SCOTTISH STATUTORY INSTRUMENTS

2001 No. 460

PENSIONS

The Local Government Pension Scheme (Scotland) Amendment Regulations 2001

Made - - - -	*12th December 2001*
Laid before the Scottish Parliament - - - -	*18th December2001*
Coming into force - -	*21st January 2002*

The Scottish Ministers, in exercise of the powers conferred by sections 7 and 12 of the Superannuation Act 1972(**1**) and of all other powers enabling them in that behalf, after consultation with such associations of local authorities as appeared to them to be concerned, such representatives of other persons likely to be affected by the proposed regulations as appeared to them to be appropriate, and not having considered consultation with any individual local authority to be desirable, all in accordance with section 7(5) of that Act, hereby make the following Regulations:

Citation, commencement and effect

1. These Regulations may be cited as the Local Government Pension Scheme (Scotland) Amendment Regulations 2001, shall come into force on 21st January 2002 and shall have effect from 1st November 2001.

Amendment to the Local Government Pension Scheme (Scotland) Regulations 1998

2. In regulation 5 of the Local Government Pension Scheme (Scotland) Regulations 1998(**2**)–

(a) in paragraph (1) insert "Subject to paragraph (1A)" at the beginning; and

(b) after paragraph (1) insert the following–

"(1A) Any person specified in paragraph (1B) below may be a member of the Scheme notwithstanding that he is in service in the Home Civil Service.

(1B) Any person who–

(a) was, or was eligible to be, an active member of the Scheme;

(b) was employed by Scottish Homes on 31st October 2001; and

(**1**) 1972 c. 11; section 12 was amended by section 10 of the Pensions (Miscellaneous Provisions Act 1990 c. 7. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of the Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc) Order 1999, article 2 and Schedule 1 (S.I.1999/1750).

(**2**) S.I. 1998/366.