

No.

PUBLIC SERVICE PENSIONS, ENGLAND AND WALES

The Local Government Pension Scheme (Elected Member Pensions) Regulations 2026

Made - - - -

Laid before Parliament

Coming into force - -

1st April 2026

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 1, 3 and 25 of, and Schedule 3 to, the Public Service Pensions Act 2013^(a).

In accordance with section 21 of that Act, the Secretary of State has consulted such persons and the representatives of such persons as appeared to the Secretary of State to be likely to be affected by these Regulations.

In accordance with section 3(5) of that Act, these Regulations are made with the consent of the Treasury.

PART 1

Introductory

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Local Government Pension Scheme (Elected Member Pensions) Regulations 2026 and come into force on 1 April 2026.

(2) These Regulations extend to England and Wales.

(a) 2013 c. 25. Section 3 was amended by section 94(2), (3), (4), (5) and (6) of the Public Service Pensions and Judicial Offices Act 2022 (c. 7).

PART 2

Amendment of Local Government Pension Scheme Regulations

Amendment of the Local Government Pension Scheme Regulations 2013

2. The Local Government Pension Scheme Regulations 2013(a) are amended as follows—
- (a) after Part 3 (governance) insert—

“PART 4

Elected members

Elected members

117.—(1) Subject to paragraph (2), these regulations apply to elected members in respect of their elected membership with the modifications set out in Schedule 4.

(2) The Secretary of State may, by written direction, modify these regulations as they apply to elected members for the purposes set out in section 25(8) of the Public Service Pensions Act 2013(b).”;

- (b) in Schedule 1 (interpretation)—

- (i) after the definition of “Club Transfer” insert—

““Combined Authority establishment order” means an order made under section 103 of the Local Democracy, Economic Development and Construction Act 2009(c) which establishes, and makes provision about the constitution of, a Combined Authority.

“Combined County Authority establishment regulations” means regulations made under section 9 of the Levelling-Up and Regeneration Act 2023(d) which establish, and make provision about the constitution of, a Combined County Authority.”;

- (ii) after the definition of “earned pension” insert—

““elected member” means a person who is a member of the Scheme by reason of being—

- (a) an eligible councillor, or
(b) an eligible mayor.

“elected membership” means any period of membership which counts in respect of service as—

- (a) an eligible councillor, or
(b) an eligible mayor ;

and not other local government employment.”;

- (iii) after the definition of “eligible child” insert—

(a) S.I. 2013/2356.
(b) 2013 c. 25.
(c) 2009 c. 20. Section 103 was amended by section 12(2) and 14(2) of the Cities and Local Government Devolution Act 2016 (c. 1) and paragraph 189 of Schedule 4 to the Levelling-up and Regeneration Act 2023 (c. 55).
(d) 2023 c. 55.

““eligible councillor” means—

- (a) a member of a local authority in England who is entitled to be a member of the Scheme under a scheme made in accordance with the Local Authorities (Members’ Allowances) (England) Regulations 2003;
- (b) a member of a Combined Authority in England who is entitled to be a member of the Scheme under a Combined Authority establishment order;
- (c) a member of a Combined County Authority in England who is entitled to be a member of the Scheme under Combined County Authority establishment regulations, or
- (d) a member of the London Assembly who is entitled to be a member of the Scheme under section 26 of the Greater London Authority Act 1999(a).

“eligible mayor” means—

- (a) a mayor or deputy mayor of a Combined Authority in England who is entitled to be a member of the Scheme under a Combined Authority establishment order;
- (b) a mayor or a deputy mayor of a Combined County Authority in England who is entitled to be a member of a Scheme under Combined County Authority establishment regulations;
- (c) the Mayor of London or a deputy Mayor of London who is entitled to be a member of the Scheme under section 26 of the Greater London Authority Act 1999.”;

- (c) In Part 4 of Schedule 2, after the existing entries, insert—

An eligible councillor	The local authority to which the eligible councillor is elected
An eligible mayor other than the Mayor of London or a deputy Mayor of London	The Combined Authority or Combined County Authority in respect of which the eligible mayor is elected
The Mayor of London or a deputy Mayor of London	The Greater London Authority

- (d) After Schedule 3 (pension funds) insert—

“SCHEDULE 4

Regulation 117

Elected Members

1. In regulation 3 (active membership)—

- (a) omit paragraphs (3), (4) and (5);
- (b) in paragraph (6) —
 - (i) in sub-paragraph (a) omit “but” in any event, and
 - (ii) omit sub-paragraph (b).

