

1969 No. 659 (S.53)

EDUCATION, SCOTLAND

The Teachers Superannuation (Scotland) (Amendment)
Regulations 1969

<i>Made</i>	- - -	<i>5th May 1969</i>
<i>Laid before Parliament</i>		<i>13th May 1969</i>
<i>Coming into Operation</i>		<i>14th May 1969</i>

In exercise of the powers conferred upon me by sections 18 and 21(3)(b) of the Teachers Superannuation (Scotland) Act 1968(a) as amended by the Minister for the Civil Service Order 1968(b) and of all other powers enabling me in that behalf and after consultation with representatives of education authorities, teachers and other bodies appearing to me to be likely to be affected as required by section 18(5) of the said Act, and with the consent of the Minister for the Civil Service, I hereby make the following regulations—

Citation and commencement

1. These regulations may be cited as the Teachers Superannuation (Scotland) (Amendment) Regulations 1969 and shall come into operation on 14th May 1969 but, subject to the provisions of section 18(7) of the Teachers Superannuation (Scotland) Act 1968, shall be deemed to have had effect from and including 1st February 1969.

Interpretation

2. The Interpretation Act 1889(c) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

Amendment of the Teachers Superannuation (Scotland) Regulations 1969

3. In regulation 78 of the Teachers Superannuation (Scotland) Regulations 1969(d) (which relates to amendment of enactments) the following paragraph shall be inserted after paragraph (2)—

“(3) The Pensions (Increase) Acts of 1944, 1947, 1952, 1956, 1959, 1962 and 1965 shall apply to an annual allowance payable under section 1 of the Act of 1968 as if it were a pension specified in Part I of the relevant Schedule to each of the aforesaid Acts of 1944, 1952, 1956, 1959 and 1965. For the purposes of this paragraph ‘the relevant Schedule’ in relation to the Pensions (Increase) Act of any year means the Schedule to that Act which lists the pensions qualifying for increase under section 1 of the Act.”

William Ross,

One of Her Majesty's
Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
5th May 1969.

(a) 1968 c. 12.
(c) 1889 c. 63.

(b) S.I. 1968/1656 (1968 III, p. 4485).
(d) S.I. 1969/77 (1969 I, p. 133).

Consent of the Minister for the Civil Service given under his Official Seal on 5th May 1969.

J. E. Herbecq.
Authorised by the Minister for
the Civil Service.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations provide for the Pensions (Increase) Acts of 1944 to 1965 to apply to annual allowances payable under the Teachers Superannuation (Scotland) Regulations 1969. For pensions increase purposes a teacher's annual allowance is deemed to begin on the day after cessation of service, which in some cases can occur many years before the allowance comes into payment. In so far as such allowances come into payment after 31st January 1969 and are therefore paid under the Teachers Superannuation (Scotland) Regulations 1969, it is necessary to amend those Regulations to provide that these allowances may attract increases as appropriate under the Pensions (Increase) Acts before that of 1969. The Pensions (Increase) Act 1969 itself provides for increases of these allowances under that Act.

The Regulations have retrospective effect from 1st February 1969 (the date of coming into operation of the Teachers Superannuation (Scotland) Regulations 1969) by virtue of section 18(7) of the Teachers Superannuation (Scotland) Act 1968.