STATUTORY INSTRUMENTS

2016 No. 1241

PUBLIC SERVICE PENSIONS, ENGLAND AND WALES

The Local Government Pension Scheme (Wandsworth and Richmond Fund Merger) Regulations 2016

Made - - - -	*19th December 2016*
Laid before Parliament	*22nd December 2016*
Coming into force - -	*26th January 2017*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 1, 2(1) and 3 of, and Schedules 1 to 3 to, the Public Service Pensions Act 2013(**1**).

In accordance with section 21 of that Act, the Secretary of State has consulted such persons, and the representatives of such persons, as appeared to the Secretary of State to be likely to be affected by these Regulations(**2**).

In accordance with section 3(5) of that Act, these Regulations are made with the consent of the Treasury.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Local Government Pension Scheme (Wandsworth and Richmond Fund Merger) Regulations 2016.

(2) These Regulations come into force on 26th January 2017 but have effect from 1st October 2016.

(3) In these Regulations—

(a) "the 2013 Regulations" means the Local Government Pension Scheme Regulations 2013(**3**);

(**1**) 2013 c.25. See section 28 of the Act which provides for regulations made under section 7 of the Superannuation Act 1972 (c. 11) to have effect as scheme regulations under section 3 of the Act.

(**2**) A statement of the persons whom the Secretary of State would normally expect to consult has been published and can be found at https://www.gov.uk/government/publications/local-government-pension-scheme-regulations-information-on-who-should-be-consulted/local-government-pension-scheme-regulations-information-on-persons-to-be-consulted.

(**3**) S.I. 2013/2356 as amended by S.I. 2014/44, S.I. 2014/1146, S.I. 2015/57 and S.I. 2015/755.

"the Earlier Regulations" has the meaning given by regulation 1(6) of the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014(**4**);

"Richmond" means the London Borough of Richmond upon Thames;

"Wandsworth" means the London Borough of Wandsworth;

"the merger date" means 1st October 2016; and

(b) other expressions have the same meaning as in the 2013 Regulations.

Modification of the Local Government Pension Scheme Regulations 2013

2. From the merger date, the 2013 Regulations apply in relation to Wandsworth and Richmond with the following modifications—

(a) in paragraph 1(b) of Part 1 of Schedule 3 (pension funds), the reference to a London borough council does not include a reference to Richmond (which is accordingly no longer an administering authority and is not required to maintain a pension fund for the Scheme);

(b) regulation 103 (changes of administering authority) does not apply in relation to the transfer of assets and liabilities described in regulation 3(1) of these Regulations; and

(c) the table in Part 2 of Schedule 3 (pension funds) applies as if for any person for whom the appropriate administering authority has been or would be Richmond, the appropriate administering authority is Wandsworth.

Transfer of assets, liabilities and responsibilities

3.—(1) On the merger date all assets and liabilities of the pension fund maintained by Richmond become the assets and liabilities of the pension fund maintained by Wandsworth.

(2) No later than 3 months after the date these Regulations come into force, Wandsworth and Richmond must publish a statement setting out the assets and liabilities of their respective pension funds immediately before the merger date.

(3) After the merger date—

(a) any payment received by Richmond relating to its function as an administering authority before that date, must be paid into the pension fund maintained by Wandsworth; and

(b) any payment due to be made by Richmond relating to its function as an administering authority which had not been made before that date, must be paid from the pension fund maintained by Wandsworth.

(4) Any question concerning the rights or liabilities of any person under the 2013 Regulations or the Earlier Regulations which was decided by Richmond before the merger date is deemed to be a decision of Wandsworth for the purposes of any challenge to a decision.

(5) Any question concerning the rights or liabilities of any person under the 2013 Regulations or the Earlier Regulations which was due to be decided by Richmond but which was not decided before the merger date, must be decided by Wandsworth.

(6) Any admission agreement to which Richmond is a party continues to have effect with Wandsworth substituted for Richmond.

(7) Any arrangements under regulation 17 of the 2013 Regulations (additional voluntary contributions) under a scheme established by Richmond continue to have effect as if they had been entered into under a scheme established by Wandsworth.

(**4**) S.I. 2014/525.