2. In regulation 16 (additional pension contributions) omit paragraphs (2)(e) and (4)(d).

(a) 1999 c. 29. Section 24 was amended by section 1(3) of the Greater London Authority Act 2007 (c. 24).

3. In regulation 17 (additional voluntary contributions)—
 - (a) in paragraph (1) omit “or to contribute shared cost additional voluntary contribution arrangements (“SCAVCs”);
 - (b) in paragraph (12) omit “or SCAVC” in each place where it occurs.
4. In regulation 18 (right to return of contributions)—
 - (a) for paragraph (1)(c) substitute—

“(c) the realisable value of any AVC paid by the person under regulation 17 in relation to that active membership (other than such contributions paid for life assurance cover or additional survivor benefits); and”;
 - (b) omit paragraph (2).
5. In regulation 19 (exclusion of right to return of contributions) omit paragraph (1)(d).
6. For regulation 20 (meaning of pensionable pay) substitute—

“(1) An elected member’s pensionable pay in any year is the total of all basic allowance and special responsibility allowance paid to that elected member in any applicable remuneration framework established under—

 - (a) the Local Authorities (Members’ allowances) (England) Regulations 2003^(a),
 - (b) the Greater London Authority Act 1999,
 - (c) a Combined Authority establishment order, or
 - (d) Combined County Authority establishment regulations.

(2) All references to “pensionable pay” in these Regulations in respect of an elected member shall be construed in accordance with paragraph (1).”.
7. In regulation 22 (pension accounts), after paragraph (9) insert—

“(10) In the case of a deferred member who has been an elected member, an election under paragraph (7) or (8) may only aggregate elected membership with former elected membership and, as the case may be, membership which is not elected membership with former membership which is not elected membership.”.
8. In regulation 30 (retirement benefits) omit paragraphs (6) and (7).
9. Omit regulation 31 (award of additional pension).
10. In regulation 35 (Early payment of retirement pension on ill-health grounds: active members)—
 - (a) for paragraph (1) substitute—

“(1) Where an elected member who has a qualifying service of a period of two years or more ceases to hold office on the grounds of ill-health or infirmity of mind or body before that member reaches normal pension age, is entitled to, and must take, early payment of a retirement pension if that member satisfied the conditions in paragraphs (3) and (4) of this regulation.”;
 - (b) in paragraph (3) for “employment the member was engaged in” substitute “office the member was holding”.

^(a) S.I. 2003/1021

11. Omit regulation 36(1)(c) (role of the IRMP).

12. In regulation 37 (special provision in respect of members receiving Tier 3 benefits)—

(a) in paragraph (7)(b)—

(i) in paragraph (i), for “employment the member was engaged in” substitute “office the member was holding”;

(ii) in paragraph (iii) for “leaving the employment” substitute “leaving the office”;

(b) in paragraph (10), for “employment the member was engaged in” substitute “office the member was holding”.

13. In regulation 38 (early payment of retirement pension on ill-health grounds: deferred members)—

(a) in paragraph (1)(a), for “the employment that member was engaged in” substitute “the office that member was holding”;

(b) in paragraph (3)(a), for “the employment that member was engaged in” substitute “the office that member was holding”.

14. In regulation 39 (calculation of ill-health pension amounts)—

(a) in paragraph (1)(a), for “the member’s employment was terminated” substitute “the member ceased to hold office”;

(b) in paragraph (8)(a), for “the member’s employment was terminated” substitute “the member ceased to hold office”.

