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<http://www.sppa.gov.uk>

To the listed addressees

Telephone: 01896 893227
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Our ref: LGT/01/24/00

10 September 2008

Dear Sir/Madam

THE LOCAL GOVERNMENT (DISCRETIONARY PAYMENTS AND INJURY BENEFITS) (SCOTLAND) AMENDMENT REGULATIONS 2008

1. I enclose draft regulations, as detailed below, which amend the Local Government (Discretionary Payments and Injury Benefits) (Scotland) Regulations 1998, and which will come into force on 1st April 2009.
2. Your views on these draft regulations are now invited and they should be returned to the SPPA **NO LATER THAN FRIDAY 31st OCTOBER 2008**.

Background

3. One of the proposals agreed by Scottish Local Government Pensions Advisory Group (SLOGPAG) during the tripartite discussions held last year on the new LG scheme was the introduction of a third tier, one-off lump sum ill-health compensation payment under the Local Government (Discretionary Payments and Injury Allowances) (Scotland) Regulations 1998.
4. This has necessitated an amendment to the Discretionary Payments Regulations to provide for the third tier compensation payment. This has been addressed by adding "PART V1(A) GRATUITIES AS RESPECTS EARLY LEAVERS ON GROUNDS OF ILL HEALTH" into the 1998 Regulations.
5. An amendment is also being made to regulation 35 to increase the maximum lump sum payment for severance from 66 weeks to 104 weeks pay.
6. *Other technical changes, which are not material in nature (i.e., they do not impact on potential beneficiaries), including amendment of references to the 1998 Pensions Regulations and other legislation, which will be out of date from 1 April 2009, will be made to the regulations before they are laid.*



Handling your response

7. All respondents should be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

8. A Respondent Information Form is also provided at **Annex A** for completion and return to SPPA. Using this form will simplify our task of collating responses and will make the process more efficient.

Next steps in the process

9. Where respondents have given permission for their response to be made public these will be made available to the public in the Scottish Government Library after the consultation period. We will check all responses where agreement to publish has been given for any potentially defamatory material before logging them in the library. You can make arrangements to view responses by contacting the SG Library on 0131 244 4556. Responses can be copied and sent to you, but a charge may be made for this service.

10. Once the consultation has closed we will consider all responses when preparing the final Regulations.

Completed information

11. The completed Respondent Information Form and any comments you wish to make should be returned, by the deadline of **31st October 2008**, to Jean Steel, Policy Officer, Scottish Public Pension Agency, 7 Tweedside Park, Tweedbank, Galashiels TD1 3TE (tel: 01896 893229).

12. Copies of the Draft Regulations and Respondent Information form can be accessed on the [Pension Reforms & Taxation](#) area of the SPPA website. Your responses and completed Respondent Information form can be sent electronically to locgovpensionsreform@scotland.gsi.gov.uk. If you would prefer to have a set of these consultation documents and draft regulations sent to you in hard copy, please do not hesitate to contact jill.grainger@Scotland.gsi.gov.uk by e-mail or telephone 01896 893226 to request a set.

Comments and complaints

13. Information on the Scottish Government Consultation Process can be found in Annex A of this letter. If you have any comments about how this consultation exercise has been conducted, please contact Chad Dawtry by telephone on 01896 893221 or by e-mail to chad.dawtry@scotland.gsi.gov.uk.

14. If you wish to discuss the proposals for the new scheme in more detail please do not hesitate to contact myself either by telephone on 01896 893227 or by e-mail to david.lauder@scotland.gsi.gov.uk.

Yours faithfully



D Lauder
Policy Manager, LGPS

Addressees

COSLA

TGWU

GMB

STUC

UNISON

AMICUS

Secretary, LGPC

Educational Institute for Scotland

Union of Construction, Allied Trades and Technicians

Audit Scotland

National Association of Pension Funds

Scottish Local Government Pension Scheduled Bodies

Scottish Local Government Pension Funds

CIPFA

Women's National Commission

Other Relevant Government Departments

SOLACE

SLARC

NAC

