8. PENSIONS

The Electricity (Pension Rights) Regulations, 1948

1948 No. 2172

Made - - - - 23*rd September*, 1948
Laid before Parliament 24*th September*, 1948
Coming into Operation 1*st October*, 1948

The Minister of Fuel and Power and the Secretary of State, in exercise of the powers conferred upon them by section fifty-four of the Electricity Act, 1947, and of all other powers enabling them in that behalf, hereby make the following Regulations:— 10 & 11 Geo. 6. c. 54.

1.—(1) This regulation shall apply to any pension scheme (in these Regulations referred to as a " transferred scheme "):— Transferred schemes.

(*a*) confined to employees of one or more bodies to whom Part II of the Act (in these Regulations referred to as " Part II ") applied, not being local authorities or composite companies; or

(*b*) maintained at the vesting date by one of the joint electricity authorities specified in the Schedule to these Regulations.

(2) Every transferred scheme shall continue in operation subject to the Act and these Regulations and to the modification that in the provisions of each such scheme determining the persons eligible for benefits there shall be substituted for any reference:—

(*a*) to persons employed by a body to whom Part II applied, a reference to persons employed by that body before the vesting date; and

(*b*) to any person ceasing to be employed by any such body, a reference to that person ceasing to be in the employment of an Electricity Board.

(3) In the application of the last foregoing paragraph to any scheme mentioned in sub-paragraph (*b*) of paragraph (1), any provision of the Local Government Superannuation Act, 1937, applicable to that scheme immediately before the vesting date shall be deemed to be a provision of the scheme: 1 Edw. 8 & 1 Geo. 6. c. 68.

Provided that any reference to the authority concerned shall be construed as a reference to the Electricity Board in whom the rights, liabilities and obligations of that authority vested by virtue of the Act: and

Provided also that, except to the extent necessary for determining in the case of any person the service which that person is entitled to reckon as service in the employment of the said Electricity Board, no provision of section thirteen of that Act shall be included.

(4) No person shall on or after the vesting date become subject to any transferred scheme unless he was employed before that date on terms entitling or requiring him to become so subject on attaining a specified age or on the fulfilment of some other condition.

(5) Where rights, liabilities or obligations of a body to whom Part II applied have in relation to the persons entitled to benefits under a

transferred scheme vested in more than one Electricity Board, and by reason thereof anything is in pursuance of the scheme required to be done by more than one such Board, those Boards shall act jointly in that matter.

(6) Where any person who is subject to a transferred scheme is employed by an Electricity Board other than the Board in whom were vested by virtue of the Act the rights, liabilities and obligations of the relevant body to whom Part II applied, that person shall pay to the first-mentioned Board contributions as provided in the scheme; and the first-mentioned Board shall pay those contributions to the last-mentioned Board together with any sums which under the scheme fall to be paid in respect of that person by way of employer's contribution.

Divided schemes—rights.

2.—(1) This regulation shall apply to any person who was employed under a contract of service under which rights, liabilities or obligations vested in an Electricity Board by virtue of the Act, and who, until employed by the Board concerned, was subject to a pension scheme (in these Regulations referred to as a " divided scheme ") in which a body to whom Part II applied participated (whether or not by making financial contributions) in the capacity of employers, not being:—

(*a*) a transferred scheme, a local government scheme as defined in regulation four, or the Federated Superannuation System for Universities;

(*b*) a pension scheme to which fewer than twenty-five such persons as aforesaid, being persons with whom that Board are concerned, were subject;

(*c*) a pension scheme under which the benefits due were provided in pursuance of a contract between the managers of the scheme and an insurer.

(2) This regulation shall also apply to any person:—

(*a*) taken into the employment of an Electricity Board in the period beginning at the passing of the Act and ending on the vesting date who, but for being taken into that employment in that period, would have been a person to whom this regulation applies; or

(*b*) employed under a contract of service as referred to in the foregoing paragraph on terms entitling or requiring him to become subject to a divided scheme on attaining a specified age, or on the fulfilment of some other condition.

(3) Where, in the case of any divided scheme (in these Regulations referred to as a " divided scheme (groups) ") the persons to whom this regulation applies with whom one Electricity Board are concerned were exclusively in one or more groups for which, for the purpose of deficiency payments or other payments of a like nature under the scheme, separate assessments were made, this regulation shall also apply to any person in receipt at the vesting date of a superannuation allowance under that scheme who:—

(*a*) had previously been subject to the scheme, and who, if he had continued until the vesting date to be employed in the capacity in which he was last employed before qualifying for the said allowance, would have been a person to whom this regulation applies; or

(*b*) was in receipt of that allowance by virtue of the employment of another person who, if he had continued until the said date to be so employed, would have been a person to whom this regulation applies.