Amendment to the Local Government Pension Scheme (Transitional Provisions, Savings and Amendments) Regulations 2014

3. In regulation 9 of the Local Government Pension Scheme (Transitional Provisions, Savings and Amendments) Regulations 2014(**a**) (transfers), after paragraph (2) insert —

“(2A) Notwithstanding paragraph (1) where a transfer payment, to which paragraph (1) applies, is received into the 2014 Scheme in respect of an elected member, such payment shall entitle the person to benefits under the 2014 Scheme.

(2B) Notwithstanding paragraphs (1ZA) and (1ZB), where a transfer payment, to which paragraphs (1ZA) and (1ZB) apply is received into the 2014 Scheme in respect of an elected member, such payment shall not be treated as —

(a) a payment in respect of a remediable service for an elected member, or

(b) a pension to which regulations 4A to 4V apply.”;

PART 3

Consequential Amendments

Amendment of the Local Authorities (Members’ Allowances) (England) Regulations 2003

4.—(1) The Local Authorities (Members’ Allowances) (England) Regulations 2003(**b**) are amended as follows.

(2) For regulation 11 (pensions) substitute—

(a) S.I. 2014/525; relevant amending instruments are S.I. 2018/493 and 2023/972.

(b) S.I. 2003/1021, to which there are amendments not relevant to these Regulations.

“Pensions

11. A scheme made by a district council, county council or London borough council which provides that a member is entitled to a basic allowance or a special responsibility allowance must provide that—

- (a) the member shall be entitled to a pension in accordance with a scheme made under section 1 of the Public Service Pensions Act 2013, and
- (b) the basic allowance or special responsibility allowance (or both, as the case may be) shall be treated as an amount in respect of which such a pension is payable in accordance with a scheme made under section 1 of the Public Service Pensions Act 2013.”.

(3) In regulation 21 (recommendations of panels), in paragraph (1) omit sub-paragraphs (f) and (g).

Amendment of the Greater Manchester Combined Authority Order 2011

5. In Schedule 1 to the Greater Manchester Combined Authority Order 2011(a), in paragraph 3C (remuneration)—

- (a) in sub-paragraph(1), for “and (3)” substitute “to (5)”, and
- (b) after sub-paragraph (3) insert—

“(4) Sub-paragraph (5) applies in relations to pensions.

(5) Where the GMCA pays an allowance to a person in accordance with paragraphs (2) and (3)—

- (a) that person shall be entitled to a pension in accordance with a scheme made under section 1 of the Public Service Pensions Act 2013,
- (b) that allowance shall be treated as an amount in respect of which such a pension is payable under a scheme made under section 1 of the Public Service Act 2013, and
- (c) the GMCA must make such payments as may be required in respect of pension payable to a person in relation to that allowance.”.

Amendment of the Barnsley, Doncaster, Rotherham and Sheffield Combined Authority Order 2014

6. In Schedule 1 to the Barnsley, Doncaster, Rotherham and Sheffield Combined Authority Order 2014(b)—

- (a) in paragraph 7 (remuneration), for “, 7B and 7C” substitute “to 7D”;
- (b) for paragraph 7A substitute—

“**7A.** Paragraphs 7B to 7D apply in relation to—

- (a) allowances payable other than allowances for travel and subsistence, and
- (b) pensions.”;

(c) after paragraph 7C insert—

“**7D.** Where the Combined Authority pays an allowance to a person in accordance with paragraph 7B(1)—

(a) S.I. 2011/908; relevant amending instruments are S.I. 2017/612, 2018/444 and 2024/430.
(b) S.I. 2014/863; relevant amending instruments are S.I. 2020/806 and 2024/430.

- (a) that person shall be entitled to a pension in accordance with a scheme made under section 1 of the Public Service Pensions Act 2013,
- (b) that allowance shall be treated as an amount in respect of which such a pension is payable under a scheme made under section 1 of the Public Service Act 2013, and
- (c) the Combined Authority must make such payments as may be required in respect of pension payable to a person in relation to that allowance.”.

