Regulation 18 applies the regulations to persons who retired or died between the thirtieth day of September, 1950, and their coming into operation. Express power for this retrospective operation is contained in section 1 (4) (*b*) of the Act of 1953. Regulation 19 contains the necessary machinery for the provisions of regulation 18.

Regulation 21 makes special modifications in the regulations in their application to contributory employees on the medical and nursing staff of a local authority. The chief modification is that of pensionable age (paragraph (2)), but the regulation contains a number of other provisions consequential on the transfer of such employees from parts III and IV of the National Health Service (Scotland) (Superannuation) Regulations, 1950, to the Local Government Superannuation Acts scheme. Regulation 22 makes corresponding provision (under section 3 (1) of the Act of 1953) for local Act contributors similarly employed. Regulation 23 modifies the pensionable age in the case of certain female employees.

Part III of the regulations and the Third Schedule provide for the modification of certain benefits having regard to benefits under the National Insurance Act, 1946. These provisions take the place of certain provisions of the modification regulations made under section 69 (4) of the Act of 1946, upon which they are based; the provisions thus superseded will be revoked by regulations under that subsection with effect from the date on which, in any individual case, part III of these regulations or any corresponding provisions of a local Act scheme apply.

1954 No. 1226

The Local Government Superannuation (Clerks of the Peace and County Council) Regulations, 1954

Made - - - -	*17th September,* 1954
Laid before Parliament	*22nd September,* 1954
Coming into Operation	*1st October,* 1954

The Minister of Housing and Local Government, in exercise of the powers conferred on him by subsection (3) of section 24 of the Local Government Superannuation Act, 1953(**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 Superannuation (Clerks of the Peace and County Council) Regulations, 1954, and shall come into operation on the first day of October, 1954.

Interpretation

2.—(1) In these regulations "the Act of 1931" means the Local Government (Clerks) Act, 1931(**b**).

(2) The Interpretation Act, 1889(**c**), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

Option in respect of alternative benefits

3. Subject as hereinafter provided a person who holds, or has since the thirtieth day of September, nineteen hundred and fifty, held, the office of clerk of the peace and county council and who was appointed to that office

(**a**) 1 & 2 Eliz. 2. c. 25. (**b**) 21 & 22 Geo. 5. c. 45. (**c**) 52 & 53 Vict. c. 63.

before the passing of the Act of 1931 may opt that these regulations shall apply in his case, and if he does so opt there shall be granted to or in respect of him as from the date on which he ceases or has ceased to hold the aforesaid office a right to such alternative benefits as are specified in the schedule to these regulations in lieu of his rights under section 9 of the Act of 1931 :

Provided that the said alternative benefits shall be subject to financial adjustment in respect of any sum or sums paid to him by way of superannuation allowance under section 9 of the Act of 1931.

Time limit for exercise of option

4. A person who wishes to exercise the option to which the last preceding regulation refers shall give notice in writing to that effect to the county council within three months after the coming into operation of these regulations.

Adaptation of certain provisions of the Local Government Superannuation (Benefits) Regulations, 1954

5. For the purposes of these regulations the regulations specified in the schedule to these regulations shall apply as if any reference—

(*a*) to service were a reference to service as defined in subsection (2) of section 9 of the Act of 1931 ;

(*b*) to contributing service were a reference to service reckonable as whole-time service for the purpose of the Second Schedule to the Act of 1931 ;

(*c*) to non-contributing service and to contributions were omitted ;

(*d*) to average remuneration were a reference to the average amount of his salary and emoluments, as defined in the Second Schedule to the Act of 1931, during the three years' service ending on the day on which the person ceased to hold his office ;

(*e*) to a contributory employee were a reference to a person to whom these regulations apply ;

(*f*) to an employing authority were a reference to the county council responsible for the payment of any benefit payable to or in respect of the person.

SCHEDULE

Benefits under the following regulations of the Local Government Superannuation (Benefits) Regulations, 1954(a).

No. of regulation	*Nature of benefit*
5	Retirement pension
6	Retirement grant
8	Widow's pension
10	Death grant

Given under the official seal of the Minister of Housing and Local Government this seventeenth day of September, nineteen hundred and fifty-four.

(L.S.)

Harold Macmillan,
Minister of Housing and Local Government.

(a) S.I. 1954/1048, p. 1595 above.

EXPLANATORY NOTE

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

These regulations apply to clerks of the peace and county council who were appointed before the passing of the Local Government (Clerks) Act, 1931, and who are still in office or have retired since 30th September, 1950. The superannuation rights of such clerks are at present governed by section 9 of the Act of 1931 which provides for a pension of 1/60th of average remuneration (calculated over five years) for each year of service. These regulations provide for the grant, at the option of the clerk, of alternative benefits in lieu of his superannuation rights under the Act of 1931. The alternative benefits are based on the Local Government Superannuation (Benefits) Regulations, 1954, and are : Pension of 1/80th of average remuneration (calculated over three years) for each year of service, lump sum retirement grant, widow's pension and death grant.

1954 No. 1237

The Local Government Superannuation (Limitation on Service) Regulations, 1954

Made - - - -	*20th September*, 1954
Laid before Parliament	*23rd September*, 1954
Coming into Operation	*1st October*, 1954

The Minister of Housing and Local Government, in exercise of his powers under subsection (2) of section 6 of the Local Government Superannuation Act, 1953(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 Superannuation (Limitation on Service) Regulations, 1954, and shall come into operation on the first day of October, 1954.

Interpretation

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

Limitation on service reckonable in the calculation of benefits payable to or in respect of certain pensioners

3. Where a person to whom subsection (1) of section 6 of the Local Government Superannuation Act, 1953, (which relates to the re-employment of certain pensioners) applies is, in the employment which he has entered, a contributory employee or local Act contributor, then, for the purpose of subsection (2) of that section, account shall not be taken of any number of years of his service as a contributory employee or local Act contributor by which those years, together with the years of service in respect of which his pension or injury allowance was granted, exceed forty-five years.

Given under the official seal of the Minister of Housing and Local Government this twentieth day of September, nineteen hundred and fifty-four.

(L.S.) *Harold Macmillan,*
Minister of Housing and Local Government.

(a) 1 & 2 Eliz. 2. c. 25. (b) 52 & 53 Vict. c. 63.