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STATUTORY INSTRUMENTS

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**1989 No. 422 (S.48)**

**HOUSING, SCOTLAND**

**The Housing (Scotland) (Superannuation  
Fund) Regulations 1989**

<i>Made</i>	- - - -	<i>9th March 1989</i>
<i>Laid before Parliament</i>		<i>10th March 1989</i>
<i>Coming into force</i>	- -	<i>1st April 1989</i>

The Secretary of State, in exercise of the powers conferred on him by paragraph 10(4) of Schedule 1 to the Housing (Scotland) Act 1988 (1), and of all other powers enabling him in that behalf, and with the consent of the Treasury, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Housing (Scotland) (Superannuation Fund) Regulations 1989 and shall come into force on 1st April 1989.

**Transfer of superannuation fund from the Scottish Special Housing Association to Scottish Homes**

2.—(1) On 1st April 1989 the superannuation fund maintained immediately before that date by the Scottish Special Housing Association in terms of the provisions of the Local Government Superannuation (Scotland) Regulations 1987 (2) shall by virtue of this regulation be transferred to Scottish Homes.

(2) On and after that date the function of administering that fund in accordance with those Regulations shall be exercised by Scottish Homes.

**Consequential amendment of Local Government Superannuation (Scotland) Regulations 1987**

3.—(1) For regulation A3 of the Local Government Superannuation (Scotland) Regulations 1987 there shall be substituted the following regulation:—

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(1) 1988 c. 43  
(2) S.I.1987/1850, amended by S.I. 1988/625

**“Application of the Regulations to Scottish Homes, their employees, and former employees of the Scottish Special Housing Association**

A3.—(1) Subject to paragraphs (2), (3) and (4), these Regulations shall apply to Scottish Homes and its employees as though Scottish Homes were a body described in Part I of Schedule 3 and an administering authority, and shall also apply to Scottish Homes and persons who were employed by the Scottish Special Housing Association but have not become employees of Scottish Homes as though Scottish Homes were an administering authority in respect of those persons.

(2) Where a person who was an eligible employee of the Scottish Special Housing Association has become an employee of Scottish Homes in consequence of an offer under paragraph 11 of Schedule 1 to the Housing (Scotland) Act 1988, these Regulations shall have effect as if his employments with the Scottish Special Housing Association and Scottish Homes were one continuous employment.

(3) Regulation P6 shall apply to Scottish Homes as if paragraph (2)(b) of that Regulation were deleted.

(4) For the purpose of Part D, “service” rendered to the Scottish Special Housing Association before 16th May 1945 shall not be construed as qualifying or reckonable service.”.

(2) Schedule 2 to those Regulations shall be deleted.

St Andrew’s House,  
Edinburgh  
9th March 1989

*James Douglas-Hamilton*  
Parliamentary Under Secretary of State, Scottish  
Office

We consent,

9th March 1989

*Alan Howarth*  
*David Lightbown*  
Two of the Lords Commissioners of Her  
Majesty’s Treasury

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations transfer, at 1st April 1989, the superannuation fund maintained by the Scottish Special Housing Association and responsibility for administering the fund to Scottish Homes (regulation 2). They make consequential amendments to the Local Government Superannuation (Scotland) Regulations 1987 (regulation 3).

Scottish Homes is a statutory body established by section 1 of the Housing (Scotland) Act 1988. Section 3(1) of that Act dissolves the Scottish Special Housing Association at 1st April 1989 and transfers its assets to Scottish Homes.