Amendment of the West Yorkshire Combined Authority Order 2014

7. In Schedule 1 to the West Yorkshire Combined Authority Order 2014(a)—

- (a) in paragraph 7 (remuneration), after “9A” insert “, 9B”;
- (b) after paragraph 9A insert—

“9B. Where the Combined Authority pays an allowance to a person in accordance with paragraph 9 or 9A, —

- (a) that person shall be entitled to a pension in accordance with a scheme made under section 1 of the Public Service Pensions Act 2013,
- (b) the allowance shall be treated as an amount in respect of which such a pension is payable under a scheme made under section 1 of the Public Service Act 2013, and
- (c) the Combined Authority must make such payment as may be required in respect of pension payable to a person in relation to that allowance.”.

Amendment of the Halton, Knowsley, Liverpool, St Helens, Sefton and Wirral Combined Authority Order 2014

8. In Schedule 1 to the Halton, Knowsley, Liverpool, St Helens, Sefton and Wirral Combined Authority Order 2014(b), in paragraph 7—

- (a) in sub-paragraph (1), for “sub-paragraph (3)” substitute “sub-paragraphs (3) and (4)”;
- (b) after sub-paragraph (3) insert—

“(4) Where the Combined Authority pays an allowance to a person in accordance with sub-paragraph (3)—

- (a) that person shall be entitled to a pension in accordance with scheme made under section 1 of the Public Service Act 2013,
- (b) the allowance shall be treated as an amount in respect of which such a pension is payable under a scheme made under section 1 of the Public Service Act 2013, and
- (c) the Combined Authority must make such payment as may be required in respect of pension payable to a person in relation to that allowance.”;

Amendment of the Tees Valley Combined Authority Order 2016

9. In Schedule 1 to the Tees Valley Combined Authority Order 2016(c), in paragraph 7 (remuneration)—

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- (a) S.I. 2014/864; relevant amending instruments are S.I. 2021/112 and 2024/430.
 - (b) S.I. 2014/865; relevant amending instruments are S.I. 2017/430 and 2024/430.
 - (c) S.I. 2016/449; relevant amending instruments are S.I. 2017/431 and 2024/430.

- (a) in sub-paragraph (1), for “and (3)” substitute “to (4)”;
- (b) after sub-paragraph (3) insert—

“(4) Where the Combined Authority pays an allowance to a person in accordance with sub-paragraphs (2) or (3)—

- (a) that person shall be entitled to a pension in accordance with scheme made under section 1 of the Public Service Act 2013,
- (b) the allowance shall be treated as an amount in respect of which such a pension is payable under a scheme made under section 1 of the Public Service Act 2013, and
- (c) the Combined Authority must make such payment as may be required in respect of pension payable to a person in relation to that allowance.”.

Amendment of the West Midlands Combined Authority Order 2016

10. In Schedule 1 to the West Midlands Combined Authority Order 2016(a), in paragraph 7 (remuneration)—

- (a) in sub-paragraph (1), for “and (3)” substitute “to (4)”;
- (b) after sub-paragraph (3) insert—

“(4) Where the Combined Authority pays an allowance to a person in accordance with sub-paragraphs (2) or (3)—

- (a) that person shall be entitled to a pension in accordance with scheme under section 1 of the Public Service Act 2013,
- (b) the allowance shall be treated as an amount in respect of which such a pension is payable under section 1 of the Public Service Act 2013, and
- (c) the Combined Authority must make such payment as may be required in respect of pension payable to a person in relation to that allowance.”.

Amendment of the West of England Combined Authority Order 2017

11. In Schedule 1 to the West of England Combined Authority Order 2017(b), in paragraph 8—

- (a) in sub-paragraph (1), for “and (3)” substitute “to (4)”;
- (b) after sub-paragraph (3) insert—

“(4) Where the Combined Authority pays an allowance to a person in accordance with sub-paragraphs (2) or (3)—

- (a) that person shall be entitled to a pension in accordance with scheme under section 1 of the Public Service Act 2013,
- (b) the allowance shall be treated as an amount in respect of which such a pension is payable under section 1 of the Public Service Act 2013, and
- (c) the Combined Authority must make such payment as may be required in respect of pension payable to a person in relation to that allowance.”.

(a) S.I. 2016/653.

(b) S.I. 2017/126; relevant amending instruments are S.I. 2024/430.