(4) Any divided scheme other than a divided scheme (groups) is in these Regulations referred to as a " divided scheme (individuals) ".

(5) Where any person to whom this regulation applies is employed by any Electricity Board, that person shall during his employment, or until such date other than that on which he ceases to be so employed as would have been appropriate under the relevant scheme if it remained applicable, pay to that Board, whether by deduction from his remuneration or otherwise, contributions at the rate for the time being appropriate under that scheme:

Provided that any such person who would have become subject to the scheme on attaining a specified age, or on the fulfilment of some other condition, shall pay the said contributions only on and after the date of attaining that age, or the fulfilment of that condition, as the case may be.

(6) The Electricity Board concerned in relation to any person to whom this regulation applies as mentioned in paragraph (1), (2) or (3), as the case may be, shall for that person, and for every other person who under the relevant scheme would be entitled to any benefits in respect of him, afford rights, whether by means of a pension scheme or otherwise, corresponding with those to which each of them would be entitled if that scheme remained applicable and any service in the employment of any Electricity Board in respect of which the said person has paid contributions were service reckoned thereunder.

(7) Where any person to whom this regulation applies has received any return of contributions or payment under the relevant scheme, and pays to the Electricity Board specified in the last foregoing paragraph a sum equal to the sum returned or paid to him, the rights afforded to that person under the last foregoing paragraph shall, notwithstanding anything in the scheme, correspond to the rights to which he would have been entitled if the return or payment had not been made.

(8) Rights afforded to any person in pursuance of the foregoing paragraphs shall be in substitution for any rights which might otherwise at any time have accrued under the divided scheme for the benefit of that person.

Divided schemes—assets.

3.—(1) The trustees or other persons in whom the assets available for the purposes of any divided scheme are vested shall, within the period provided in paragraph (7), pay to each Electricity Board a sum equal to the value of such part of those assets as was held against the liability in respect of persons to whom the last foregoing regulation applies and with whom that Board are concerned, less any expenses actually and necessarily incurred by them in the determination of that liability, with compound interest at the rate of three per centum per annum from the vesting date on any amount outstanding.

(2) The liability aforesaid shall, with respect to any person who has received any return or payment under the scheme, and who has made a payment to the Board in pursuance of paragraph (7) of the last foregoing regulation, include, notwithstanding anything in the scheme, liability for the payment of any such benefits as would have been payable to or in respect of that person if the said return or payment had not been made, after deduction of the sum returned or paid.

(3) In the case of a divided scheme (individuals), the liability aforesaid shall be determined by assessing by actuarial valuation as at the vesting date the aggregate contingent liability in respect of superannuation allowances or other benefits under the scheme or for return

of contributions for all the said persons, in so far as any such liability is attributable to service rendered before the vesting date:

Provided that, where any deficiency or surplus in respect of the scheme would after payment on the basis provided in paragraph (1) differ from the deficiency or surplus in respect thereof immediately before the vesting date, the determination shall be so adjusted as to ensure that the deficiency or surplus, as the case may be, is, in proportion to the continuing liabilities of the scheme, not affected by any payment made in pursuance of this regulation.

(4) In the case of a divided scheme (groups), the liability aforesaid shall be determined by assessing as provided in the last foregoing paragraph the capital value of every current or contingent liability in respect of superannuation allowances or other benefits under the scheme or for return of contributions for all the said persons, whether attributable to service rendered before or to be rendered after the vesting date, after deduction of the capital value of any contribution payable on or after that date and any sum payable by way of additional contributory payment (or other payment of a like nature, made to secure additional rights):

Provided that the net sum determined shall:—

(*a*) be reduced by:—

(i) the part attributable to the said persons of the capital value of outstanding instalments of any deficiency payment or other payment of a like nature, assessed before the vesting date;

(ii) an apportioned share appropriate to liability in respect of the said persons of any deficiency in the scheme at the date of the determination;

(*b*) be increased by an apportioned share appropriate to liability in respect of the said persons of any surplus in the scheme at the date aforesaid.

(5) Where a liability has vested in any Electricity Board by virtue of the Act to make to the trustees or managers of a divided scheme (groups) any payment as mentioned in sub-paragraph (*a*) (i) of the proviso to the last foregoing paragraph, no part thereof shall be payable which would have fallen due on or after the vesting date.

