1958 No. 1595 (S. 71)

The Teachers (Superannuation) (Scotland) (Amendment No. 1) Regulations, 1958

Made - - - -	*23rd September*, 1958
Laid before Parliament	*30th September*, 1958
Coming into Operation	*1st October*, 1958

In the exercise of the powers conferred upon me by—

(1) section 99 of the Education (Scotland) Act, 1946(a),

(2) section 101 of the said Act of 1946, as amended by section 10 of the Education (Scotland) Act, 1956(b), and

(3) the Third Schedule to the said Act of 1946, as amended by sections 33, 34 and 35 of the Teachers (Superannuation) Act, 1956(c), Regulation 54 of the National Health Service (Scotland) (Superannuation) Regulations, 1948(d), and Regulation 3 of the Teachers' Pensions (National Insurance Modifications) (Scotland) Regulations, 1948(e),

and of all other powers enabling me in that behalf, I hereby make the following Regulations:—

Citation, construction and commencement

1.—(1) These Regulations may be cited as the Teachers (Superannuation) (Scotland) (Amendment No. 1) Regulations, 1958.

(2) These Regulations and the Teachers (Superannuation) (Scotland) Regulations, 1957(f), (hereinafter referred to as "the Principal Regulations") shall be construed as one and may be cited together as the Teachers (Superannuation) (Scotland) Regulations, 1957 and 1958.

(3) These Regulations shall come into operation on 1st October, 1958, but, subject to the provisions of subsection (2) of section 101 of the Education (Scotland) Act, 1946, as amended by section 10 of the Education (Scotland) Act, 1956, Regulation 2 of these Regulations shall then be deemed to have had effect from and including 1st October, 1956, and the amendment set forth in column (4) of the Schedule to these Regulations opposite to any serial number in column (1) shall then be deemed to have had effect from and including the date prescribed in column (5) of the said Schedule opposite to the said serial number.

Amendments in the Principal Regulations

2. In the Principal Regulations, the regulation, paragraph or schedule of which the number is set forth in columns (2) and (3) of the Schedule to these Regulations opposite to any serial number in column (1) shall be amended as prescribed in column (4) of the said Schedule opposite to the said serial number.

John S. Maclay,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
23rd September, 1958.

(a) 9 & 10 Geo. 6. c. 72. (b) 4 & 5 Eliz. 2. c. 75.
(c) 4 & 5 Eliz. 2. c. 53. (d) S.I. 1948/412 (Rev. XV, p. 1050: 1948 I, p. 2478).
(e) S.I. 1948/944 (Rev. VI, p. 823: 1948 I, p. 812). (f) S.I. 1957/356 (1957 I, p. 733).

Regulation 2

SCHEDULE

AMENDMENTS IN THE PRINCIPAL REGULATIONS

Serial Number (1)	Regulation (2)	Paragraph (3)	Amendment (4)	Date of Operation (5)
1	2	(1)	After sub-paragraph (*l*) the following sub-paragraph shall be inserted:— "(*ll*) "Lands and heritages", in relation to the salary of a teacher in respect of first class service, means lands and heritages consisting of a dwelling-house with any garden, yard, garage, outhouse or pertinent belonging to and occupied along with such dwelling-house; ".	1st November, 1957
2	9	(2)	For the words "The method to be adopted shall be at the option of the teacher." there shall be substituted the words "Where the teacher has not attained the age of 59 years, the method to be adopted shall be at his option. Where he has attained the said age, Method B shall be adopted."	1st October, 1956
3	9	(5)	In head (i) of sub-paragraph (*a*), after the word "Regulation" there shall be inserted the words "or the amount which would have been so payable if National Insurance modifications had not applied to him, as the case may be".	1st October, 1956
4	18	(2)	The following sub-paragraphs shall be substituted for sub-paragraphs (*b*) and (*c*):— "(*b*) the gross annual value of lands and heritages as entered in the Valuation Roll reduced by an amount equal to the owner's share of the rates payable in respect of the said lands and heritages for the year beginning on 16th May, 1956, where the said lands and heritages are made available to the teacher by his employer and occupied by the teacher under conditions which do not entitle him to a reduction of rent under section 16 of, and paragraph 1 of the Third Schedule to, the Valuation and Rating (Scotland) Act, 1956(a); (*c*) the amount of the rates in respect of lands and heritages occupied by the teacher, where the employers of the teacher pay the said rates;	1st November, 1957

(a) 4 & 5 Eliz. 2. c. 60.