Amendment of the Cambridgeshire and Peterborough Combined Authority Order 2017

12. In the Schedule to the Cambridgeshire and Peterborough Combined Authority Order 2017(a), in paragraph 8—

- (a) in sub-paragraph (1), for “and (3)” substitute “to (4)”;
- (b) after sub-paragraph (3) insert—

“(4) Where the Combined Authority pays an allowance to a person in accordance with sub-paragraph (2)—

- (a) that person shall be entitled to a pension in accordance with scheme under section 1 of the Public Service Act 2013;
- (b) the allowance shall be treated as an amount in respect of which such a pension is payable under section 1 of the Public Service Act 2013, and
- (c) the Combined Authority must make such payment as may be required in respect of pension payable to a person in relation to that all.”.

Amendment of the York and North Yorkshire Combined Authority Order 2023

13. In Schedule 1 to the York and North Yorkshire Combined Authority Order 2023(b)—

- (a) in paragraph 5 (remuneration), for “6 and 7” substitute “6, 7 and 7A”;
- (b) after paragraph 7 insert—

“7A. Where the Combined Authority pays an allowance to a person in accordance with paragraph 7—

- (a) that person shall be entitled to a pension in accordance with scheme under section 1 of the Public Service Act 2013,
- (b) the allowance shall be treated as an amount in respect of which such a pension is payable under section 1 of the Public Service Act 2013, and
- (c) the Combined Authority must make such payment as may be required in respect of pension payable to a person in relation to that allowance.”.

Amendment of the East Midlands Combined County Authority Regulations 2024

14.—(1) In Schedule 1 to the East Midlands Combined County Authority Regulations 2024(c)—

- (a) in paragraph 6 (remuneration), after “8” insert “, 8A”;
- (b) after paragraph 8 insert—

“8A. Where the Combined County Authority pays an allowance to a person in accordance with paragraph 8—

- (a) that person shall be entitled to a pension in accordance with scheme under section 1 of the Public Service Act 2013,
- (b) the allowance shall be treated as an amount in respect of which such a pension is payable under section 1 of the Public Service Act 2013, and

(a) S.I. 2017/251; relevant amending instruments are S.I. 2024/430.
(b) S.I. 2023/1432.
(c) S.I. 2024/232.

- (c) the Combined County Authority must make such payment as may be required in respect of pension payable to a person in relation to that allowance.”.

Amendment of the North East Mayoral Combined Authority (Establishment and Functions) Order 2024

15. In Schedule 1 to the North East Mayoral Combined Authority (Establishment and Functions) Order 2024(a) (remuneration), in paragraph 4—

- (a) in sub-paragraph (1), for “and (4)” substitute “to (5)”;
- (b) after sub-paragraph (4) insert—

“(5) Where the Combined Authority pays an allowance to a person in accordance with sub-paragraph (3) or (4)—

- (a) that person shall be entitled to a pension in accordance with scheme under section 1 of the Public Service Act 2013,
- (b) the allowance shall be treated as an amount in respect of which such a pension is payable under section 1 of the Public Service Act 2013, and
- (c) the Combined Authority must make such payment as may be required in respect of pension payable to a person in relation to that allowance.”;

Amendment of the Hull and East Yorkshire Combined Authority Order 2025

16. In Schedule 1 to the Hull and East Yorkshire Combined Authority Order 2025(b)—

- (a) in paragraph 6 (remuneration), for “7 and 8” substitute “7, 8 and 8A”;
- (b) after paragraph 8 insert—

“**8A.** Where the Combined Authority pays an allowance to a person in accordance with paragraph 8—

- (a) that person shall be entitled to a pension in accordance with scheme under section 1 of the Public Service Act 2013,
- (b) the allowance shall be treated as an amount in respect of which such a pension is payable under section 1 of the Public Service Act 2013, and
- (c) the Combined Authority must make such payment as may be required in respect of pension payable to a person in relation to that allowance.”.