(6) In the three last foregoing paragraphs, references to the vesting date shall, in relation to any person taken into the employment of an Electricity Board before the vesting date, be construed as references to the date when that person was taken into that employment.

(7) All sums due under this regulation shall be paid to the Board concerned before the expiry of six months after the completion of the periodical valuation of the scheme next after the coming into operation of these Regulations; so however that, if no such valuation has been made on or before the thirtieth day of September, nineteen hundred and fifty-three, a valuation of the scheme to the extent requisite to determine the liability aforesaid shall be effected, and payment as aforesaid shall be made, not later than the thirtieth day of June, nineteen hundred and fifty-four.

Local government funds—rights.

4.—(1) In this and the two next following regulations, in relation to any person, the following expressions have the meanings hereby assigned to them respectively, that is to say, "authority" includes authorised undertakers whose employees participated in, or who were otherwise associated with, the fund; "authority controlling the fund"

includes, if the fund is a joint superannuation fund, the joint committee by whom it is administered; "employing authority" means the authority by whom that person was last employed before the vesting date; "the fund" means the local government fund as defined in the next following paragraph in which that person was a contributory employee or local Act contributor; "the relevant Act or scheme" means the Local Government Superannuation Act, 1937, the Local Government Superannuation (Scotland) Act, 1937, or the local Act scheme, as the case may be, under which the fund is maintained; and "the relevant date" means the date when that person was last employed by his employing authority. 1 Edw. 8 & 1 Geo. 6. c. 69.

(2) This regulation shall apply to any person who, not being subject to any transferred scheme, was at the relevant date a contributory employee or local Act contributor in a superannuation fund (in these Regulations, in relation to any such person, referred to as a "local government fund") maintained under the Local Government Superannuation Act, 1937, or the Local Government Superannuation (Scotland) Act, 1937, or under a local Act scheme within the meaning of either of those Acts, and who was:—

(*a*) taken into the employment of an Electricity Board in the period beginning at the passing of the Act and ending on the vesting date;

(*b*) employed under a contract of service under which rights, liabilities or obligations vested in an Electricity Board by virtue of the Act;

(*c*) in receipt at the vesting date of a superannuation allowance payable out of the fund, being a person who at the relevant date was employed by his employing authority wholly or mainly in their capacity as authorised undertakers; or

(*d*) engaged at the vesting date on war service within the meaning of the Local Government Staffs (War Service) Act, 1939, being a person who at the relevant date was employed by his employing authority wholly or mainly in their capacity as authorised undertakers, and who is employed by an Electricity Board within six months of the termination of the war service, or, if prevented by sickness or other reasonable cause, as soon as practicable thereafter; 2 & 3 Geo. 6. c. 94.

so however that this regulation shall also apply to any person:—

(i) employed at the vesting date under such a contract of service as aforesaid on terms entitling or requiring him to become a contributory employee or local Act contributor, as the case may be, in the fund on attaining a specified age, or on the fulfilment of some other condition;

(ii) in receipt at the vesting date of a pension payable out of the fund by virtue of the employment of another person by an employing authority wholly or mainly in their capacity as authorised undertakers.

(3) Where any person to whom this regulation applies is employed by any Electricity Board, that person shall during his employment, or until he attains the age at which under the relevant Act or scheme contributions to the fund would no longer be payable, pay to that Board, whether by deduction from his remuneration or otherwise, contributions at the appropriate rate as if the said Act or scheme were applicable to him in his employment by that Board:

Provided that any such person entitled to become a contributory employee or local Act contributor on attaining a specified age, or on the fulfilment of some other condition, shall pay the said contributions only on and after the date of attaining that age, or the fulfilment of that condition, as the case may be.

(4) The Electricity Board concerned in relation to any person to whom this regulation applies as mentioned in paragraph (2) shall afford rights, whether by means of a pension scheme or otherwise, corresponding with those to which:—

(*a*) in the case of a person in receipt of a superannuation allowance at the vesting date, he would be entitled under the relevant Act or scheme, and, where applicable, the Pensions (Increase) Acts, 1944 and 1947;

(*b*) in any other case, he, and any other person in respect of his service, would be entitled if the relevant Act or scheme were applicable to him in his employment by any Electricity Board, including (for the purpose of determining payments to be made to any of them, but not otherwise) any provision thereof relating to the reckoning of previous service.

