EXPLANATORY NOTE

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

These Regulations enable the Secretary of State to supplement from the Education (Scotland) Fund scholarships, exhibitions and other awards tenable at English Universities by students ordinarily resident in Scotland, to enable them to take advantage without hardship to themselves or their parents of the educational facilities available to them at English Universities.

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3. TEACHERS

[Teachers Superannuation (War Service) (End of Emergency) Order, *see* p. 1529 above.]

(1) *Pensions.*
(2) *Salaries*, p. 1563.
(3) *Training*, p. 1565.

(1) PENSIONS

The Teachers' Pensions (National Service) (Scotland) Rules, 1949

1949 No. 558 (S. 24)

Made - - - -	23*rd March*, 1949
Laid before Parliament	26*th March*, 1949
Coming into Operation	1*st April*, 1949

In the exercise of the powers conferred upon me by section 1 of the Superannuation (Miscellaneous Provisions) Act, 1948(**a**), and with the consent of the Treasury, I hereby make the following Rules :—

Interpretation.

1.—(1) In these Rules, unless the context otherwise requires—

(*a*) " Act of 1946 " means the Education (Scotland) Act, 1946(**b**) ;

(*b*) " estimated salary ", in relation to a teacher on national service, means a salary equal to such annual sum as in the opinion of the Secretary of State the teacher would have received if he had been employed in service ;

(*c*) " former employer " means the person who last employs a teacher in service before the date upon which the teacher enters upon national service ;

(*d*) " period of national service " means any period of service in any of the armed forces of the Crown undertaken by virtue of an enlistment notice or a training notice served under the National Service Act, 1948(**c**), or work or training in pursuance of an order of a tribunal under section 17 of the National Service Act, 1948, (which relates to conscientious objectors), and includes any period immediately following the termination

(**a**) 11 & 12 Geo. 6. c. 33. (**b**) 9 & 10 Geo. 6. c. 72.
(**c**) 11 & 12 Geo. 6. c. 64.

thereof during which the teacher, with the consent of his former employer, continues in similar service, work, or training, and the expression "national service" shall be construed accordingly;

(*e*) "Scheme of 1926" means the Superannuation Scheme for Teachers (Scotland), 1926(**a**);

(*f*) "service" has the same meaning as is assigned to it by article 1 (7) of the Scheme of 1926.

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

(3) References in these Rules to any enactment, scheme or other instrument shall, except where the context otherwise requires, be construed as references to the enactment, scheme or other instrument as amended by or under any other enactment, scheme or other instrument, including these Rules.

National service interrupting service.

2.—(1) Where a teacher who entered upon national service on or after 1st April, 1949, was, immediately before he entered on national service, employed in service, his national service shall be treated as service.

(2) Where the national service of a teacher is treated as service, the provisions of section 103 of the Act of 1946 (which relates to the payment of contributions) shall apply in respect of the said teacher throughout his period of national service with the substitution of references to the teacher's estimated salary for references to his salary and of references to his former employer for references to his employer.

Provisions as to breaks in service not to apply to national service.

3. The provisions of article 16 of the Scheme of 1926 (which enables breaks in service to be recorded as service) shall not apply to the discontinuance of the service of the teacher for the purpose of entering upon national service.

National service interrupting breaks in service.

4. Where the period immediately preceding the date upon which a teacher enters upon national service is deemed to be a period of service under article 16 of the Scheme of 1926, the period of national service shall be treated as a period of service, and—

(1) if it has been agreed between the teacher and his employer that at the end of the period which is deemed to be a period of service under the said article 16 the teacher shall return to the service of the employer, paragraph (2) of rule 2 of these Rules shall apply; or

(2) if it has not been so agreed, the provisions of section 3 of the Education (Scotland) (War Service Superannuation) Act, 1939(**c**) (which provided for the payment and collection of contributions in exceptional cases) shall apply as it applied to the teachers described in the said section but with the substitution of references to the teacher's estimated salary for references to his salary.

National service interrupting employment treated as service.

5. Where a teacher, immediately before he enters upon national service, is employed in an employment which is treated as service under article 12 (1) of the Scheme of 1926, his period of national service shall be similarly treated.

(a) S.R. & O. 1926 (No. 363) p. 449. (b) 52 & 53 Vict. c. 63.
(c) 2 & 3 Geo. 6. c. 96.

6.—(1) These Rules and the Scheme of 1926 shall be construed as one. Construction, citation and commencement.

(2) These Rules may be cited as the Teachers' Pensions (National Service) (Scotland) Rules, 1949.

(3) These Rules shall come into operation on 1st April, 1949.

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

St. Andrew's House,
Edinburgh, 1.
23rd March, 1949.

EXPLANATORY NOTE

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

These Rules provide for the treatment of national service as teaching service for the purposes of the Scottish Teachers Superannuation Scheme in the case of teachers who leave teaching service to undertake national service on or after 1st April, 1949. They also prescribe the contributions towards the cost of providing benefits under the Teachers Scheme to be paid in respect of the period of national service.

(2) SALARIES

The Teachers' Salaries (Scotland) Provisional Amending Regulations, 1949

1949 No. 1580 (S. 110)

Made - - - -	20*th August*, 1949
Laid before Parliament	25*th August*, 1949
Coming into Operation	1*st September*, 1949

In the exercise of the powers conferred on me by section 79 of the Education (Scotland) Act, 1946(**a**), and of all other powers enabling me in that behalf, I hereby make the following Regulations; and I hereby certify under section 59 of the said Act as amended by section 5 of and the Schedule to the Education (Scotland) Act, 1949(**b**), that on account of urgency the said Regulations ought to come into immediate operation and I accordingly make them as Provisional Regulations.

Interpretation

1. The following paragraph shall be added to Regulation 2 of the Teachers' Salaries (Scotland) Regulations, 1948(**c**), (hereinafter referred to as "the Principal Regulations"):—

"(2) In these Regulations, unless the context otherwise requires, references to any Act, Regulations or Rules shall be construed as references to the said Act, Regulations or Rules as amended by any subsequent Act, Regulations or Rules, including these Regulations."

(a) 9 & 10 Geo. 6. c. 72. (b) 12, 13 & 14 Geo. 6. c. 19.
(c) S.I. 1948 (No. 611) I, p. 822.