Serial Number (1)	Regulation (2)	Paragraph (3)	Amendment (4)	Date of Operation (5)
			(*cc*) the amount of any allowance given to the teacher by his employers in lieu of the occupation of lands and heritages; and ".	
5	34	(2)	The following sub-paragraphs shall be substituted for sub-paragraphs (*b*) and (*c*):— " (*b*) the gross annual value of lands and heritages as entered in the Valuation Roll reduced by an amount equal to the owner's share of the rates payable in respect of the said lands and heritages for the year beginning on 16th May, 1956, where the said lands and heritages are made available to the teacher by his employer and occupied by the teacher under conditions which do not entitle him to a reduction of rent under section 16 of, and paragraph 1 of the Third Schedule to, the Valuation and Rating (Scotland) Act, 1956; (*c*) the amount of the rates in respect of lands and heritages occupied by the teacher, where the employers of the teacher pay the said rates; (*cc*) the amount of any allowance given to the teacher by his employers in lieu of the occupation of lands and heritages; and ".	1st November, 1957
6	41	(3)	In sub-paragraph (i) after the words " teaching service " there shall be inserted the words " or Irish teaching service "; and in sub-paragraph (ii) after the words " teaching service " there shall be inserted the words " or Irish teaching service ".	1st October, 1956
7	50	(2)	For the words " one year " there shall be inserted the words " three months ".	1st October, 1956
8	50	(6)	In the proviso after the words " teaching service " there shall be inserted the words " or Irish teaching service ".	1st October, 1956
9	54	(2)	In proviso (i) after the word " where ", where it first occurs, there shall be inserted the words " the employment is in first class service and ".	1st October, 1956
10	54	(3)	After the word " teacher " there shall be inserted the words " for reasons other than death ".	1st October, 1956

Serial Number (1)	Regulation (2)	Paragraph (3)	Amendment (4)	Date of Operation (5)
11	54	(4)	After the word " teacher ", where it first occurs, there shall be inserted the words " for reasons other than death ".	1st October, 1956
12	54	(4)	After paragraph (4) the following paragraph shall be inserted:— " (4A) Where the said teacher dies in circumstances in which, if he had ceased to be employed for reasons other than death, a new retiring allowance might have been granted to him under the last foregoing paragraph, the Secretary of State may grant a death gratuity to the personal representatives of the teacher not exceeding the amount whereby the new lump sum which might have been granted to the teacher under the said paragraph exceeds the lump sum last granted to him."	1st October, 1956
13	54	(5)	For the word " two " there shall be substituted the word " three ".	1st October, 1956
14	54	(6)	The following proviso shall be substituted for proviso (i):— " (i) such reduction shall not cause the aggregate of the pension or the balance of pension, of his salary and of any superannuation benefit in respect of second class service to be less for the said quarter than the quarterly rate of the salary at which he was last employed before he was awarded a retiring allowance, or, if he had previously been re-employed, before he was again awarded a retiring allowance, whichever quarterly rate was the greater; "	1st October, 1956
15	55	(1)	In the proviso, after the words " equal to the " there shall be inserted the words " lump sum or ".	1st October, 1956
16	First Schedule	—	In the column headings, for the words "Age at date of undertaking " there shall be substituted "Age at date prescribed for Method A or Method B, as the case may be ".	1st October, 1956

EXPLANATORY NOTE

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

These Regulations amend the Teachers (Superannuation) (Scotland) Regulations, 1957.

The purpose of the amendments numbered 1, 4 and 5 in the Schedule to the Regulations is to define " salary " so as to secure that for superannuation purposes a teacher who occupies a schoolhouse under conditions which do not entitle him to a reduction of rent under paragraph 1 of the Third Schedule to the Valuation and Rating (Scotland) Act, 1956, is in the same position as a teacher who is entitled to the reduction. Under a provision of that Act, the teacher like all other occupiers of houses is liable to pay the whole of the rates including the part which was formerly the owner's share. In the Regulations of 1957 salary is defined as the aggregate of the emoluments, whether in money or in kind, receivable by the teacher, and the list of emoluments includes references to the annual value of the schoolhouse which are not appropriate to the new conditions.

The other amendments are minor amendments which experience has shown to be desirable.

In the exercise of the power given by subsection (2) of section 101 of the Education (Scotland) Act, 1946, as amended by section 10 of the Education (Scotland) Act, 1956, the Secretary of State has prescribed that the amendments included in the Regulations shall have effect retrospectively from the dates prescribed in column (5) of the Schedule.

ELECTRICITY

CONSULTATIVE COUNCILS

1958 No. 1

The Electricity (Consultative Council) (Areas) (Amendment) Regulations, 1958

Made - - - -	1*st January*, 1958
Laid before Parliament	7*th January*, 1958
Coming into Operation	8*th January*, 1958

The Minister of Power in exercise of the powers conferred upon him by section seven of the Electricity Act, 1947(a), and section five of the Electricity Act, 1957(b), and of all other powers him enabling hereby makes the following Regulations :—

1. These Regulations shall come into operation on the eighth day of January, nineteen hundred and fifty-eight and may be cited as the Electricity (Consultative Council) (Areas) (Amendment) Regulations, 1958.

2. The Electricity (Consultative Council) (Areas) Regulations, 1948(c), shall have effect subject to the modifications specified in these Regulations.

(a) 10 & 11 Geo. 6. c. 54. (b) 5 & 6 Eliz. 2. c. 48.
(c) S.I. 1948/898 (Rev. VI, p. 837: 1948 I, p. 861).