

2007 No. 228

PENSIONS, ENGLAND AND WALES

**The Local Government Pension Scheme (Amendment)
Regulations 2007**

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| <i>Made</i> - - - - | <i>31st January 2007</i> |
| <i>Laid before Parliament</i> | <i>8th February 2007</i> |
| <i>Coming into force</i> - - | <i>2nd March 2007</i> |

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 7 and 12 of the Superannuation Act 1972(a).

In accordance with section 7(5) of that Act, the Secretary of State has consulted such associations of local authorities as appeared to her to be concerned; the local authorities with whom consultation appeared to her to be desirable; and such representatives of other persons likely to be affected by the Regulations as appeared to her to be appropriate.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Local Government Pension Scheme (Amendment) Regulations 2007.

(2) They shall come into force on 2nd March 2007 but regulations 3, 4 and 5(1) shall have effect from 1st April 2006, regulation 5(2) shall have effect from 1st April 2001 and the Schedule shall have effect from 1st April 2005.

(3) In these Regulations, “the principal Regulations” means the Local Government Pension Scheme Regulations 1997(b).

(4) These Regulations extend to England and Wales(c).

Amendment of the Local Government Pension Scheme Regulations 1997

2. The principal Regulations shall be amended in accordance with regulations 3 to 5 and the Schedule and references in those regulations and Schedule to a regulation or a schedule are references to a regulation in, or schedule to, the principal Regulations.

(a) 1972 c.11; section 12 was amended by section 10 of the Pensions (Miscellaneous Provisions) Act 1990 (c.7).
(b) S.I. 1997/1612; the relevant amending instruments are S.I. 1998/1238, 1999/1212, 2000/1164, 2001/1481 and 2004/573.
(c) The Secretary of State’s functions under sections 7 and 12 of the Superannuation Act 1972 in so far as they were exercisable in relation to Scotland were devolved to Scottish Ministers by section 63 of the Scotland Act 1998 (1998 c. 46) and article 2 of, and Schedule 1 to, the Scotland Act 1998 (Transfer of Functions to Scottish Ministers etc) Order 1999 (S.I. 1999/1750).

Resolution bodies

3. In regulation 4(6)(a) omit sub-paragraphs (g) and (h) and add as sub-paragraphs (q) and (r) respectively “the Public Services Ombudsman for Wales” and “the Serious Organised Crime Agency”.

Scheme employers

4. In Schedule 2, omit “the Commission for Local Administration in Wales”.

Appropriate funds

5.—(1) In the first column of paragraph 1 in the Table in Part 2 of Schedule 5, for “the Commission for Local Administration in Wales” substitute “the Public Services Ombudsman for Wales”.

(2) In the second column of paragraph 6(b) in that Table, for “West Yorkshire County Council” substitute “Bradford Metropolitan District Council”.

Signed by authority of the Secretary of State for Communities and Local Government

Phil Woolas
Minister of State

31st January 2007

Department for Communities and Local Government

SCHEDULE

Regulation 2

Amendment of the Principal Regulations: Magistrates’ Courts Committees

1. In regulation 4(6), omit sub-paragraph (n)(c).
2. In regulation 127, omit paragraphs (5) and (6)(d).
3. In regulation 128, omit paragraph (6).
4. In regulation 131, omit sub-paragraph (d) in paragraph (2)(e) and omit paragraph (7).
5. Omit regulation 133(f).
6. In Schedule 1, omit the definition of “Justices’ clerk”(g).
7. In Schedule 2, omit “A magistrates’ courts committee other than the Greater London Magistrates’ Courts Authority”(h).
8. In paragraph 1(5) of the Notes in Schedule 5, omit “or” after paragraph (f) and omit paragraph (g)(i).

(a) Regulation 4(6) was amended by S.I. 1998/1238, 1999/1212, 2000/1164, 2001/1481 and 2004/573.
(b) Paragraph 6 of the Table was added by S.I. 2001/1481, regulation 18(b).
(c) Sub-paragraph (n) was inserted in regulation 4(6) by S.I. 2001/1481, regulation 3.
(d) Regulation 127(6) was amended by S.I. 2001/1481, regulation 11.
(e) Regulation 131(2)(d) was amended by S.I. 2001/1481, regulation 12.
(f) Regulation 133 was amended by S.I. 2001/1481, regulation 13.
(g) The definition of justices’ clerk was substituted by S.I. 2001/1481, regulation 16.
(h) Schedule 2 was amended by S.I. 2001/1481, regulation 16.
(i) Paragraph (g) was added by S.I. 2001/1481, regulation 18.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make a number of consequential amendments to the Local Government Pension Scheme constituted by the Local Government Pension Scheme Regulations 1997, as amended (“the principal Regulations”). Section 12 of the Superannuation Act 1972 provides that regulations made under section 7 of that Act may have retrospective effect: these amendments do have such effect from the various dates specified in regulation 1.

Regulation 3 deletes from the list of resolution bodies in regulation 4 of the principal Regulations the Service Authority for the National Crime Squad and the Service Authority for the National Criminal Intelligence Service, which on 1st April 2006 ceased to exist. Regulation 3 adds the Public Services Ombudsman for Wales and the Serious Organised Crime Agency to the list of resolution bodies. A resolution body is a body that may by resolution designate specified employees or a class of employees as eligible for membership of the Local Government Pension Scheme.

Regulation 4 deletes from the list of Scheme Employers in Schedule 2 to the principal Regulations the Commission for Local Administration in Wales.

Regulation 5 substitutes the names of two current administering authorities, the Public Services Ombudsman for Wales and Bradford Metropolitan District Council, in place of the names of two previous administering authorities in the Table in Part 2 of Schedule 5 to the principal Regulations, which specifies the appropriate fund for a member.

The Schedule to the Regulations makes various changes to the principal Regulations subsequent to the abolition of magistrates’ courts committees under the Courts Act 2003.

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