

2020 No.

PUBLIC SERVICE PENSIONS

**The Local Government Pension Scheme (Miscellaneous
Amendments) (Scotland) Regulations 2020**

<i>Made</i>	- - - -	2020
<i>Laid before the Scottish Parliament</i>		2020
<i>Coming into force</i>	- -	2020

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 7 and 12 of the Superannuation Act 1972^(a) and sections 1, 2 and 3 and schedule 2, paragraph 3(b), of the Public Services Pensions Act 2013^(b) and all other powers enabling them to do so.

In accordance with section 7(5) of the Superannuation Act 1972 and section 21(1) of the Public Services Pensions Act 2013, they have consulted such associations of local authorities as appeared to them to be concerned, such local authorities with whom consultation appeared to them to be desirable, and such representatives of other persons likely to be affected by these Regulations as appeared to them to be appropriate.

Citation, commencement and effect

1.—(1) These Regulations may be cited as the Local Government Pension Scheme (Miscellaneous Amendments) (Scotland) Regulations 2020, and, subject to paragraphs (2) and (3), come into force on 30 March 2020.

(2) Regulation 3(2) has effect from 1st March 2020.

(3) Regulation 3(3) has effect from 5th April 2009.

Amendment of the Local Government Pension Scheme (Scotland) Regulations 2018

2.—(1) The Local Government Pension Scheme (Scotland) Regulations 2018^(c) are amended in accordance with paragraphs (2) and (3).

(2) In schedule 4, after paragraph 2, insert —

“**2A** —(1) Scottish Ministers may, on application of an administering authority, by a written direction substitute a different fund maintained by that administering authority as the appropriate fund for a Scheme employer.

(a) 1972 c.11; section 7 was amended by the Public Service Pensions Act 2013, schedule 8, paragraph 8; the functions of the Secretary of State under section 7 were transferred to the Scottish Ministers by virtue of S.I. 1999/1750.

(b) 2013 c.25.

(c) S.S.I. 2018/141.

(3) In schedule 4, in paragraph 4, after “paragraph 2” insert “or paragraph 2A”.

Amendment of the Local Government Pension Scheme (Increased Pension Entitlement) (Miscellaneous Amendments) (Scotland) Regulations 2019

3.—(1) The Local Government Pension Scheme (Increased Pension Entitlement) (Miscellaneous Amendments) (Scotland) Regulations 2019^(a) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 1(2) for “paragraph (3)” substitute “paragraphs (3) and (4)”.

(3) In regulation 1(4) omit “and paragraph 1(2) of the schedule”.

^(a) S.S.I. 2019/439.

EXPLANATORY NOTE

(This note is not part of the Regulations)

(4) These Regulations amend schedule 4 of the Local Government Pension Scheme (Scotland) Regulations 2018 to provide that Scottish Ministers may, on application of an administering authority, by a written direction, substitute a different fund maintained by that administering authority as the appropriate fund for a Scheme employer. Regulation 3 also amends the Local Government Pension Scheme (Increased Pension Entitlement) (Miscellaneous Amendments) (Scotland) Regulations 2019 to correct two minor drafting errors.