STATUTORY INSTRUMENTS

1977 No. 1121

PENSIONS

The Local Government Superannuation (Amendment) Regulations 1977

Made - - - -	6*th July* 1977
Laid before Parliament	14*th July* 1977
Coming into Operation	4*th August* 1977

The Secretary of State for the Environment, in exercise of the powers conferred upon 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:—

Title and commencement

1.—(1) These regulations may be cited as the Local Government Superannuation (Amendment) Regulations 1977.

(2) The principal regulations and these regulations may be cited together as the Local Government Superannuation Regulations 1974 and 1977.

(3) These regulations shall come into operation on 4th August 1977.

Interpretation

2.—(1) In these regulations, unless the context otherwise requires, "the principal regulations" means the Local Government Superannuation Regulations 1974**(b)**.

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

Certificates as to reduction in remuneration

3. The following paragraph shall be substituted for paragraph (1) of regulation L11 of the principal regulations—

"(1) Where a pensionable employee has, in consequence of a material change in circumstances (being a change resulting from his incapacity to continue to discharge efficiently the duties of his post or otherwise from circumstances beyond his control), suffered a reduction in the remuneration of his employment, the employing authority—

(a) 1972 c. 11.
(b) S. I. 1974/520 (1974 I, p. 1986).
(c) 1889 c. 63.

(*a*) on the application of the employee, shall, or

(*b*) on their own initiative, may,

issue to that employee a certificate that there has been a material change in circumstances:

Provided that an employing authority shall not issue such a certificate where the employee has suffered—

(*a*) a reduction in the remuneration of his employment which is made on the termination of, or on the occasion of any reduction in, a temporary increase in such remuneration; or

(*b*) a temporary reduction in the remuneration of his employment.".

Peter Shore,

6th July 1977. Secretary of State for the Environment.

EXPLANATORY NOTE

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

These Regulations amend regulation L11 (certificates as to reduction in remuneration) of the Local Government Superannuation Regulations 1974.

Paragraph (1) of the 1974 regulation provides that where it appears to an employing authority that a pensionable employee has, in consequence of a material change in circumstances, suffered a reduction in the remuneration of his employment, that authority (*a*) on the application of the employee, shall, or (*b*) on their own initiative, may, issue to that employee a certificate that there has been a material change in circumstances.

The changes are—

(i) The words "Where it appears to an employing authority" are omitted.

(ii) The material change in circumstances must result from the employee's incapacity to continue to discharge efficiently the duties of his post or otherwise from circumstances beyond his control.

(iii) A certificate cannot be issued where the reduction in remuneration is a temporary one, or is one made on the termination or reduction of a temporary increase in remuneration.

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