



**NATIONAL ASSEMBLY FOR WALES**

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**STATUTORY INSTRUMENTS**

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**2006 No. 1011 (W.104)**

**WELSH PUBLIC SERVICES OMBUDSMAN**

**The Public Services Ombudsman (Wales) Act 2005 (Consequential Amendments to the Local Government Pension Scheme Regulations 1997 and Transitional Provisions) Order 2006**

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends regulation 4(6) of the Local Government Pension Scheme Regulations 1997 (S.I. 1997/1612) ("the Regulations") by making the Public Services Ombudsman for Wales ("the Ombudsman") a resolution body for the purposes of regulation 4 of the Regulations.

If the Ombudsman makes a resolution under regulation 4(5) of the Regulations, the effect of this Order is that any person for the time being specified in that resolution is not entitled to membership of the Principal Civil Service Pension Scheme unless the circumstances specified in paragraphs (2) and (3) of article 3 apply.

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**The Public Services Ombudsman (Wales) Act 2005 (Consequential Amendments to the Local Government Pension Scheme Regulations 1997 and Transitional Provisions) Order 2006**

Made	31 March 2006
Coming into force	31 March at 16.03 hrs

The National Assembly for Wales, in exercise of the powers conferred on it by section 43(1) of the Public Services Ombudsman (Wales) Act 2005(1) makes the following Order:

**Title, commencement, application and interpretation**

1.-(1) The title of this Order is the Public Services Ombudsman (Wales) Act 2005 (Consequential Amendments to the Local Government Pensions Scheme Regulations 1997 and Transitional Provisions) Order 2006 and it comes into force on 31 March at 16.03 hrs.

(2) This Order applies in relation to Wales.

(3) In this Order-

"the Act" means the Public Services Ombudsman (Wales) Act 2005,

"the appropriate administering authority" has the same meaning as in the Regulations,

"the PCSPS" means the principal civil service pension scheme within the meaning of section 2(10) of the Superannuation Act 1972(2), and

"the Regulations" means the Local Government Pension Scheme Regulations 1997(3).

**Amendment to Regulation 4(6) of the Regulations**

2. In regulation 4(6) of the Regulations insert-

"(q) the Public Services Ombudsman for Wales."

**Transitional provisions**

3.-(1) Subject to paragraphs (2) and (3), paragraph 11(4) of Schedule 1 to the Act does not apply to any person for the time being specified in a relevant resolution made by the Ombudsman under regulation 4(5) of the Regulations.

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(1) 2005 c.10.

(2) 1972 c.11.

(3) S.I. 1997/1612, relevant amending instruments are S.I. 1998/1238, S.I. 1999/1212, S.I. 2000/1164, and S.I. 2004/573.

(2) Paragraph (3) only applies where that person has given notice in writing to the Ombudsman of their intention to join the PCSPS.

(3) Paragraph (1) ceases to apply to such a person with effect from the seventh day before the date on which the appropriate administering authority is to transfer to the managers of the PCSPS the amount included in the transfer payment which represents that person's contributions and interest on them.

(4) A relevant resolution may be made by the Ombudsman in writing without notice.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998<sup>(1)</sup>

31 March 2006

*D.Elis-Thomas*

The Presiding Officer of the National Assembly

Signed at 16.03 hrs on 31 March 2006

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(1) 1998 c.38.

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Amendments to the Local Government Pension Scheme Regulations 1997  
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