

## 1975 No. 1864 (S. 257)

## LOCAL GOVERNMENT, SCOTLAND

The Local Government (Compensation) (Scotland) (Amendment)  
Regulations 1975

<i>Made</i> - - - -	10th November 1975
<i>Laid before Parliament</i>	25th November 1975
<i>Coming into Operation</i>	16th December 1975

In exercise of the powers conferred on me by section 24 of the Superannuation Act 1972(a) and of all other powers enabling me in that behalf, I hereby, with the consent of the Minister for the Civil Service, make the following regulations:—

*Citation and commencement*

1. These regulations may be cited as the Local Government (Compensation) (Scotland) (Amendment) Regulations 1975 and shall come into operation on 16th December 1975.

*Interpretation*

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

“the principal regulations” means the Local Government (Compensation) (Scotland) Regulations 1975(b) and other words and expressions used have the same meanings as in the principal regulations.

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

3. In regulation 2(1) of the principal regulations (interpretation) after the definition of “Sheriff Courts Act” there shall be inserted the following definition:

““social worker” means any person who was employed by a health authority wholly or mainly on social work duties and who was transferred to the employment of a local authority by or under the Local Authorities (Transfer of Social Work Staff from Health Boards) (Scotland) Order 1975(d);”.

4. In regulation 7(2) of the principal regulations (suitable employment) for sub-paragraph (e) there shall be substituted the following sub-paragraph—

“(e) a hospital school employee or a social worker, be employment by a local authority, or”.

(a) 1972 c. 11.  
(c) 1889 c. 63.

(b) S.I. 1975/734 (1975 II, p. 2682).  
(d) S.I. 1975/800 (1975 II, p. 2850).

5. In regulation 12(1) of the principal regulations (factors to be considered in determining payment of long-term compensation) after proviso (v) there shall be inserted the following provisos—

“(v) (a) the making of the Local Authorities (Transfer of Social Work Staff from Health Boards) (Scotland) Order 1975, where the loss or diminution was attributable to that order;

(v) (b) the making of the Civil Defence (Planning) (Scotland) Regulations 1975(a), where the loss or diminution was attributable to those regulations;”.

6. In Schedule 2 to the principal regulations (persons to whom the regulations apply and the respective compensating authorities) for column 1 of paragraph 7 there shall be substituted the following—

“7. A hospital school employee or a social worker.”.

7. In Schedule 3 to the principal regulations (provisions to which loss or diminution is attributable and the respective material dates) there shall be added the following paragraphs—

Column 1	Column 2
“ 12. Any provision of the Local Authorities (Transfer of Social Work Staff from Health Boards) (Scotland) Order 1975.	16th May 1975
13. Any provision of the Civil Defence (Planning) (Scotland) Regulations 1975.	16th May 1975.”

New St. Andrew's House,  
Edinburgh.  
6th November 1975.

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

Consent of the Minister for the Civil Service given under his Official Seal on 10th November 1975.

(L.S.)

*K. H. McNeill,*  
Authorised by the Minister for  
the Civil Service.

#### EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations extend the application of the Local Government (Compensation) (Scotland) Regulations 1975 to provide for the payment of compensation to or in respect of persons who suffer loss of employment or loss or diminution of emoluments in consequence of the provisions of (a) the Local Authorities (Transfer of Social Work Staff from Health Boards) (Scotland) Order 1975 or (b) the Civil Defence (Planning) (Scotland) Regulations 1975.

Regulation 7 has retrospective effect as authorised by section 24(3) of the Superannuation Act 1972.



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