1963 No. 2049 (S. 109)

NATIONAL INSURANCE

The National Insurance (Modification of Local Government Superannuation Schemes) (Scotland) Regulations 1963

Made - - - -	13*th December* 1963
Laid before Parliament	23*rd December* 1963
Coming into Operation	6*th January* 1964

Whereas the Treasury has determined under section 69(4) of the National Insurance Act 1946(**a**) that the Secretary of State for Scotland is the appropriate Minister to make regulations under that subsection for modifying schemes for the provision of pensions and other benefits established under the Local Government Superannuation (Scotland) Acts 1937 to 1953(**b**) or a local Act:

Now, therefore, in exercise of the powers conferred on me by the said section 69(4) as extended by section 15 of the National Insurance Act 1959(**c**) 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 Local Government Superannuation Schemes) (Scotland) Regulations 1963 and shall come into operation on 6th January 1964.

Interpretation

2.—(1) In these regulations, unless the context otherwise requires:—

" the principal regulations " means the National Insurance (Modification of Local Government Superannuation Schemes) No. 2 (Scotland) Regulations 1961(**d**);

and other expressions have the same meaning as in the principal regulations.

(2) References in these regulations to the provision of any enactment, scheme, order or regulation shall, unless the context otherwise requires, be construed as references to these provisions as amended, modified, extended, applied or re-enacted by any subsequent enactment, scheme, order or regulation, including these regulations.

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

Amendment of Regulation 4 of the Principal Regulations

3. For regulation 4(*a*) of the principal regulations (which provides for the reduction of superannuation contributions) there shall be substituted the following:—

" (*a*) a rate equivalent to one per cent. of so much of his remuneration as ascertained for the purposes of that enactment or scheme as does not exceed the maximum annual amount on which graduated contributions can be paid for one employment under section 1(1)(*b*) of the Act of 1959 ".

Payments for Added Years and Additional Contributory Payments

4.—(1) In relation to any payments mentioned in regulation 9(1) of the

(a) 9 & 10 Geo. 6. c. 67. (b) 1 Edw. 8 & 1 Geo. 6. c. 69; 2 & 3 Geo. 6. c. 18; 1 & 2 Eliz. 2. c. 25. (c) 7 & 8 Eliz. 2. c. 47. (d) S.I. 1961/492 (1961 I, p. 1125). (e) 52 & 53 Vict. c. 63.

principal regulations, regulation 9(3) of the principal regulations shall have effect with the substitution for the words " seven hundred and eighty pounds per annum " of the words " the maximum annual amount on which graduated contributions could have been paid in the period in question for one employment under section 1(1)(*b*) of the Act of 1959 ".

(2) In relation to any period mentioned in regulation 9(2) of the principal regulations, regulation 9(4) of the principal regulations shall have effect with the substitution for the words " seven hundred and eighty pounds per annum " of the words " the maximum annual amount on which graduated contributions could have been paid in the period in question for one employment under section 1(1)(*b*) of the Act of 1959 ".

Amendment of Regulation 11 *of the Principal Regulations*

5. In regulation 11(2) of the principal regulations (which provides for the reduction of transfer values) for the words " seven hundred and eighty pounds per annum " there shall be substituted the words " the maximum annual amount on which graduated contributions could have been paid in the period in question for one employment under section 1(1)(*b*) of the Act of 1959 ".

Amendment of Regulation 14 *of the Principal Regulations*

6. Regulation 14 of the principal regulations (which provides for the calculation of reductions in retirement benefits) shall be amended as follows:—

(*a*) in paragraph (*a*) for the words " seven hundred and eighty pounds per annum " there shall be substituted the words " the maximum annual amount on which graduated contributions could have been paid for the said year for one employment under section 1(1)(*b*) of the Act of 1959 " ; and

(*b*) in proviso (ii) for the words " six hundred and seventy-six pounds per annum in the case of a man or six hundred and twenty-four pounds per annum in the case of a woman " there shall be substituted the words " the amount by reference to which his employment was non-participating employment in accordance with a certificate issued under section 7 of the Act of 1959 ".

Michael Noble,
Secretary of State for Scotland.

St. Andrew's House,
Edinburgh, 1.
13th December 1963.

EXPLANATORY NOTE

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

The National Insurance Act 1963 increased from £15 to £18 the maximum weekly earnings on which graduated contributions can be paid.

These regulations amend the National Insurance (Modification of Local Government Superannuation Schemes) No. 2 (Scotland) Regulations 1961 and ensure that the abatement of superannuation contributions and benefits and the reduction of transfer values and additional contributory payments are related to the maximum weekly earnings on which graduated contributions can be paid at different times during the period of service in question.