Death during service

4. The scheme shall provide that if an employee dies before the normal retirement date while he is an employee an amount equal to the whole of the contributions paid by him together with the whole of the contributions made by the Law Society in respect of him shall be paid to his personal representatives.

Options

5.—(1) The scheme may provide for conferring on an employee any options to surrender the whole or any part of the benefits originally conferred on him by the scheme in return for any other benefits for himself or any other person so long as the requirements mentioned in sub-paragraph (2) of this paragraph are fulfilled.

(2) The said requirements are that, as a whole, the benefits conferred in respect of the employee's service by the scheme should consist as to at least three-fourth parts (computed by actuarial value) of a pension for life or pensions for life which can be neither assigned nor commuted.

Special Cases

6. The scheme may provide that in the case of any employee having special claims, and, in particular, claims based on age at entry into the scheme, the Law Society or the persons appointed to administer the scheme may, with the consent of the Lord Chancellor and the Treasury, arrange for terms more favourable than those set out in the foregoing provisions of this Schedule, the cost of which arrangements shall be met by contributions to the pensions fund by the Law Society.

EXPLANATORY NOTE

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

The Regulations make provision for the establishment by the Law Society of a contributory pensions scheme for providing pensions for persons employed by them in the administration of the Legal Aid Scheme.

LEGAL AID AND ADVICE, SCOTLAND

The Legal Aid (Scotland) (General) (No. 2) Regulations, 1951

1951 No. 503 (S. 18)

Made - - - -	21*st March*, 1951
Laid before Parliament	22*nd March*, 1951
Coming into Operation	24*th March*, 1951

In exercise of the power conferred on me by subsection (4) of section three, as read with subsection (1) of section seventeen, of the Legal Aid (Scotland) Act, 1949(**a**), I hereby make the following Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Legal Aid (Scotland) (General) (No. 2) Regulations, 1951, and the Legal Aid (Scotland) Regulations, 1950(**b**), and these Regulations may be cited together as the Legal Aid (Scotland) Regulations, 1950 and 1951.

(**a**) 12, 13 & 14 Geo. 6. c. 63. (**b**) S.I. 1950 (Nos. 1513 and 1514) I, pp. 1236 and 1227

(2) These Regulations shall come into operation on the 24th day of March, 1951.

2.—(1) For the purposes of subsection (4) of section three of the Legal Aid (Scotland) Act, 1949, the expression "property" shall be taken not to include any moneys payable under a decree for payment of aliment or under a settlement arrived at to prevent or bring to an end proceedings in which such a decree may be granted.

(2) In this Regulation the expression "decree for payment of aliment" includes—

(*a*) an order for the payment of an annual or periodical allowance under section two of the Divorce (Scotland) Act, 1938(**a**);

(*b*) an order for the payment of weekly or periodical sums under subsection (2) of section three or subsection (4) of section five of the Guardianship of Infants Act, 1925(**b**);

(*c*) an order for the payment of sums in respect of aliment under subsection (3) of section one of the Illegitimate Children (Scotland) Act, 1930(**c**); and

(*d*) any order for the payment of sums for the maintenance of any person which is, by virtue of the Maintenance Orders Act, 1950(**d**), enforceable in Scotland as if it were a decree for payment of aliment.

Hector McNeil,
One of His Majesty's Principal Secretaries of State

St. Andrew's House,
Edinburgh, 1.

21st March, 1951.

EXPLANATORY NOTE

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

These Regulations relieve an assisted litigant of any liability to meet out of moneys payable under a decree for aliment or under a settlement arrived at to prevent or bring to an end proceedings in which such a decree may be granted, any expenses incurred by the Legal Aid (Scotland) Fund in connection with the procuring of the decree or settlement.

(**a**) 1 & 2 Geo. 6. c. 50.
(**b**) 15 & 16 Geo. 5. c. 45.
(**c**) 20 & 21 Geo. 5. c. 33.
(**d**) 14 Geo. 6. c. 37.