(5) Rights afforded to any person in pursuance of sub-paragraph (*a*) of the last foregoing paragraph shall be in substitution for any rights to which at the vesting date that person was entitled under the said enactments.

Local government funds—assets.

5.—(1) The authority controlling any fund shall, before the expiry of six months after the completion of the periodical valuation of the fund next after the coming into operation of these Regulations, pay to each Electricity Board a sum equal to the value of such part of the assets held for the fund as was held against the liability in respect of persons to whom the last foregoing regulation applies and with whom that Board are concerned, less any expenses actually and necessarily incurred by them in the determination of that liability, with compound interest at the rate of three per centum per annum from the vesting date on any amount outstanding.

(2) The liability aforesaid shall be determined by assessing by actuarial valuation as at the vesting date (or, in relation to a person taken into the employment of an Electricity Board before that date, the relevant date) the capital value of every current or contingent liability in respect of superannuation allowances or for return of contributions for all the said persons, whether attributable to service rendered before or to be rendered after the vesting date, after deduction of the capital value of any contribution payable on or after the respective dates as at which the said liability is assessed, and any sum so payable by way of additional contributory payment, or, in the case of a local Act scheme, payment of a like nature:

Provided that current liability shall not include any liability in respect of a right created under the Pensions (Increase) Acts, 1944 and 1947, or under the first proviso to paragraph (*b*) of subsection (2) of section eight of the Local Government Superannuation Act, 1937, or, where the relevant Act or scheme is not that last mentioned Act, any corresponding provision in any other enactment, except to the extent of any extra charge resulting therefrom which has before the vesting date been repaid to the fund by the employing authority concerned; and

Provided also that the net sum determined shall:—

(*a*) be reduced by:—

(i) the part attributable to the said persons of the capital value of outstanding instalments of any equal annual charge, additional liability or deficiency payment, or in the case of a local Act scheme, payment of a like nature, assessed before the vesting date;

(ii) an apportioned share appropriate to liability in respect of the said persons of any additional liability or deficiency in the scheme at the date of the determination;

(*b*) be increased by an apportioned share appropriate to liability in respect of the said persons of any surplus in the fund at the date aforesaid.

(3) The employing authority shall not after the vesting date be under any obligation to make any payment to the fund of a kind referred to in sub-paragraph (*a*) (i) of the proviso to the last foregoing paragraph in so far as concerns any amount certified to be attributable to any of the said persons.

(4) Any provision in the relevant Act or scheme, or regulations made thereunder, restricting the right of any of the said persons to receive a return of his contributions to the fund, or reducing the amount of any transfer value which would be payable in respect of that person under the said Act or scheme, shall apply in relation to a payment in pursuance of paragraph (1) as if in relation to a transfer value paid to another local authority under whom that person had become a contributory employee or local Act contributor.

Further provisions concerning divided schemes and local government funds.

6.—(1) Where, under any divided scheme or under the relevant Act or scheme, any discretion was vested in the managers of the scheme or an employing authority, as the case may be, that discretion may in relation to any person to whom regulation two or four applies be exercised in like manner by the Electricity Board by whom rights are afforded to that person under the said regulation.

(2) Where any person to whom regulation two or four applies is employed by an Electricity Board other than the Board by whom rights are afforded to that person under the said regulation, the first mentioned Board shall pay to the last mentioned Board:—

(*a*) any sums paid by that person to the first mentioned Board in pursuance of paragraph (5) of regulation two, or paragraph (3) of regulation four, as the case may be;

(*b*) such sum or sums by way of employer's contribution in respect of the period of that person's said employment as may be agreed between the Boards, or, in default of agreement, be determined by reference to the relevant divided scheme, or the relevant Act or scheme, as the case may be, by an actuary agreed between them.

(3) Any contribution or other sum required under these Regulations to be paid to any Electricity Board shall be paid to that Board or to such other person as the Board may for the time being direct.

(4) Nothing in regulation three or five shall restrict any payment on account being at any time made to any Electricity Board.

(5) Where by reason of any payment under regulation three or five any liability for income tax is incurred by the transferors which

would not otherwise have been incurred, the Electricity Board concerned shall indemnify all the said persons against that liability.

(6) No money paid to any Electricity Board in pursuance of regulation three or five, and no interest received on any such money, shall be used for a purpose other than that of providing benefits to or in respect of persons mentioned in paragraph (*a*) of subsection (1) of section fifty-four of the Act.

