

Falkirk Council Pension Fund

Application to Join the Local Government Pension Scheme Transferee Admission Bodies

1. Full name of organisation applying to join the Scheme

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2. Date from which organisation wishes to join the Scheme

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3. Basis of Application (N.B. Your organisation must comply with at least one of the following categories in order to be admitted:)

(a) **a body, other than a community admission body, that is providing or will provide a service or assets in connection with the exercise of a function of a scheme employer as a result of -**

(i) the transfer of the service or assets by means of a contract or other arrangement;

(ii) guidance provided under section 2 of the Local Government in Scotland Act 2003 (requiring a local authority to have regard to guidance provided by the Scottish Ministers on performance of its duties) or a statement of findings under section 3 of that Act (which allows the Accounts Commission for Scotland to take certain actions following a report on a local authority by the Controller of Audit)

(b) **a body, other than a community admission body, that is providing or will provide a public service and which is approved by Scottish Ministers**

4. If your organisation *is* a Community Admission Body (CAB), then ask the Pensions Section at Falkirk Council for the application form for CAB's). CAB's are organisations that meet any of the following criteria:

(a) a body which provides a public service in the United Kingdom otherwise than for the purpose of gain and which either (i) has sufficient links with a Scheme employer for the body and the Scheme employer to be regarded as having a community of interest, whether because the operations of the body are dependent on the operations of the Scheme employer or otherwise, or (ii) is approved by the Scottish Ministers for the purposes of admission to the Scheme;

(b) a body to the funds of which any Scheme employer contributes;

(c) a body representative (i) of local authorities; (ii) of local authorities and officers of local authorities; (iii) of officers of local authorities which is formed for the purpose of consultation as to the common interests of local authorities and the discussion of matters relating to local government; or (iv) of Scheme employers; and

(d) a voluntary organisation engaged in the provision of services under-

(i) Part III of the National Health Service (Scotland) Act 1978;

(ii) Part III of the National Assistance Act 1948;

(iii) the Disabled Persons (Employment) Act 1958;

(iv) the Mental Health (Scotland) Act 1984 or the Mental Health (Care and Treatment) (Scotland) Act 2003; or

(v) section 14 of the Social Work (Scotland) Act 1968 (which places a duty on local authorities to provide domiciliary services and laundry facilities to certain households)

Signed _____

Dated _____

on behalf of _____ **(Enter Organisation Name)**

4. **Points to Consider**

- (a) A "Scheme Employer" is any organisation which is required by statute to offer the Local Government Pension Scheme to its staff. e.g. Local Authorities, Police Forces, Fire Brigades, Colleges of Further or Higher Education, Water Authorities, Area Tourist Boards, SCRA, SEPA, etc.
- (b) With respect to Transferee Admission Bodies, the following matters should be noted:
- i) Only those employees employed in connection with the provisions of the service or assets can be members of the Scheme.
 - ii) If the Scheme employer is different to Falkirk Council, they must be a party to the Admission Agreement.
 - iii) It must be a condition of the admission agreement that an actuarial assessment be carried out as to the level of risk arising on premature termination of the provision of service or assets by reason of liquidation, insolvency or winding up of the admission body, and where the level of risk warrants it, that the transferee admission body will enter into a bond or indemnity to meet the level of risk identified.

The indemnity or bond must be with -

(a) a person who has permission under Part 4 of the Financial Services and Markets Act 2000 to accept deposits or to effect and carry out contracts of general insurance;

(b) an EEA firm of the kind mentioned in paragraph (5)(b) and (d) of Schedule 3 to that Act, which has permission under paragraph (15) of that Schedule (as a result of qualifying for authorisation under paragraph (12) of that Schedule) to accept deposits or to effect and carry out contracts of general insurance; or

(c) a person who does not require permission under that Act to accept deposits, by way of business, in the United Kingdom.

- iv) The admission agreement must make provision for the matters set out in Schedule 2A of the Local Government Pension Scheme (Scotland) Regulations 1998 as amended.

5. **More Information**

Contact the Pensions Section at Falkirk Council for more information about admission agreements.

Telephone - 01324-506316
Fax - 01324-506303
E-mail - pensions@falkirk.gov.uk

Web - www.falkirk.gov.uk (Select Pensions from A to Z list; Employers Advice Page; LGPS - Administration Guide)

Please send your completed application form to:

Pensions Section
PO Box 14882
Falkirk Council
Municipal Buildings
Falkirk
FK1 5ZF