



## Local Government Pension Scheme (Amendment) (Governance) Regulations 2014

# A comparison of the first and second draft

First draft	Second draft	Comments
Come into force on 1 October 2014	Come into force on 1 January 2015	This is simply a timing issue with the issuance of the final regulations
Gave options for the Pensions Board to either be a S101 Committee or to have local flexibility	S101 is removed. Pensions Boards will be constituted through local flexibility	This complies with the majority of consultation responses when considering the incompatibility of the two legislative provisions
	Includes an additional role of the Pensions Board to include "the power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions"	This simply clarifies their role although some clarity on what would "facilitate" or is "conductive or incidental to" would be useful
Prevented councillors from acting as member or employer representatives	This restriction is not carried through in the second draft	No doubt in response to the consultation outcomes
Required that the majority of the Pensions Board be made up of employer and member representatives	Removes this requirement, there is no comment on majority	
	While elected councillors can be member or employer representatives on the Pensions Board there is a restriction in the second draft that says persons or councillors of the administering authority cannot sit on both the Pensions Committee and the Pensions Board. This restriction does not apply to other representatives	While it is possible for representatives of other employers to sit on both the Pensions Committee and the Pensions Board, it is not considered good practice given the self-regulating element that the reforms are seeking to avoid
	Includes an additional role of the Scheme Advisory Board to include "the power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions"	This reflects the additional power given to local boards in the second draft. Some clarity on what would "facilitate" or is "conductive or incidental to" would be useful
The Scheme Advisory Board Chair to be appointed by the Secretary of State. The members to be appointed by the Chair with approval from the Secretary of State	Under the second drafting, all members to be appointed by the Secretary of State, removes the responsibility from the Chair	Question the impartiality and reasonableness of this
	The Scheme Advisory Board Chair can appoint with Board agreement three persons to be non-voting members	