STATUTORY INSTRUMENTS

1983 No. 1315

PENSIONS

The Pensions Increase (Local Authorities' etc. Pensions) (Amendment) Regulations 1983

Made - - - - -	31*st August* 1983
Laid before Parliament	8*th September* 1983
Coming into Operation	30*th September* 1983

The Treasury, in exercise of the powers conferred upon the Minister for the Civil Service by section 5(2) of the Pensions (Increase) Act 1971**(a)**, and now vested in them**(b)**, and of all other powers enabling them in that behalf, hereby make the following regulations:—

1.—(1) These regulations may be cited as the Pensions Increase (Local Authorities' etc. Pensions) (Amendment) Regulations 1983, and shall come into operation on 30th September 1983.

(2) In these regulations "the 1974 regulations" means the Pensions Increase (Local Authorities' etc. Pensions) Regulations 1974**(c)**.

2. Regulation 4 of the 1974 regulations is amended—

(*a*) by substituting for the words ", 3 or 4", in paragraph (1), the words "or 3";

(*b*) by inserting after the words "this paragraph", in paragraph (1), the words "and in paragraph (1A)"; and

(*c*) by inserting after paragraph (1) the following:

"(1A) In the case of a pension specified in paragraph 6 of the Schedule to these Regulations, any increase of pension payable by virtue of these Regulations (including any amount by which the basic rate of the pension has been increased before 30th September 1983 shall be paid by the authority by whom the pension is payable ("the pension authority"), but—

(a) 1971 c. 56. **(b)** S.I. 1981/1670. **(c)** S.I. 1974/1740.

(*a*) where the functions in connection with which the latest services in respect of which the pension is payable were rendered—

(i) are no longer exercisable by any statutory authority, or

(ii) are superannuation functions or compensation functions,

the pension authority shall be reimbursed 82% of the cost of any such increase by the other water authorities in accordance with the Table below, and

(*b*) where sub-paragraph (*a*) does not apply and the pension authority are not the last employing authority, the pension authority shall be reimbursed the cost of any such increase by the last employing authority.

TABLE

Water authority	Percentage of total Cost
Anglian	11
Northumbrian	4
North West	15
Southern	6
South West	4
Thames	19
Wessex	4
Welsh	9
Yorkshire	10

(1B) In paragraph (1A)—

"superannuation functions" means the functions of an administering authority under the Local Government Superannuation Regulations 1974 to 1983**(a)**, and

"compensation functions" means functions relating to—

(*a*) the payment of benefit or compensation in respect of early retirement or for loss of employment, or

(*b*) redundancy payments within the meaning of the Employment Protection (Consolidation) Act 1978**(b)**,

which were exercisable by the National Water Council, or which are exercisable by the pension authority by virtue of regulations under paragraph 8 of Schedule 2 to the Water Act 1983**(c)**.".

(a) S.I. 1974/520, 1977/1121, 1845, 1978/266, 822, 1738, 1739, 1979/2, 592, 1534, 1980/216, 233, 234, 1981/1250, 1509, 1982/908, 1514, 1983/178.

(b) 1978 c. 44.

(c) 1983 c. 23.

3. The Schedule to the 1974 regulations is amended by deleting paragraphs 4 and 5.

D. J. F. Hunt,
Donald Thompson,
Two of the Lords Commissioners
of Her Majesty's Treasury.

31st August 1983.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations amend the Pensions Increase (Local Authorities' etc. Pensions) Regulations 1974 so as to secure that the cost of increasing certain pensions is borne by appropriate authorities. The pensions are those which become payable by the Severn-Trent Water Authority ("the pension authority") instead of by the National Water Council ("the Council"), in consequence of the dissolution of the latter body.

Where the pensioner's last employment was in connection with superannuation on compensation functions of, or transferred to the pension authority from, the Council, or functions which have ceased to be exercisable by any statutory authority, the cost is to be apportioned among all the water authorities. In other cases where the relevant functions are exercisable by the pension authority, that authority are to bear the cost themselves. Where the relevant functions are still exercisable by a statutory authority other than the pension authority, the cost is to be borne by the former authority.

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