CHAPTER 18.

An Act to amend the provisions of the Local Government Superannuation Act, 1937, and of the Local Government Superannuation (Scotland) Act, 1937, as to the local authorities to whom service must be rendered in order to constitute service for the purposes of those Acts respectively, to amend Part II of the First Schedule to the first-mentioned Act, and to provide for the admission to the benefits of that Act of certain employees of statutory undertakers who as such employees were entitled to the benefits of the Local Government and other Officers' Superannuation Act, 1922.

[28th April 1939.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

"Service" to include service to any local authority whether

1.—(1) In the definition of "service" in subsection (1) of section forty of the Local Government Superannuation Act, 1937 (in this Act referred to as "the principal Act"), for the words "'service' means service rendered to any local authority", there shall be substituted the

English or Scottish.

words " ' service ' means service rendered to any local " authority within the meaning of this Act, or to any " local authority within the meaning of the Local " Government Superannuation (Scotland) Act, 1937 ".

1 Edw. 8. & 1 Geo. 6. c. 68.

1 Edw. 8. & 1 Geo. 6. c. 69.

(2) In the definition of " service " in subsection (1) of section thirty-four of the Local Government Superannuation (Scotland) Act, 1937, for the words " ' service ' means service rendered to any local authority ", there shall be substituted the words " ' service ' means service " rendered to any local authority within the meaning of " this Act, or to any local authority within the meaning " of the Local Government Superannuation Act, 1937 ".

Amendment as to employees of certain institutions who were subject to the Act of 1922.

2.—(1) Notwithstanding that a person is employed in, and in the service of, such an institution as is mentioned in paragraph 1 of Part II of the First Schedule to the principal Act, he shall not be excluded, by virtue of paragraph (*a*) of subsection (4) of section three of the principal Act, from participation in the benefits of a superannuation fund maintained under Part I of the principal Act, if he was immediately before the appointed day subject to the Act of 1922.

(2) In accordance with the preceding subsection Part II of the First Schedule to the principal Act (which specifies the persons excluded as aforesaid) shall be amended by inserting in paragraph 1 thereof, after the words " not being a person who was immediately before the appointed day subject to the Act of 1896 ", the words " or to the Act of 1922 ".

Admission of certain employees of statutory undertakers to benefits of the principal Act.

3.—(1) The following provisions of this section shall have effect as respects employees of statutory undertakers (that is to say, any company or other body or person authorised by or under an Act of Parliament, or an order having the force of an Act of Parliament, to construct, work or carry on a railway, canal, inland navigation, road transport, dock, harbour, tramway, gas, electricity, water, or other public undertaking) who were immediately before the appointed day entitled to the benefits of the Act of 1922 by virtue of their having been

transferred under any public general Act to the employment of those undertakers from the employment of a local authority on terms providing that they should be entitled to participate in the benefits of a superannuation fund maintained by that authority.

(2) The undertakers and the local authority from whose employment any such employees were transferred shall, forthwith after the passing of this Act, jointly make and submit to the Minister a scheme for the admission of those employees to participate in the benefits of the superannuation fund maintained by that authority under Part I of the principal Act.

(3) A scheme under this section shall make such modifications and adaptations of the principal Act in its application to the employees, to the authority and to the undertakers, to whom the scheme relates, as appear to the Minister to be requisite for securing—

(*a*) that as from the appointed day those employees shall enjoy rights as nearly as may be the same as those which they would have enjoyed by virtue of the Act under which they were transferred, and that they and the authority and the undertakers shall be subject to liabilities as nearly as may be the same as those to which they would have been subject by virtue of that Act, if the principal Act had not been passed; and

(*b*) that due provision is made for any consequential and incidental matters.

Short title, citation, construction and effect.

4.—(1) This Act may be cited as the Local Government Superannuation Act, 1939.

(2) The principal Act and subsection (1) of section one of this Act and sections two and three of this Act shall be construed as one and may be cited together as the Local Government Superannuation Acts, 1937 and 1939.

(3) The Local Government Superannuation (Scotland) Act, 1937, and subsection (2) of section one of this Act shall be construed as one and may be cited together as the Local Government Superannuation (Scotland) Acts, 1937 and 1939.

(4) The principal Act and the Local Government Superannuation (Scotland) Act, 1937, shall have effect and shall be deemed always to have had effect, as if they had respectively been originally enacted as amended by this Act, and, as regards the principal Act, as if section three of this Act had been originally enacted therein.

Printed by EYRE AND SPOTTISWOODE LIMITED
FOR
SIR WILLIAM RICHARD CODLING, C.B., C.V.O., C.B.E., the King's Printer of Acts of Parliament

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses:
York House, Kingsway, London, W.C.2; 120 George Street, Edinburgh 2;
26 York Street, Manchester 1; 1 St. Andrew's Crescent, Cardiff;
80 Chichester Street, Belfast;
or through any bookseller

Price 1*d.* net