

STATUTORY INSTRUMENTS

1986 No. 409 (S. 34)

LOCAL GOVERNMENT, SCOTLAND

The Local Government (Compensation for Premature Retirement) (Scotland) Amendment Regulations 1986*Made - - - - 28th February 1986**Laid before Parliament 11th March 1986**Coming into Operation 1st April 1986*

The Secretary of State, in exercise of the powers conferred on him by section 24 of the Superannuation Act 1972(a), and of all other powers enabling him in that behalf, hereby makes the following regulations:-

Citation and commencement

1. These regulations may be cited as the Local Government (Compensation for Premature Retirement) (Scotland) Amendment Regulations 1986 and shall come into operation on 1st April 1986.

Interpretation

2. In these regulations "the principal regulations" means the Local Government (Compensation for Premature Retirement) (Scotland) Regulations 1979(b).

Amendment of the principal regulations

3. The following regulation shall be substituted for regulation 21(3)(b) of the principal regulations:-

"(b) The date of closure of an educational establishment referred to in paragraph (h) of Schedule 1 shall be the date on which the establishment ceases to be an establishment which requires to be registered under Part IV of the Social Work (Scotland) Act 1968(c)."

4. In Schedule 1 to the principal regulations (employing authorities who may credit certain pensionable employees with an additional period of service) the following paragraph shall be substituted for paragraph (h):-

"(h) The managers, other than a local authority, of a school which, immediately before 1st April 1986 (being the date of coming into operation of the direction of the Secretary of State under paragraph 2(1) of Schedule 7 to the Social Work (Scotland) Act 1968) was a school which immediately before the commencement of Part III of the said Act of 1968 was approved under

(a) 1972 c.11.

(b) S.I. 1979/785; relevant amending instrument is S.I. 1982/917.

(c) 1968 c.49.

section 83 of the Children and Young Persons (Scotland) Act 1937(a), if the pensionable employee was employed by those managers on 31st March 1986.”.

John J. MacKay,
Parliamentary Under Secretary of State,
Scottish Office.

New St Andrew's House,
Edinburgh.
28th February 1986.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations amend the Local Government (Compensation for Premature Retirement) (Scotland) Regulations 1979 to ensure that the compensation provisions in the 1979 regulations continue to apply after 31st March 1986 to staff who were in post at that date in schools known as List D schools (which were formerly approved schools) since new arrangements for these schools will come into operation after that date.

(a) 1937 c.37.

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