(7) In the case of any person to whom regulations two and four both apply, payments shall be made under regulations three and five in respect of any liability attributable to that person; but, for the purpose of contributions to be paid and rights to be afforded with respect to him, regulation two or four at his option only shall apply to that person, so however that, when he has elected for regulation two or four, as the case may be, the Electricity Board concerned shall give credit to him for any sum paid in relation to him under regulation five or three, as the case may be:

Provided that nothing in this paragraph shall restrict the application of these Regulations to any person who was at the vesting date subject to, or in receipt of a pension under, a pension scheme being a local government fund and also another pension scheme in which his employing authority participated in the capacity of employers.

Amendment of certain pension schemes.

7. Every pension scheme which, but for the operation of subparagraphs (*b*) and (*c*) of paragraph (1) of regulation two, would be a divided scheme shall have effect subject to the modification that, in the provisions determining the persons eligible for benefits, references in relation to any person to his ceasing to be employed by a body to whom Part II applied shall be construed as references to his ceasing to be in the employment of an Electricity Board.

Reckoning of service etc. on appointment as member of Electricity Board.

8. Where any person becomes a whole-time member of an Electricity Board, being a person mentioned in paragraph (*a*) of subsection (1) of section fifty-four of the Act and subject to a pension scheme, whether or not a pension scheme to which any of these regulations apply, the provisions of that scheme, or of regulation two or four of these Regulations, as the case may be, shall have effect as if his service as a member of that Board were service in the employment of the Board; and contributions shall be paid accordingly by that person (whether by deduction from his salary or otherwise) and by the Board.

Transfer to a pension scheme established by an Electricity Board.

9. Nothing in these Regulations shall restrict any person entitled in relation to any Electricity Board to pension rights from agreeing with that Board that, in lieu of any rights which he might have under the Act and these Regulations, he shall become subject to a scheme approved by the Minister or the Secretary of State under the Electricity (Pension Scheme) Regulations, 1948(**a**), or a pension scheme established by the North of Scotland Board before the vesting date, and on the terms provided under that scheme be entitled to the rights conferred thereby.

Pension schemes operated or varied otherwise than in the ordinary course.

10.—(1) Where any Electricity Board are of opinion that any pension scheme has, on or after the nineteenth day of November, nineteen hundred and forty-five, and in connection with any provision made by the Act, or in anticipation of the making of any such provision, been operated or varied so as to create rights in favour of any person, or class of persons, otherwise than in the ordinary course, they may, before

(**a**) S.I. 1948 No. 226, p. 884 below.

the expiry of twelve months from the coming into operation of these Regulations, give notice thereof to the managers or other executive body of the scheme and, so far as practicable, to every such person; and thereafter, subject to the provisions of the next following paragraph, that scheme shall be deemed never to have been so operated or varied; and these Regulations shall apply as if no such creation as aforesaid had taken effect.

(2) Any body or person to whom any such notice is given may, within three months thereof, give to the Board notice of objection; whereupon the question whether any rights as created should be deemed effective in the application of these Regulations shall be determined by arbitration under the Act.

Determination of disputes.

11.—(1) Subject to the provisions of the last foregoing regulation, any question arising as to the application or effect of any provision of these Regulations shall, in default of agreement between all the parties concerned, be referred for determination, which shall be final and binding on all the said parties:—

(*a*) if the parties comprise only a person having rights under a transferred scheme or under regulation two and the Electricity Board concerned, and a method of determining the question is provided under the relevant scheme (or would have been so provided if that scheme remained applicable), by that method;

(*b*) if the parties comprise only one or more of the following, that is to say, Electricity Boards, persons managing a divided scheme and authorities within the meaning of regulation four:—

(i) the North of Scotland Board and no other Electricity Board being concerned, to the Secretary of State;

(ii) the North of Scotland Board and another Electricity Board being concerned, or, in a case to which (i) does not apply, the fund being a fund maintained under the Local Government Superannuation (Scotland) Act, 1937, or a local Act scheme within the meaning of that Act, to the Minister and the Secretary of State jointly;

(iii) in any other case under sub-paragraph (*b*), to the Minister;

(*c*) in any other case, to a referee or board of referees appointed, after consultation with the Lord Chancellor, or, where the proceedings are to be held in Scotland, with the Secretary of State, by the Minister of Labour and National Service.

(2) Where any question is in pursuance of sub-paragraph (*b*) of the foregoing paragraph referred to the Minister or the Secretary of State, or to both of them, a statement of the material facts not in dispute shall be agreed between all parties to the question; and shall, in such manner, to such persons, and within such period, as the Minister or the Secretary of State may direct, be delivered by the party by whom the question has been referred; any party may in the statement indicate that his agreement extends only to such of the facts set out therein as he then specifies.

