equal to the amount (if any) which was paid to him pursuant to the provisions of the last preceding paragraph, to reckon such service as he would have been entitled to reckon had there been no break between his ceasing to be or to be deemed to be a contributory employee or local Act contributor and his again becoming such an employee or contributor as aforesaid.

(4) Any sums paid under the two last preceding paragraphs to a local authority maintaining a superannuation fund shall be paid by them into the fund.

(5) If a local authority have received a payment under paragraph (2) of this rule in respect of a person who makes a payment under paragraph (3) of this rule to another local authority, the first mentioned authority shall pay out of the superannuation fund maintained by them to that other authority an amount equal to the payment so received by the first mentioned authority, together with interest thereon, as from the date of receipt, calculated at the rate appropriate in relation to the superannuation fund maintained by them, and that other authority shall pay into the superannuation fund maintained by them the amount so received.

Given under the official seal of the Minister of Health this twenty-eighth day of June, 1948.

Aneurin Bevan,
Minister of Health.

EXPLANATORY NOTE

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

These rules provide for the preservation of the contingent superannuation rights of persons leaving superannuable service under local authorities and entering employment in which they become participants in the Federated Superannuation System for Universities, the Federated Superannuation Scheme for Nurses and Hospital Officers or any other pension scheme approved by the Minister which provides benefits by means of policies of insurance, and vice versa.

(ii) SCOTLAND

The Superannuation (Policy and Local Government Schemes) Interchange (Scotland) Rules, 1948

1948 No. 1462 (S. 121)

Made - - - -	28*th June*, 1948
Laid before Parliament	1*st July*, 1948
Coming into Operation	5*th July*, 1948

The Secretary of State, in exercise of the powers conferred on him by section 2 of the Superannuation (Miscellaneous Provisions) Act, 1948(a), hereby makes the following rules:—

1. These rules may be cited as the Superannuation (Policy and Local Government Schemes) Interchange (Scotland) Rules, 1948, and shall come into operation on the fifth day of July, 1948.

(a) 11 & 12 Geo. 6. c. 33.

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

3. Where a person enters employment in which, but for the provisions of these rules, he would be or would be deemed to be a contributory employee or local Act contributor, having within twelve months before entering such employment been employed in employment in which he was a participant in the pension scheme operated under the Federated Superannuation System for Universities or the Federated Superannuation Scheme for Nurses and Hospital Officers or any other similar pension scheme approved by the Secretary of State after consultation with associations of local authorities appearing to him to be concerned, then, if the person so requests the authority or body by whom he is employed in writing within three months after entering their employment, such authority or body may, with the consent of the body administering the scheme, and subject to such arrangements as they may make with that body, pay the contributions authorised or required by the scheme to be paid by the employer, and in that event the person shall not in that employment be subject to the provisions of the Local Government Superannuation (Scotland) Act, 1937(**b**), (hereinafter called " the Act of 1937 ") or the local Act scheme:

Provided that this rule shall not apply in the case of any person to whom any similar provision in regulations made by the Secretary of State under section 66 of the National Health Service (Scotland) Act, 1947(**c**), applies.

4. Where contributions are paid by an employing authority or body under the provisions of the last preceding rule in respect of any person, the authority or body shall deduct from the person's remuneration the amount of the contributions required by the scheme to be paid by the employee.

5.—(1) Where a person within twelve months after ceasing to be employed in employment by virtue of which he was or was deemed to be a contributory employee or local Act contributor, and without having received a return of contributions or become entitled to any other benefit under the Act of 1937 or the local Act scheme enters employment in which he is a participant in the pension scheme operated under the Federated Superannuation System for Universities or the Federated Superannuation Scheme for Nurses and Hospital Officers or any other similar pension scheme approved by the Secretary of State, after consultation with associations of local authorities appearing to him to be concerned, the person may within three months after becoming such participant notify the local authority maintaining the superannuation fund to which he was a contributor that he desires the provisions of these rules to apply to him, and in that event that authority may, if the body administering the pension scheme in which he is a participant (hereinafter called " the relevant scheme ") undertakes to invest or secure the investment of such sum for his benefit under the relevant scheme, and to comply with the provisions of the next succeeding paragraph, pay out of the superannuation fund maintained by them to that body a sum not exceeding the amount of the transfer value which would have been payable had he become a contributory employee.

(2) If a person to whom the preceding paragraph has been applied ceases to participate in the relevant scheme in circumstances in which the only benefit to which he becomes entitled is a sum by way of a return of any of his contributions thereunder, the body administering the relevant scheme shall also pay to him a sum equal to the amount which would have been paid to him by way of a return of contributions on his ceasing to be or to be deemed to be a contributory employee or local Act contributor, and shall refund to

(**a**) 52 & 53 Vict. c. 63. (**b**) 1 Edw. 8 & 1 Geo. 6. c. 69.
(**c**) 10 & 11 Geo. 6. c. 27.

the local authority maintaining the superannuation fund to which he was a contributor an amount equal to the sum paid by them under the preceding paragraph in respect of the person, after the deduction therefrom of a sum equal to the amount paid to the person as aforesaid by way of a return of contributions, and the addition thereto of an amount equal to interest on the sum paid by the local authority under the preceding paragraph, as from the date of payment, at the rate which would have been applicable under the Act of 1937 or the local Act scheme on contributions returned thereunder at the date on which the sum was paid.

(3) If such a person as is mentioned in the last preceding paragraph, within twelve months after ceasing so to participate in the relevant scheme and within five years after ceasing to be or to be deemed to be a contributory employee or local Act contributor, again enters employment in which he is or is deemed to be a contributory employee or local Act contributor, he shall be entitled, if he pays or repays to the local authority maintaining the superannuation fund in the benefits of which he is entitled to participate a sum equal to the amount (if any) which was paid to him by the body administering the relevant scheme in compliance with the provisions of the last preceding paragraph, to reckon such service as he would have been entitled to reckon had there been no break between his ceasing to be or to be deemed to be a contributory employee or local Act contributor and his again becoming such an employee or contributor as aforesaid.

(4) Any sums paid under the two last preceding paragraphs to a local authority maintaining a superannuation fund shall be paid by them into the fund.

(5) If a local authority have received a payment under paragraph (2) of this rule in respect of a person who makes a payment under the last preceding paragraph to another local authority, the first mentioned authority shall pay out of the superannuation fund maintained by them to that other authority an amount equal to the payment so received by the first mentioned authority, together with interest thereon as from the date of receipt, calculated at the rate appropriate in relation to the superannuation fund maintained by them, and that other authority shall pay into the superannuation fund maintained by them the amount so received.

Given under my hand and seal this twenty-eighth day of June, 1948.

(L.S.)

Arthur Woodburn,
One of His Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
28th June, 1948.

EXPLANATORY NOTE

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

These rules provide for the preservation of the contingent superannuation rights of persons leaving superannuable service under local authorities and entering employment in which they become participants in the Federated Superannuation System for Universities, the Federated Superannuation Scheme for Nurses and Hospital Officers or any other pension scheme providing benefits by means of policies of insurance approved by the Secretary of State, and vice versa.