STATUTORY INSTRUMENTS

1975 No. 931 (S. 163)

EDUCATION, SCOTLAND

The Teachers Superannuation (Family Benefits) (Scotland) Regulations 1975

Made - - - -	*22nd May* 1975
Laid before Parliament	*11th June* 1975
Coming into Operation	*30th June* 1975

(1) In exercise of the powers conferred upon me by sections 9 and 12(1) of the Superannuation Act 1972(**a**) and of all other powers enabling me in that behalf, with the consent of the Minister for the Civil Service and after consultation with representatives of education authorities and of teachers and with such representatives of other persons likely to be affected as appear to me to be appropriate, I hereby make the following regulations, except regulation 3; and

(2) in exercise of the powers conferred upon me by section 5(3) and (4) of the Pensions (Increase) Act 1971(**b**) and of all other powers enabling me in that behalf and with the consent of the Minister for the Civil Service, I hereby make regulation 3 of the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Teachers Superannuation (Family Benefits) (Scotland) Regulations 1975 and these regulations and the Teachers Superannuation (Family Benefits) (Scotland) Regulations 1971(**c**), as amended (**d**), may be cited together as the Teachers Superannuation (Family Benefits) (Scotland) Regulations 1971 to 1975.

(2) These regulations shall come into operation on 30th June 1975.

(3) In these regulations—

"the 1971 Regulations" means the Teachers Superannuation (Family Benefits) (Scotland) Regulations 1971, as amended;

"basic rate" has the same meaning as in the Pensions (Increase) Act 1971;

"original pension" means any pension payable under the 1971 Regulations in respect of a teacher who ceased to be employed in reckonable service before 1st April 1972 the amount of which is not increased by virtue of any such service on or after that date;

other expressions have the meanings assigned to them by the 1971 Regulations.

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

(**a**) 1972 c. 11. (**b**) 1971 c. 56. (**c**) S.I. 1971/1775 (1971 III, p. 4813).
(**d**) S.I. 1972/442, 1239; 1973/547, 2078; 1974/1135; 1975/98 (1972 I, p. 1644; II, p. 3738; 1973 I, p. 1738; III, p. 7164; 1974 II, p. 4315; 1975 I, p. 292).
(**e**) 1889 c. 63.

Additional pension

2. A pension at the rate of 50 per cent. of the basic rate of the original pension shall be paid with effect from whichever is the later of 1st April 1972, or the date when the original pension became, or as the case may be becomes, payable.

Application of pensions increase

3.—(1) For the purposes of the Pensions (Increase) Act 1971 a pension payable under these regulations shall be deemed to begin on 1st April 1972.

(2) The provisions of the Increase of Pensions (Teachers Family Benefits) (Scotland) Regulations 1972(**a**) which apply to the original pension shall not apply to the additional pension payable under these regulations.

William Ross,
One of Her Majesty's Principal Secretaries of State.

New St. Andrew's House,
Edinburgh.
22nd May 1975.

Consent of the Minister for the Civil Service given under his Official Seal on 22nd May 1975.

K. H. McNeill,
(L.S.) Authorised by the Minister for the Civil Service.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

As the result of the valuation of the Scottish Teachers' Family Benefits Fund made in pursuance of regulation 5 of the Teachers Superannuation (Miscellaneous Amendments) (Scotland) Regulations 1974 (S.I. 1974/376), these Regulations provide for the payment of an additional pension at the rate of 50 per cent. of the basic rate of any pension payable to the dependants of teachers who ceased to be employed in reckonable service before 1st April 1972 in cases where that pension was, or if the Scottish Teachers' Family Benefits Fund had not been wound up would have been, a liability of the Fund (Regulation 2).

The Regulations also provide for pensions increase under the Pensions (Increase) Act 1971 to apply to the additional pension (Regulation 3).

Regulations 2 and 3 have retrospective effect as authorised by section 12(1) of the Superannuation Act 1972 and section 5(4) of the Pensions (Increase) Act 1971 respectively.

(**a**) S.I. 1972/2057 (1972 III, p. 6095).

SI 1975/931
ISBN 0-11-050931-5

