

1959 No. 1985

**The Superannuation (National Assistance Board)
Transfer Rules, 1959**

<i>Made</i> - - - -	24th November, 1959
<i>Laid before Parliament</i>	26th November, 1959
<i>Coming into Operation</i>	27th November, 1959

The Lords Commissioners of Her Majesty's Treasury, in exercise of the powers conferred upon them by Section 2 of the Superannuation Act, 1957(a), and of all other powers enabling them in that behalf, hereby make the following Rules:—

1.—(1) Where a person either

- (a) was, before the first day of May nineteen hundred and thirty-seven, taken into the civil service of the State in an unestablished capacity as an officer of the Unemployment Assistance Board or the Ministry of Labour after having been employed by a local authority in England or Wales, or
- (b) was, before the sixth day of July nineteen hundred and forty-eight, taken into the civil service of the State in an unestablished capacity as an officer of the Unemployment Assistance Board, the Assistance Board or the National Assistance Board after having been employed by a local authority in Scotland, or
- (c) was, before the thirteenth day of July nineteen hundred and forty-eight, taken into the civil service of the State as a civil servant employed in the National Assistance Board after having been employed by the local pension committee for the Administrative County of London, or
- (d) was, before the eleventh day of July nineteen hundred and fifty, taken into the civil service of the State as a civil servant employed in either the Unemployment Assistance Board, the Assistance Board, or the National Assistance Board after having been employed in pensionable employment by a local authority in England or Wales or Scotland and neither the Unemployment Assistance Board (Superannuation) Rules, 1935(b), nor the Local Government and Civil Service (Superannuation) Rules, 1936(c), nor the Superannuation (Transfers between the Civil Service and Local Government) Rules, 1950(d), applied to him or was applied to him,

and his employment by such local authority or committee, as the case may be, was, in the opinion of the Treasury, of the same nature and for the same purpose as his employment in the service of the State, his service in such employment by that local authority or committee, as the case may be, before the date on which he was taken into the civil service of the State but not before the first day of January, nineteen hundred and nineteen, shall be reckoned for the purposes of the Superannuation Acts as employment in an unestablished capacity within the meaning of Section 3 of the Superannuation Act, 1935(e).

(a) 5 & 6 Eliz. 2. c. 37.

b) S.R. & O. 1935/592 (Rev. XXV, p. 327: 1935 I, p. 1690).

(c) S.R. & O. 1936/651 (Rev. XVII, p. 519: 1936 II, p. 2030).

(d) S.I. 1950/145 (1950 II, p. 277).

(e) 25 & 26 Geo. 5. c. 23.

(2) These Rules shall not have effect so as to authorise an increase in an annual superannuation allowance or pension so far as the allowance or pension is payable in respect of a period before the twenty-first day of November, nineteen hundred and fifty-seven.

2.—(1) In these Rules the expression “unestablished capacity” has the meaning assigned to it by subsection (4) of section 3 of the Superannuation Act, 1935, and the expression “civil servant” has the meaning assigned to it by subsection (2) of section 63 of the Superannuation Act, 1949(a), and the expression “the Superannuation Acts” means the Superannuation Acts 1834 to 1950, and any Act amending those Acts.

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

3. These Rules may be cited as the Superannuation (National Assistance Board) Transfer Rules, 1959, and shall come into operation on the twenty-seventh day of November, nineteen hundred and fifty-nine.

Dated this 24th day of November, nineteen hundred and fifty-nine.

R. Brooman-White,

J. D. Gibson-Watt,

Two of the Lords Commissioners
of Her Majesty's Treasury.

EXPLANATORY NOTE

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

These Rules provide for service (not being service before 1st January, 1919, or before age 18) with local authorities or the local pensions committee in London of staff who were taken into the Civil Service on work which was taken over by the Central Government from former Public Assistance Authorities and the London Old Age Pension Committee to be reckoned on certain conditions as unestablished civil service for the purposes of the Superannuation Acts. The officers covered by the Rules are (a) those employed by local authorities in England and Wales who were taken into the Unemployment Assistance Board or the Ministry of Labour in an unestablished capacity before 1st May, 1937; (b) those employed by local authorities in Scotland who were taken into the National Assistance Board or its predecessors in an unestablished capacity before 6th July, 1948; (c) those employed by the local pension committee for the Administrative County of London who were taken into the National Assistance Board as established civil servants before 13th July, 1948; and (d) those employed in a pensionable capacity by local authorities in England, Wales or Scotland who were taken into the National Assistance Board or its predecessors as established civil servants before 11th July, 1950, and to whom the Unemployment Assistance Board (Superannuation) Rules, 1935, or the Local Government and Civil Service (Superannuation) Rules, 1936, or the Superannuation (Transfers between the Civil Service and Local Government) Rules, 1950, did not apply or were not applied.

(a) 12, 13 & 14 Geo. 6. c. 44.

(b) 52 & 53 Vict. c. 63.