(2) BREAK OF SERVICE

(i) *England.* | (ii) *Scotland*, p. 3055.

(i) ENGLAND

The Local Government Superannuation (Break of Service) Regulations, 1949

1949 No. 628

Made - - - -	30*th March*, 1949
Laid before Parliament	31*st March*, 1949
Coming into Operation	1*st April*, 1949

M.H. 109038

The Minister of Health, in exercise of the powers conferred on him by section 36 (6) of the Local Government Superannuation Act, 1937(**a**), and of all other powers enabling him in that behalf, hereby makes the following regulations :—

1. These regulations may be cited as the Local Government Superannuation (Break of Service) Regulations, 1949, and shall come into operation on the first day of April, 1949.

2. The Interpretation Act, 1889(**b**), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

3. Where in any provision contained in any document made or issued under the Local Government Superannuation Act, 1937 (other than the Local Government Superannuation (England and Scotland) Regulations, 1948)(**c**), reference (however expressed) is made to a period of twelve months from the date on which a person ceases to be employed by a local authority there shall be substituted in relation to a person to whom section 6 of the Superannuation (Miscellaneous Provisions) Act, 1948(**d**), has become applicable a reference to a period of five years from the date of cessation of employment, or such longer period as the Minister of Health may, in any particular case, allow.

Given under the official seal of the Minister of Health this thirtieth day of March, nineteen hundred and forty-nine.

(L.S.)

Aneurin Bevan,
Minister of Health.

(**a**) 1 Edw. 8 & 1 Geo. 6. c. 68.
(**b**) 52 & 53 Vict. c. 63.
(**c**) S.I. 1948 (No. 1131) I, p. 3304.
(**d**) 11 & 12 Geo. 6. c. 33.

EXPLANATORY NOTE

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

Section 6 of the Superannuation (Miscellaneous Provisions) Act, 1948, enables the Minister of Health to specify any period as a period of emergency, and provides for the preservation for at least five years, instead of the normal twelve months only, of the superannuation rights of pensionable employees of local authorities who lose their employment as a result of the reduction of staffs by local authorities during any specified period of emergency.

There are provisions in various regulations made by the Minister under the Act of 1937 which regulate the rights of pensionable employees of local authorities on transfer from one pensionable employment to another by reference to a limiting period of twelve months.

These regulations are designed to extend that period by bringing those provisions into line with the statutory provision which has now been made.

(ii) SCOTLAND

The Local Government Superannuation (Break of Service) (Scotland) Regulations, 1949

1949 No. 616 (S. 33)

Made - - - -	29*th March*, 1949
Laid before Parliament	30*th March*, 1949
Coming into Operation	1*st April*, 1949

The Secretary of State, in exercise of the powers conferred on him by section 31 (6) of the Local Government Superannuation (Scotland) Act, 1937(**a**), and of all other powers enabling him in that behalf, hereby makes the following regulations :—

1. These regulations may be cited as the Local Government Superannuation (Break of Service) (Scotland) Regulations, 1949, and shall come into operation on the first day of April, 1949.

2. The Interpretation Act, 1889(**b**), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

3. Where in any provision contained in any document made or issued under the Local Government Superannuation (Scotland) Act, 1937 (other than the Local Government Superannuation (England and Scotland) Regulations, 1948)(**c**), reference (however expressed) is made to a period of twelve months from the date on which a person ceases to be employed by a local authority there shall be substituted in relation to a person to whom section 6 of the Superannuation (Miscellaneous Provisions) Act, 1948(**d**), has become applicable a reference to a period of five years from the date of cessation of

(a) 1 Edw. 8 & 1 Geo. 6. c. 69.
(b) 52 & 53 Vict. c. 63.
(c) S.I. 1948 (No. 1131) I, p. 3304.
(d) 11 & 12 Geo. 6. c. 33.