(ii) LOCAL ACT AUTHORITIES SCHEMES

The Superannuation (Local Act Authorities Schemes) Interchange Rules, 1949

1949 No. 630

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

M.H. 109049.

The Minister of Health, in exercise of the powers conferred on him by sections 2 and 15 of the Superannuation (Miscellaneous Provisions) Act, 1948(**a**), hereby makes the following rules :—

1.—(1) These rules may be cited as the Superannuation (Local Act Authorities Schemes) Interchange Rules, 1949, and shall come into operation on the first day of April, 1949.

(2) In these rules,

" the Act of 1937 " means the Local Government Superannuation Act, 1937(**b**) ;

" the Act " means the Superannuation (Miscellaneous Provisions) Act, 1948 ;

" national service ", in relation to any person, means compulsory national service within the meaning of the Act, and includes any period immediately following the termination thereof during which the person with the consent of the authority or body by whom he was employed before undertaking compulsory national service continues in similar service ; and

" war service " means war service within the meaning of the Local Government Staffs (War Service) Act, 1939(**c**), but does not include, in the case of a person who before the termination of his war service made a claim under section 10 of the said Act for the return of contributions made by him for superannuation purposes, any part of his war service after the date on which the claim was made.

(3) The Interpretation Act, 1889(**d**), applies to the interpretation of these rules as it applies to the interpretation of an Act of Parliament.

2. Where a person enters or has entered employment in which he is or is deemed to be a contributory employee or local Act contributor within a period of twelve months after the date on which he ceased to be employed in employment by virtue of which, without being a local Act contributor, he was entitled to participate in the benefits of a superannuation fund maintained under a local Act scheme, or in the case of a person who left such employment in order to undertake war service or who immediately after leaving such employment became engaged in national service, within six months after the termination of that service, the Act of 1937 and any statutory provision thereunder and the Local Government Staffs (War Service) Act, 1939, shall apply to and in respect of him as if on leaving

(**a**) 11 & 12 Geo. 6. c. 33.
(**b**) 1 Edw. 8 & 1 Geo. 6. c. 68.
(**c**) 2 & 3 Geo. 6. c. 94.
(**d**) 52 & 53 Vict. c. 63.

his former employment he had ceased to be employed as a local Act contributor under the local authority maintaining the last mentioned superannuation fund.

3. Where a person enters or has entered before the date of the coming into operation of these rules employment by virtue of which he is entitled, without being a local Act contributor, to participate in the benefits of a superannuation fund maintained under a local Act scheme within a period of twelve months after the date on which he ceased to be employed in employment in which he was or was deemed to be a contributory employee or local Act contributor, or in the case of a person who left such employment in order to undertake war service or immediately after leaving such employment became engaged in national service, within six months after the termination of that service, the Act of 1937, and any statutory provision thereunder shall apply to and in respect of him as if in the employment he has entered he had become a local Act contributor:

Provided that the reference in this rule to a period of twelve months from the date on which a person ceases to be employed shall be construed in relation to a person to whom section 6 of the Act has become applicable as a reference to a period of five years from that date or such longer period as the Minister may in any particular case allow.

4. Notwithstanding anything in the preceding provisions of these rules, these rules shall not apply in relation to any person who ceased to hold his former employment before the date of the coming into operation of these rules unless—

(*a*) he so ceased not earlier than the first day of April, 1939;

(*b*) he gives notice in writing to the local authority maintaining the superannuation fund to which he has become a contributor within three months after the date of the coming into operation of these rules that he desires these rules to apply to him; and

(*c*) the local authority maintaining the fund to which he was formerly a contributor consent.

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.

EXPLANATORY NOTE

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

The Local Government Superannuation Act, 1937, provides for interchangeability of service with preservation of prospective superannuation rights between employment under one local authority and employment under any other local authority, whether the local authorities affected are administering the Act of 1937 or a local Act scheme. Certain authorities administering local Act schemes (in particular the London County Council) have power to admit to participate in the benefits of these schemes staff not employed by local authorities, e.g. staff in the employment of certain educational bodies and of other bodies performing functions of a semi-public character. This staff, not being technically in the employment of local authorities, does not enjoy the rights in regard to interchangeability of service provided for by the Act of 1937. These rules place them in the same position in this respect as employees of local authorities.

(iii) PUBLIC BOARDS

(*a*) *England.* | (*b*) *Scotland*, p. 3082.

(a) ENGLAND

The Superannuation (Local Government and Public Boards) Interchange Rules, 1949

1949 No. 1464

Made - - - -	29*th July*, 1949
Laid before Parliament	29*th July*, 1949
Coming into Operation	1*st August*, 1949

M.H. 109122.

The Minister of Health, in exercise of the powers conferred on him by sections 2 and 15 of the Superannuation (Miscellaneous Provisions) Act, 1948(**a**), hereby makes the following rules:—

1.—(1) These rules may be cited as the Superannuation (Local Government and Public Boards) Interchange Rules, 1949, and shall come into operation on the first day of August, 1949.

(2) In these rules, the following expressions have the meanings hereby assigned to them—

"the Act of 1937" means the Local Government Superannuation Act, 1937(**b**);

"the Act" means the Superannuation (Miscellaneous Provisions) Act, 1948;

"the date of the coming into operation of these rules" in relation to any public or semi-public body whom the Minister designates for the purposes of these rules means the date of designation;

"the Minister" means the Minister of Health;

"national service", in relation to any person, means compulsory national service within the meaning of the Act, and includes any period immediately following the termination thereof during which the person with the consent of the authority or body by whom he was employed before undertaking compulsory national service continues in similar service;

"public board" means the British Electricity Authority, an Area Electricity Board, the North of Scotland Hydro Electric Board and such other public or semi-public body as the Minister may from time to time designate; and

"war service", in relation to any person, means war service within the meaning of the Local Government Staffs (War Service) Act, 1939(**c**), but does not include, in the case of a person who before the termination of his war service made a claim under section 10 of the Act of 1937 or any corresponding provision of a local Act scheme for the return of contributions made by him for superannuation purposes, any part of his war service after the date on which the claim was made.

(3) The Interpretation Act, 1889(**d**), applies to the Interpretation of these rules as it applies to the interpretation of an Act of Parliament.

(**a**) 11 & 12 Geo. 6. c. 33.
(**b**) 1 Edw. 8 & 1 Geo. 6. c. 68.
(**c**) 2 & 3 Geo. 6. c. 94.
(**d**) 52 & 53 Vict. c. 63.