EXPLANATORY NOTE

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

These rules replace the Superannuation (Local Government and Colonial Service) (Scotland) Interchange Rules, 1949, and the Superannuation (Local Government, Commonwealth and Foreign Service) Interchange (Scotland) Rules, 1952. The rules enable a pensionable employee of a local authority who takes up any one of a variety of overseas appointments to preserve the benefit of the pension rights which had accrued in his favour when he left the local government service.

The overseas appointments to which the rules apply include public, academic and research appointments in a Commonwealth or foreign country, and appointments with the United Nations Organisation or other intergovernmental organisations to which Her Majesty's Government is a party.

The rules enable the employee on retiring from the overseas appointment to claim, if he is then eligible to do so, the benefits to which the period of his local government service entitled him. If his retiring age in the overseas appointment is less than that at which he could have claimed a pension in the local government service, he may either wait until he attains the greater age or, in certain circumstances (normally if he is 60), may claim an immediate pension of a reduced amount. The rules also provide for the payment of disability pensions, widows' pensions and death benefits should the employee become disabled or die before becoming entitled to a pension under the rules.

Where an employee returns to local government service within 12 months after leaving an overseas appointment the rules entitled him to continue to reckon his previous local government service. The rules also continue, with amendments, certain provisions of the rules of 1949 and 1952 with regard to the exercise of discretionary powers by a local authority, the adjustment of additional contributory payments, the surrender of part of a superannuation benefit for a spouse or dependant and the return of contributions.

The rules are given limited retrospective operation under the authority of, and subject to the safeguards required by, section 2 (5) of the Superannuation (Miscellaneous Provisions) Act, 1948.

1958 No. 2092

The Superannuation (Transfers between the Civil Service and Public Boards) (Amendment) Rules, 1958

Made - - - -	*9th December,* 1958
Laid before Parliament	*15th December,* 1958
Coming into Operation	*16th December,* 1958

The Lords Commissioners of Her Majesty's Treasury, in exercise of the powers conferred upon them by sections 2 and 15 of the Superannuation (Miscellaneous Provisions) Act, 1948(a), and of all other powers enabling them in that behalf, hereby make the following Rules :—

1.—(1) In these Rules, the expression "the principal Rules" means the Superannuation (Transfers between the Civil Service and Public Boards) Rules, 1950(b), as amended(c).

(a) 11 & 12 Geo. 6. c. 33. (b) S.I. 1950/1539 (1950 II, p. 291). (c) S.I. 1952/1330, 1954/263, 1955/127, 1427 (1952 II, p. 2389; 1954 II, p. 1522; 1955 II, pp. 1822, 1823).

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

2. The principal Rules shall have effect as if, in the Schedule thereto, for the words "The British Electricity Authority and any Area Electricity Board" there were substituted the words "Any of the Electricity Boards in England and Wales and the Electricity Council".

3. The principal Rules shall have effect as if the following bodies were added to the Schedule thereto, that is to say:—

The British Council.
The British European Airways Corporation.
The British Overseas Airways Corporation.
The Independent Television Authority.
The South of Scotland Electricity Board.
The Sugar Board.

4. In their application to any person who becomes employed as a civil servant after ceasing to be in the pensionable employment of one of the bodies mentioned in the last foregoing Rule the principal Rules shall have effect as if:—

(*a*) in sub-paragraphs (*d*) and (*e*) of paragraph (1) of Rule 3 thereof, the references to the date of the making of the principal Rules were references to the date of the making of these Rules; and

(*b*) in paragraph (2) of Rule 3 thereof, the references to the coming into operation of the principal Rules were references to the coming into operation of these Rules.

5. In their application to any person who enters the pensionable employment of one of the bodies mentioned in Rule 3 of these Rules after ceasing to be employed as a civil servant the principal Rules shall have effect as if:—

(*a*) in sub-paragraph (*e*) of paragraph (1) of Rule 7 thereof, the reference to the date of the making of the principal Rules were a reference to the date of the making of these Rules; and

(*b*) in paragraph (2) of Rule 7 thereof, the references to the coming into operation of the principal Rules were references to the coming into operation of these Rules.

6. These Rules may be cited as the Superannuation (Transfers between the Civil Service and Public Boards) (Amendment) Rules, 1958, and shall come into operation on the 16th day of December, nineteen hundred and fifty-eight.

Dated this 9th day of December, nineteen hundred and fifty-eight.

Martin Redmayne,
R. Brooman-White,
Two of the Lords Commissioners of Her Majesty's Treasury.

(a) 52 & 53 Vict. c. 63.

EXPLANATORY NOTE

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

These Rules add six further bodies to the Schedule of the Superannuation (Transfers between the Civil Service and Public Boards) Rules, 1950 as amended. The principal Rules provide for the aggregation of service and for a single superannuation award in cases where a person transfers from pensionable service with one of the bodies specified to an established post in the Civil Service, or vice versa. The Rules cover all such transfers, even if they took place before the date of operation of the Rules (Superannuation (Miscellaneous Provisions) Act, 1948, Section 2 (5)).

The Rules also include an amendment consequent upon the dissolution of the Central Electricity Authority and the establishment of the Electricity Council by the Electricity Act, 1957.

1958 No. 1807

The Superannuation (Wheat Commission and Civil Service) Transfer Rules, 1958

Made - - - -	*29th October*, 1958
Laid before Parliament	*4th November*, 1958
Coming into Operation	*5th November*, 1958

The Lords Commissioners of Her Majesty's Treasury, in exercise of the powers conferred upon them by sections 2 and 15 of the Superannuation (Miscellaneous Provisions) Act, 1948(a) (hereafter in these Rules referred to as " the Act "), and of all other powers enabling them in that behalf, hereby make the following Rules :—

1.—(1) Where, at some time before the second day of November, nineteen hundred and fifty-seven, a person has become employed as a civil servant after having been employed by the Wheat Commission in employment in which he was a participant in the pension scheme established by the Wheat Commission for members of its staff, and, within six months after the coming into operation of these Rules, he consents to these Rules applying to him, the period of his continuous service in respect of which, immediately before he ceased to be employed by the Wheat Commission, contributions were paid by him and the Wheat Commission under that pension scheme shall, for the purpose only of determining whether he has served for the minimum period prescribed by the Superannuation Acts as necessary for any pension to be paid to or in respect of him, but for no other purpose, be reckoned as service in the capacity of a civil servant.

(2) Where section 32 of the Superannuation Act, 1949(b) (which provides for an increase of superannuation and additional allowances in cases of retirement for ill-health with less than twenty years' service) applies in the case of a person to whom the foregoing paragraph applies, that section shall have effect in relation to him as if for the references in subsections (1) and (2) thereof to twenty years there were substituted references to the number of years by which twenty years exceeds the number of completed years of such period of his continuous service as is mentioned in the foregoing paragraph.

(a) 11 & 12 Geo. 6. c. 33. (b) 12, 13 & 14 Geo. 6. c. 44.