Extension of time.

12. Any period or date specified in these Regulations as the period within which, or the date by which, anything is to be done, may, notwithstanding that the period has expired or the date has passed, being a period, be extended, or being a date, be postponed:—

(*a*) if the North of Scotland Board are the only Electricity Board concerned, by the Secretary of State;

(*b*) if the North of Scotland Board and another Electricity Board are concerned, by the Minister and the Secretary of State jointly;

(*c*) in any other case, by the Minister;

in any case in which the Minister or the Secretary of State, or both, as the case may be, is or are satisfied that there has been reasonable ground for not doing, or for not having done, that thing within that period, or by that date, as the case may be.

Interpretation.

13.—(1) In these Regulations the following expressions have the meanings hereby assigned to them respectively, that is to say:—

" the Act " means the Electricity Act, 1947;

" divided scheme ", " divided scheme (groups) " and " divided scheme (individuals) " have the meanings assigned to them respectively by paragraphs (1), (3) and (4) of regulation two;

" local government fund " has the meaning assigned by paragraph (2) of regulation four;

" Part II " means Part II of the Act;

" the Minister " means the Minister of Fuel and Power;

" transferred scheme " has the meaning assigned by paragraph (1) of regulation one.

(2) Expressions to which meanings are assigned by the Act or by these Regulations shall, unless the context otherwise require, bear the same meanings in any instrument issued under the provisions of these Regulations.

52 & 53 Vict. c. 63.

(3) The Interpretation Act, 1889, shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

Citation, commencement and retrospective effect.

14.—(1) These Regulations may be cited as the Electricity (Pension Rights) Regulations, 1948.

(2) These Regulations shall come into operation on the first day of October, nineteen hundred and forty-eight; but, subject to the provisions of subsection (8) of section fifty-four of the Act, shall then be deemed to have had effect from the vesting date; so however that, in so far as concerns any person who is mentioned in sub-paragraph (*a*) of paragraph (2) of regulation two, or sub-paragraph (*a*) of paragraph (2) of regulation four, or who, being a person affected by regulation eight, became a member of an Electricity Board before the vesting date, they shall be deemed to have had effect from the passing of the Act.

Dated this twenty-third day of September, 1948.

Hugh Gaitskell,
Minister of Fuel and Power.

Arthur Woodburn,
One of His Majesty's Principal Secretaries of State.

SCHEDULE

Regulation 1.

London and Home Counties Joint Electricity Authority.
North West Midlands Joint Electricity Authority.
West Midlands Joint Electricity Authority.

EXPLANATORY NOTE

(This Note is not part of these Regulations, but is intended to indicate their general purport.)

1. These Regulations contain the supplementary provisions necessary with regard to certain of the pension rights, as defined in the Electricity Act, 1947, which, under that Act, took effect as against Electricity Boards on the vesting date. They also relate to certain persons who assumed office before the vesting date.

2. Pension schemes confined to employees taken over are to be continued by the Electricity Board concerned (Reg. 1).

3. Schemes not confined to such employees, but which cover more than twenty-five persons taken over by any one Board, are to be split, unless they are schemes financed by insurance. Pension schemes involving local government funds are also to be split. In the case of local government funds, and other schemes where the members are grouped, liabilities taken over include those in respect of existing pensioners whose service related to electricity as well as of persons still in employment. The Electricity Board concerned are to afford rights for persons taken over corresponding to those of the Act or scheme in question (Regs. 2 and 4); and are to receive payment of a sum equal to a proportionate part of the assets (Regs. 3 and 5).

4. Apart from schemes in any of these categories, obligations taken over by the Electricity Boards will be discharged in accordance with the Electricity Act, 1947, subject to certain modifications provided in Regulation 7.

5. Determination of the sums to be paid to Electricity Boards in respect of assets will be by actuarial valuation at the next periodical valuation of the scheme or fund. Expenses actually and necessarily incurred by the managers of the scheme or the local authority concerned will be refunded.

6. Provision is also made for membership of Electricity Boards being treated for the purposes of schemes as service in the employment of the Board; for the disclaimer of rights created otherwise than in the ordinary course; and for the settlement of disputes.

7. The Regulations are made effective, in the case of persons who assumed office before the vesting date, from the date of the passing of the Electricity Act, 1947, and in the case of other persons, from the vesting date (1st April, 1948).