to the personal pension scheme instead.””
- (4) In paragraph (c) of regulation 4 of those regulations—
- (a) for the words from the beginning to the words “regulation K28” substitute—  
“(2) After regulation 108 of the Local Government Pension Scheme Regulations 1997 insert—”;
  - (b) in the regulation inserted by that provision—
    - (i) for “K29” substitute “108A”;
    - (ii) for the words “Schedule K2” and “regulation K15A”, wherever they occur (except in the words replaced by paragraph (iii) below), substitute the words “Schedule 5A” and “regulation 122A” respectively; and
    - (iii) in paragraph 5 for the words “paragraphs 3 to 5 of Schedule K2” substitute the words “regulation 122A”.
- (5) In regulation 5 of those regulations for the words “Schedule C5 to the principal Regulations”, “paragraph 1(5)”, “(5A)”, “K15A”, “the conditions mentioned in sub-paragraph (6)” and “paragraph 1(6)” substitute the words “Paragraph 1 of Schedule 4 to the Local Government Pension Scheme Regulations 1997”, “sub-paragraph (1)”, “(1A)”, “122A”, “the continuity conditions” and the definition of “the continuity conditions” respectively.
- (6) In regulation 6 of those regulations—
- (a) for the words from the beginning to “Schedule K2” substitute the words—  
“6. After Schedule 5 to the Local Government Pension Scheme Regulations 1997 insert—  
“SCHEDULE 5A”;
- (b) in the Schedule inserted by that regulation—
- (i) in paragraphs 1 and 2 for the words “regulation K29(2)” and “regulation K29(3)” substitute the words “regulation 108A(2)” and “regulation 108A(3)” respectively; and
  - (ii) omit paragraphs 3 to 5.

*Document Generated: 2023-06-02*

**Status:** *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*