

Status: Point in time view as at 07/02/1994.

Changes to legislation: Electricity Act 1989, Cross Heading: Interpretation is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 15

THE SCOTTISH PENSION SCHEMES

Interpretation

5 (1) In this Schedule—

“Consultative Council” means a Consultative Council established under section 7A of the ^{M1}Electricity Act 1947 for the district of a Scottish Board;

“employer”, in relation to a person employed by a company which is a wholly-owned subsidiary of another company, includes that other company;

“existing employee of a Consultative Council” means any person who, immediately before the transfer date, is employed by a Consultative Council;

“existing employee of the Scottish Boards” means any person who, immediately before the transfer date, is employed by one or other of those Boards or falls to be treated as so employed by virtue of regulations made under section 54(4) of the ^{M2}Electricity Act 1947 (service as a member to count as service as an employee);

“former participant” means any person who, immediately before the transfer date, is not a participant in the North Scheme or the South Scheme but has pension rights under one or other (or both) of the schemes by virtue of his having been such a participant;

“pension”, in relation to any person, means a pension of any kind payable to or in respect of him, and includes a lump sum, allowance or gratuity so payable and a return of contributions, with or without interest or any other addition;

“pension rights”, in relation to any person, includes—

(a) all forms of right to or eligibility for the present or future payment of a pension to or in respect of him; and

(b) any expectation of the accruer of a pension to or in respect of him;

and includes a right of allocation in respect of the present or future payment of a pension;

“the relevant enactments” means Chapter I of Part XIV of the ^{M3}Income and Corporation ^{M4}Taxes Act 1988 (retirement benefit schemes) and Part III of the [^{F1}Pension Schemes Act 1993 (so far as relating to occupational pension schemes within the meaning of that Act)];

“relevant scheme” has the meaning given by paragraph 2(1) above;

“wholly-owned subsidiary” has the same meaning as in the ^{M5}Companies Act 1985.

(2) For the purposes of this Schedule, a company is wholly owned by one or more other companies if it has no members except—

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- (a) that other or those others and its or their nominees; and
 - (b) wholly-owned subsidiaries of that other or those others and their nominees.
- (3) Subject to sub-paragraph (1) above, expressions used in this Schedule which are also used in Part I or II of this Act have the same meanings as in that Part.

Textual Amendments

F1 Words in [Sch. 15 para. 5\(1\)](#) substituted (7.2.1994) by [1993 c. 48, s. 190](#), [Sch. 8 para.23](#) (with [ss. 6\(8\)](#), [164](#)); [S.I. 1994/86](#), [art. 2](#)

Marginal Citations

M1 [1947 c. 54](#).
M2 [1947 c. 54](#).
M3 [1988 c. 1](#).
M4 [1975 c. 60](#).
M5 [1985 c. 6](#).

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