STATUTORY INSTRUMENTS

1961 No. 588 (S. 33)

NATIONAL INSURANCE

The National Insurance (Modification of Electricity Superannuation Schemes) (Scotland) Regulations, 1961

Made - - - -	*23rd March*, 1961
Laid before Parliament	*29th March*, 1961
Coming into Operation	*3rd April*, 1961

Whereas the Treasury has determined, under subsection (4) of section 69 of the National Insurance Act, 1946(a), that the Secretary of State for Scotland is the appropriate Minister to make regulations in relation to the modification of the schemes specified in the schedule hereto:

Now, therefore, in exercise of the powers conferred on me by the said subsection (4), as extended by section 15 of the National Insurance Act, 1959(b), and of all other powers enabling me in that behalf, I hereby make the following regulations:—

Citation and Commencement

1. These regulations may be cited as the National Insurance (Modification of Electricity Superannuation Schemes) (Scotland) Regulations, 1961, and shall come into operation on the 3rd day of April, 1961.

Interpretation

2.—(1) In these regulations the following expressions have the meanings hereby assigned to them:—

" the Act " means the National Insurance Act, 1959 ;

" Electricity Board " means the North of Scotland Hydro-Electric Board or the South of Scotland Electricity Board ;

" a scheme " means each of the schemes specified in the schedule hereto, being a scheme in respect of the employment of members of which an election is made by an Electricity Board in accordance with Part II of the National Insurance (Non-participation—Certificates) Regulations, 1959(c) (which relates to notices and elections).

(2) Any reference in these regulations to the provisions of any enactment shall be construed, except where the context otherwise requires, as a reference to those provisions as amended or re-enacted by any subsequent enactment.

(3) The Interpretation Act, 1889(d), shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

Recovery of payment in lieu of contributions

3. Notwithstanding anything in a scheme, where an Electricity Board are liable for a payment in lieu of contributions in respect of any person under the Act, that Board on making that payment may recover from the person

(a) 9 & 10 Geo. 6. c. 67.
(b) 7 & 8 Eliz. 2. c. 47.
(c) S.I. 1959/1860 (1959 II, p. 1867).
(d) 52 & 53 Vict. c. 63.

liable for the payment of benefits under the scheme so much of the payment in lieu of contributions, not being the amount, if any, recoverable by the Board in accordance with section 10 of the Act, as does not exceed the Board's share of contributions paid under the scheme in respect of such first-mentioned person.

Dated this 23rd day of March, 1961.

John S. Maclay,
Secretary of State for Scotland.

St. Andrew's House,
Edinburgh, 1.

SCHEDULE

SCHEMES

The Hydroboard Superannuation Fund.
The South of Scotland Electricity Board's Superannuation Scheme.

EXPLANATORY NOTE

(This note is not part of these regulations, but is intended to indicate their general purport.)

The purpose of these Regulations is to enable the North of Scotland Hydro-Electric Board and the South of Scotland Electricity Board, when making a payment in lieu of contributions in respect of a person under the National Insurance Act, 1959, to recover that payment from the respective Superannuation Scheme. Section 10 of the Act makes provision for recovery of part of the payment in lieu of contributions and these Regulations authorise recovery of the balance, insofar as it does not exceed the amount of the Board's own share of contributions under the Superannuation Scheme in respect of that person.