STATUTORY INSTRUMENTS

1978 No. 822

PENSIONS

The Local Government Superannuation (Amendment) (No. 2) Regulations 1978

Made - - - -	*7th June* 1978
Laid before Parliament	*15th June* 1978
Coming into Operation	*6th July* 1978

The Secretary of State, 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, in exercise of the powers conferred upon him by sections 7 and 12 of the Superannuation Act 1972(**a**) and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Local Government Superannuation (Amendment) (No. 2) Regulations 1978.

(2) The Local Government Superannuation Regulations 1974(**b**), the Local Government Superannuation (Amendment) Regulations 1977(**c**), the Local Government Superannuation (Amendment) (No. 2) Regulations 1977(**d**), the Local Government Superannuation (Amendment) Regulations 1978(**e**) and these Regulations may be cited together as the Local Government Superannuation Regulations 1974 to 1978.

2. These Regulations shall come into operation on 6th July 1978 and shall have effect as from 6th April 1978.

3.—(1) In these Regulations the expression "the principal Regulations" means the Local Government Superannuation Regulations 1974 as amended(**f**).

(2) The Interpretation Act 1889(**g**) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

4. The table in regulation A6(1) (Persons treated as employees of a scheduled body) of the principal Regulations shall be amended as follows:—

(*a*) at the end of column 1 there shall be inserted—

"coroners, other than the Queen's coroner and attorney, or the coroner of the Queen's Household, or a coroner who held office as a coroner immediately before 6th April 1978 and who did not elect in accordance with Article 3(*b*) of the Social Security (Modification of Coroners (Amendment) Act 1926) Order 1978(**h**) that the provisions of the Coroners (Amendment) Act 1926(**i**) relating to pensions should not apply to him.";

(**a**) 1972 c. 11. (**b**) S.I. 1974/520. (**c**) S.I. 1977/1121. (**d**) S.I. 1977/1845.
(**e**) S.I. 1978/266. (**f**) The relevant amending instrument is S.I. 1978/266.
(**g**) 1889 c. 63. (**h**) S.I. 1978/374. (**i**) 1926 c. 59.

(*b*) at the end of column 2 there shall be inserted—

"the county council, Greater London Council or the Common Council by whom he was appointed.".

5. After regulation B2(1)(*l*) (Pensionable employees) of the principal Regulations there shall be inserted the following sub-paragraph:—

"(*ll*) every coroner, other than the Queen's coroner and attorney, or the coroner of the Queen's Household, or a coroner who held office as a coroner immediately before 6th April 1978 and who did not elect in accordance with Article 3(*b*) of the Social Security (Modification of Coroners (Amendment) Act 1926) Order 1978 that the provisions of the Coroners (Amendment) Act 1926 relating to pensions should not apply to him.".

6. After regulation D1(1)(*g*) (Reckonable service) of the principal Regulations there shall be inserted the following sub-paragraph:—

"(*h*) in the case of a coroner who held office as a coroner immediately before 6th April 1978 any service as a coroner before he became a pensionable employee multiplied in the case of service of five years or less by five divided by three and in the case of service exceeding five years by four divided by three.".

7. After regulation G10 of the principal Regulations there shall be inserted the following regulation:—

"*Coroners*

G11. In their application to such coroners as are mentioned in regulation B2(1)(*ll*) these regulations shall have effect subject to the modifications set out in Part IV of Schedule 14.".

8. After Part III of Schedule 14 to the principal Regulations there shall be inserted the following Part:—

PART IV "Regulation G11.

CORONERS

1. Regulation L15 shall have effect as if for the reference to 65 years there were substituted a reference to the age of 70 years or any lesser age (not being less than 65 years) at which the coroner completes 45 years' reckonable service:

Provided that in relation to a coroner who has attained the age of 70 years on 6th April 1978 regulation L15 shall have effect as if for the reference to 65 years there were substituted a reference to the age he attains on 31st December 1978.

2. Any reference in paragraphs 2 and 3(2) of Schedule 9 to the age of 65 years shall be construed as a reference to the age of 70 years.".

Merlyn Rees,
One of Her Majesty's Principal Secretaries of State.

Home Office.
7th June 1978.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations provide for coroners, other than a coroner who elected not to become subject to the Local Government Superannuation Regulations 1974, to become superannuable under the 1974 Regulations and makes the necessary modifications to the 1974 Regulations. In particular Regulation 6 provides for the counting of past service as a coroner.

The Regulations take effect from 6th April 1978 in exercise of the powers conferred by section 12(1) of the Superannuation Act 1972.

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