1954 No. 1258 (S. 121)

The Superannuation (Local Government Staffs) (National Service) (Scotland) Amendment Rules, 1954

Made - - - -	*23rd September*, 1954
Laid before Parliament	*30th September*, 1954
Coming into Operation	*1st October*, 1954

In exercise of the powers conferred on me by section 1 of the Superannuation (Miscellaneous Provisions) Act, 1948(**a**), as extended by section 41 of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951(**b**), and of all other powers enabling me in that behalf, I hereby make the following rules:—

1.—(1) These rules may be cited as the Superannuation (Local Government Staffs) (National Service) (Scotland) Amendment Rules, 1954, and shall come into operation on the first day of October, 1954.

(2) These rules and the Superannuation (Local Government Staffs) (National Service) (Scotland) Rules, 1949 and 1952(**c**), shall be construed as one, and may be cited together as the Superannuation (Local Government Staffs) (National Service) (Scotland) Rules, 1949 to 1954.

(3) In these rules, the expression "rule" means rule contained in the Superannuation (Local Government Staffs) (National Service) (Scotland) Rules, 1949, as amended by the Superannuation (Local Government Staffs) (National Service) (Amendment) (Scotland) Rules, 1952.

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

2. In rule 1, in paragraph (2) thereof for the definition of "national service" there shall be substituted the following definition:—

> ""national service", in relation to any person, means service of a description specified in the First Schedule to the Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951, and includes any period immediately following the termination thereof during which the person, with the consent of the authority or person by whom he was employed before undertaking that service, continues in similar service."

3. In rule 2—

(*a*) in paragraph (1) thereof—

(i) after the words "the Act of 1937" where they occur for the second time there shall be inserted the words "(in so far as it relates to the reckoning of contributing and non-contributing service)";

(**a**) 11 & 12 Geo. 6. c. 33. (**b**) 14 & 15 Geo. 6. c. 65.
(**c**) S.I. 1949/581, 1952/75 (1949 I, p. 3103; 1952 II, p. 2395).
(**d**) 52 & 53 Vict. c. 63.

(ii) in proviso (*a*) (i) the words "under the Act of 1937 or a local Act scheme" and the word "such" shall be omitted;

(*b*) in paragraph (3) for the words "a superannuation fund maintained under Part I of the Act of 1937" there shall be substituted the words "such a fund", and for the words "shall be reckonable as a period of non-contributing service" there shall be substituted the words "shall be reckonable, in the case of a contributory employee as non-contributing service, and in the case of a local Act contributor, where the local Act scheme contains provision in respect of service in respect of which contributions have not been paid, as such service."

4. In rule 3 after the words "the Act of 1937" where they occur for the second time there shall be inserted the words "(in so far as it relates to the reckoning of contributing and non-contributing service)".

5. In rule 4—

(*a*) the words "under the Act of 1937 or a local Act scheme" and the word "such" where it first occurs shall be omitted.

(*b*) in proviso (*b*) for the words "as a period of non-contributing service for the purposes of the Act of 1937, upon his becoming subject thereto" there shall be substituted the words "in the manner provided in paragraph (3) of rule 2."

Dated this 23rd day of September, nineteen hundred and fifty-four.

James Stuart,
One of Her Majesty's
Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

EXPLANATORY NOTE

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

These rules amend the Superannuation (Local Government Staffs) (National Service) (Scotland) Rules, 1949, as amended by the Superannuation (Local Government Staffs) (National Service) (Amendment) (Scotland) Rules, 1952 which provide for the reckoning of national service for the purpose of the Local Government Superannuation (Scotland) Act, 1937, or a local Act scheme. The principal amendments are the deletion of references to benefits under the Act of 1937 or a local Act scheme (leaving references to benefits as general references to local government superannuation benefits), and the introduction of references to service under a local Act scheme corresponding to non-contributing service under the Act of 1937. The rules also substitute for the existing definition of "national service" the definition of "national service" used in the Local Government Superannuation (Benefits) (Scotland) Regulations, 1954.