Amendment of the Devon and Torbay Combined County Authority Regulations 2025

17. In Schedule 1 to the Devon and Torbay Combined County Authority Regulations 2025(c)—

- (a) in paragraph 5 (remuneration), after “7” insert “, 7A”;
- (b) after paragraph 7 insert—

“**7A.** Where the Combined County Authority pays an allowance to a person in accordance with paragraph 6—

- (a) that person shall be entitled to a pension in accordance with scheme under section 1 of the Public Service Act 2013,

(a) S.I. 2024/402.
(b) S.I. 2025/113.
(c) S.I. 2025/115.

- (b) the allowance shall be treated as an amount in respect of which such a pension is payable under section 1 of the Public Service Act 2013, and
- (c) the Combined County Authority must make such payment as may be required in respect of pension payable to a person in relation to that allowance.”.

Amendment of the Greater Lincolnshire Combined County Authority Regulations 2025

18. In Schedule 1 to the Greater Lincolnshire Combined County Authority Regulations 2025(**a**)—

- (a) in paragraph 9 (remuneration), for “and 11” substitute “to 12”;
- (b) after paragraph 11 insert—

“**12.** Where the Combined County Authority pays an allowance to a person in accordance with paragraph 10—

- (a) that person shall be entitled to a pension in accordance with scheme under section 1 of the Public Service Act 2013;
- (b) the allowance shall be treated as an amount in respect of which such a pension is payable under section 1 of the Public Service Act 2013, and
- (c) the Combined County Authority must make such payment as may be required in respect of pension payable to a person in relation to that allowance.”.

Amendment of the Lancashire Combined County Authority Regulations 2025

19. In Schedule 1 to the Lancashire Combined County Authority Regulations 2025(**b**)—

- (a) in paragraph 5 (remuneration) for “6 and 7” substitute “6, 7 and 7A”;
- (b) after paragraph 7 insert—

“**7A.** Where the Combined County Authority pays an allowance to a person in accordance with paragraph 6—

- (a) that person shall be entitled to a pension in accordance with scheme under section 1 of the Public Service Act 2013,
- (b) the allowance shall be treated as an amount in respect of which such a pension is payable under section 1 of the Public Service Act 2013, and
- (c) the Combined County Authority must make such payment as may be required in respect of pension payable to a person in relation to that allowance.”.

(a) S.I. 2025/117.

(b) S.I. 2025/118.

We consent to the making of these Regulations

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Two of the Lords Commissioners of His Majesty's Treasury

Signed by authority of the Secretary of State for Housing, Communities and Local Government

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Minister of State

Ministry of Housing, Communities and Local Government

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations extend access to the Local Government Pension Scheme (“LGPS”) to elected members of local authorities in England (namely councillors and mayors of county councils, district councils, London Borough councils, combined authorities, combined county authorities, and the Greater London Authority).

Part 2 of these Regulations makes changes to the relevant LGPS legislation.

Regulation 2 amends the Local Government Pension Scheme Regulations 2013 (S.I. 2013/2356, “the 2013 Regulations”), which establishes the current version of the LGPS, to provide a framework under which elected members can participate in the LGPS. This includes in particular the insertion of a new Part 4 and Schedule 4, which provide for the 2013 Regulations to apply to elected members with such modifications as are required to reflect the nature of their role, and the inclusion of relevant definitions.

Regulation 3 amends the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014 (S.I. 2014/525), which preserve benefits accrued under previous versions of the LGPS, to clarify that any pension transferred into the LGPS by an elected member will only provide Career Average Revalued Earnings benefits under the current version of the LGPS rather than final salary benefits under the earlier versions of the LGPS.

Part 3 of the Regulations makes consequential amendments to other legislation to support these changes. Paragraph 4 amends the Local Authorities (Members’ Allowances) (England) Regulations 2003, which govern allowances for councillors and mayors in district councils, county councils, and London Borough councils, to provide that any basic or special responsibility allowances payable by those authorities are pensionable. Paragraphs 5 to 19 make equivalent amendments to the regulations and orders which established Combined Authorities and Combined County Authorities.

An impact assessment has not been produced for this instrument as no, or no significant, impact is anticipated on the private or voluntary sectors.