

SCHEDULE

PART I

Amendments of the Local Government Staffs (War Service) Act, 1939.

- 1 Where a person serving in any superannuate capacity specified in the first column of the Schedule to the Act ceased so to serve in order to undertake war-service and had not then attained the age of eighteen years, and, if he had attained that age, any of his service before the date of the cessation would have been contributing service or service for the purposes of a local Act scheme, then, if he attains that age while in war service, he shall be entitled to reckon so much of his war service as falls after the attainment of that age as contributing service or service for the purposes of that local Act scheme, and section four of the Act shall have effect in respect of that part of his war service as if he had not ceased to serve as aforesaid in order to undertake war service until immediately after the date upon which he attains that age.
- 2 Where a person serving in any superannuate capacity specified in the first column of the Schedule to the Act ceased so to serve in order to undertake war service and had not then attained the age of eighteen years, and the provisions of paragraph 1 of this Part of the Schedule do not apply, the period of his war service shall be taken into account for superannuation purposes in the same manner and to the same extent, if any, as it would have fallen to be taken into account if he had continued to serve in the same superannuable capacity as aforesaid throughout the period of his war service.
- 3 Where a person serving in a temporary capacity as a whole time officer of a local authority, being an authority specified in Part I of the First Schedule to the Local Government Superannuation Act, 1937, ceased so to serve in order to undertake war service and had then attained the age of eighteen years but was not then a contributory employee or a local Act contributor, and, if he had not ceased so to serve, he would have become a contributory employee or a local Act contributor on some date falling within the period of his war service, he shall be entitled to reckon so much of his war service as falls after the said date as contributing service or as service for the purposes of the local Act scheme, and section four of the Act shall have effect in respect of that part of his war service as if he had not ceased to serve as aforesaid in order to undertake war service until immediately after the said date.
- 4 It is hereby declared that where, under section three of the Act, the period of a person's war service falls to be aggregated with the period of his service in his civil capacity, then, for the purposes of sections thirteen and twenty-nine of the Local Government Superannuation Act, 1937, he shall not be deemed to have ceased to be employed by the authority by whom he was employed immediately before he undertook his war service until the expiration of his war service or, if before the expiration of his war service he makes a claim under section ten of the last mentioned Act for the return of contributions made by him for superannuation purposes, until the date on which the claim is made, and references in the said sections thirteen and twenty-nine to the cessation of his employment by that authority shall be construed accordingly.
- 5 Where a person who is in war service immediately before the end of the present emergency continues in the same service after the end thereof, the said service continued as aforesaid shall all be treated as war service for the purposes of the Act :

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

Provided that, except where the said person continues his war service in pursuance of a legal obligation so to do arising otherwise than by reason of a voluntary undertaking by him to continue it, the local authority by whom he was employed immediately before he undertook his war service may at any time by notice in writing given to him notify him that his war service for the purposes of the Act will be deemed to cease three months after the date of the service of the notice, and unless the authority withdraw their notice the said war service shall be deemed to cease accordingly.

6 The provisions of this Part of this Schedule shall be deemed always to have had effect and all necessary adjustments shall be made accordingly.

7 In its application to Scotland, this Part of this Schedule shall have effect as if for references to the Local Government Superannuation Act, 1937, and to sections ten, thirteen and twenty-nine thereof, there were respectively substituted references to the Local Government Superannuation (Scotland) Act, 1937, and to sections ten, thirteen and twenty-four thereof.