STATUTORY INSTRUMENTS

2000 No. 2826

PENSIONS

The Local Government Pension Scheme (Merseyside Transport Limited) Regulations 2000

Made - - - - -	*16th October 2000*
Laid before Parliament	*20th October 2000*
Coming into force - -	*10th November 2000*

The Secretary of State, in exercise of the powers conferred on him by section 7 of the Superannuation Act 1972(**a**) and of all other powers enabling him in that behalf, after consultation with such associations of local authorities as appeared to him to be concerned, the local authorities with whom consultation appeared to him to be desirable and such representatives of other persons likely to be affected by the Regulations as appeared to him to be appropriate, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Local Government Pension Scheme (Merseyside Transport Limited) Regulations 2000 and shall come into force on 10th November 2000.

(2) In these Regulations—

"MTL Gilmoss" means MTL (Gilmoss) Limited, a company incorporated on 11th May 2000 with company number 3990677;

"the principal Regulations" means the Local Government Pension Scheme Regulations 1997(**b**);

"the transfer date" means the date on which the transferred undertaking is transferred to MTL Gilmoss;

"the transferred undertaking" means the undertaking referred to in regulation 2(1)(b);

"transferring employees" means persons to whom regulation 2(1) applies.

(3) Unless the context otherwise requires, expressions which are also used in the principal Regulations have the same meaning in these Regulations as they have in those Regulations.

Employees of MTL Gilmoss

2.—(1) This paragraph applies to a person—

(a) who is a member, or entitled to be a member, of the Scheme immediately before the transfer date, and

(**a**) 1972 c. 11.
(**b**) S.I. 1997/1612; amended by S.I. 1998/1238, 2118, 1999/1212, 3438, 2000/1005, 1164.

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(b) whose employment transfers from Merseyside Transport Limited to MTL Gilmoss on the transfer date by reason of the transfer by Merseyside Transport Limited to MTL Gilmoss of its undertaking of supplying bus services from a bus depot at Gilmoss, in Liverpool.

(2) Wirral Borough Council may make an admission agreement with MTL Gilmoss in respect of the transferring employees.

(3) Such an admission agreement shall be treated for the purposes of the principal Regulations as an admission agreement made under regulation 5(**a**) and the principal Regulations shall apply to employment with MTL Gilmoss in which a transferring employee is an active member in the same way as if MTL Gilmoss were a Scheme employer.

Leaving the Scheme

3. If a transferring employee ceases to be employed by MTL Gilmoss in the transferred undertaking—

(a) he ceases to be eligible for membership of the Scheme as an admission agreement employee by reason of such employment; and

(b) for the purposes of the Scheme, he is treated as leaving local government employment.

Signed by authority of the Secretary of State

Beverley Hughes
Parliamentary Under-Secretary of State,
Department of the Environment,
Transport and the Regions

16th October 2000

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Regulations provide that employees of Merseyside Transport Limited who are members of, or eligible to be members of, the Local Government Pension Scheme ("the Scheme"), constituted by the Local Government Pension Scheme Regulations 1997 ("the principal Regulations") may remain in the Scheme or become members of the Scheme, after the transfer of their employment to MTL (Gilmoss) Limited on the transfer by Merseyside Transport Limited of its Gilmoss bus depot business.

Regulation 2 provides that the administering authority may enter into an admission agreement in respect of such employees with MTL (Gilmoss) Limited, notwithstanding that MTL (Gilmoss) Limited is not otherwise eligible to be an admission body under the provisions of the principal Regulations.

Regulation 3 provides that such employees cease to be eligible to be members of the Scheme if they cease to be employed by MTL (Gilmoss) Limited in the transferred business.

(**a**) Regulation 5 was substituted by S.I. 1999/3438, regulation 3 and amended by S.I. 2000/1005, regulation 3.

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