
STATUTORY INSTRUMENTS

1995 No. 3294 (S.243)

**LOCAL GOVERNMENT, SCOTLAND
PENSIONS**

**The Local Government (Superannuation and
Compensation for Redundancy or Premature
Retirement) (Scotland) Amendment Regulations 1995**

Made - - - - 15th December 1995

Laid before Parliament 28th December 1995

Coming into force

*Except for regulations 3,
4(a), (c), (e), (f), 5(1) and
(2) and 7 to 10 inclusive*

18th January 1996

*Regulations 3, 4(a), (c), (e),
(f), 5(1) and (2) and 7 to 10
inclusive*

1st April 1996

The Secretary of State, in exercise of the powers conferred on him by sections 7 and 24 of the Superannuation Act 1972⁽¹⁾, and of all other powers enabling him in that behalf, after consultation with such associations of local authorities as appeared to him to be concerned and such representatives of other persons likely to be affected by the Regulations as appeared to him to be appropriate in accordance with section 7(5) of that Act, and not having considered consultation with any individual local authority desirable, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Local Government (Superannuation and Compensation for Redundancy or Premature Retirement) (Scotland) Amendment Regulations 1995 and shall come into force on 18th January 1996 except for regulations 3, 4(a), (c), (e) and (f), 5(1) and (2) and 7 to 10 inclusive which shall come into force on 1st April 1996; and regulation 5(3) shall have effect from 31st March 1995.

(1) 1972 c. 11; section 7(3) was extended by the Pensions (Increase) Act 1974 (c. 9) section 2(2).

Interpretation

2. In these Regulations “the principal Regulations” means the Local Government Superannuation (Scotland) Regulations 1987(2).

Persons deemed to be employees of a scheduled body

3. Column (2) of the Table in regulation B5 of the principal Regulations shall be amended—
- in the first entry, by substituting for the words “regional council or the islands council” the words “local authority”;
 - in the sixth entry, by substituting for the words “City of Edinburgh District” the words “The City of Edinburgh”;
 - in the seventh entry, by substituting for the words “Lothian Regional” the words “The City of Edinburgh”.

Appropriate superannuation fund

4. Regulation C1 of the principal Regulations shall be amended—
- in paragraph (3) by deleting the words “Islands” and “Regional”;
 - by inserting at the beginning of paragraph (3A)(3) the words “Subject to paragraph (3B),”;
 - by substituting for the Table set out in paragraph (3A) the following Table:—

“TABLE

(1)	(2)
Employing authority	Administering authority
East of Scotland Water Authority	City of Edinburgh Council
West of Scotland Water Authority	City of Glasgow Council
North of Scotland Water Authority	Aberdeen City Council
Scottish Children’s Reporter Administration	Falkirk Council
Scottish Environment Protection Agency	Falkirk Council
Strathclyde Passenger Transport Authority	City of Glasgow Council”

- by inserting after paragraph (3A) the following new paragraph:—

“(3B) In relation to the pensionable employees of the Scottish Environment Protection Agency, the appropriate superannuation fund in the period up to and including 31st March 1996 shall be the fund maintained by Central Regional Council.”;
- by deleting paragraph (4); and
- by substituting for paragraph (5) the following:—

“(5) Subject to paragraph (6), in relation to a pensionable employee whose case does not fall within paragraphs (1) to (3B) the appropriate superannuation fund is—

(2) S.I. 1987/1850, amended by 1988/625, 1989/422, 802 and 967, 1990/422 and 1284, 1991/78, 1992/1220, 1597 and 3025, 1993/1593, 2013 and 3044, 1994/531 and 1995/214 and 750.

(3) Inserted by S.I. 1995/750.

- (a) where his employing authority is specified in column 1 of Part I of Schedule 3A, the fund maintained by the administering authority specified in column 2 thereof opposite the name of that employing authority, and
- (b) in any other case, the administering authority within whose area his employing authority or the greater part of the area of his employing authority lies.”.

Superannuation Funds

5.—(1) Regulation P1 of the principal Regulations shall be amended—

(a) by substituting for paragraph (1) the following:—

“(1) The superannuation fund, other than any further fund established under the Local Government Superannuation (Funds) (Scotland) Regulations 1986(4), or under paragraph (3) of this regulation, maintained by each of the old administering authorities specified in column 1 of Part 2 of Schedule 3A shall, subject to the provisions of regulation T4, from 1st April 1996 be maintained for the purposes of these Regulations by the new administering authority specified in column 2 of Part 2 of Schedule 3A opposite the name of the relevant old administering authority and for the purposes of regulations P2, P3, P4 and P10 shall be known as “the fund”.”;

(b) in paragraph (2) by substituting for the words which appear after the figure “1986” to the end of the paragraph the following:—

“, or under paragraph (3) of this regulation, by an old administering authority specified in column 1 of Part 2 of Schedule 3A which is immediately before 1st April 1996 maintained by such an old administering authority for the purposes of these Regulations shall, subject to regulations P4 and T4, from 1st April 1996 be maintained for the purposes of these Regulations by the new administering authority specified in column 2 of Part 2 of Schedule 3A opposite the name of the relevant old administering authority.”; and

(c) in paragraph (3) by substituting for the words “regional council and islands council” the words “local authority”.

(2) Paragraph (10) of regulation P6 of the principal Regulations shall be amended by omitting the definition of the term “local authority”.

(3) Regulation P8 of the principal Regulations shall be amended—

(a) by inserting at the beginning of paragraph (1) the words “Subject to paragraph (1A),”; and

(b) by inserting after paragraph (1) a new paragraph as follows:—

“(1A) An administering authority may, if it thinks fit, obtain a valuation as at 31st March in the year 1995 instead of 1996, in which event a further valuation shall be obtained as at 31st March in the year 1997 or 1998 and in the year 1999.”.

Local government reorganisation on 1st April 1996

6. After Part S of the principal Regulations there shall be inserted the following Part:—

“PART T

LOCAL GOVERNMENT REORGANISATION ON 1ST APRIL 1996

Definitions

T1. In this Part unless the context otherwise requires—

“the 1994 Act” means the Local Government etc. (Scotland) Act 1994⁽⁵⁾;

“the 1995 Act” means the Environment Act 1995⁽⁶⁾;

“transferred employee” means—

- (a) any person transferred on 1st April 1996 by or under an order made under section 8 of the 1994 Act or that section as extended by sections 97 and 137 of that Act;
- (b) any person transferred on 1st April 1996 under a scheme under section 22(3) of the 1995 Act;
- (c) any person who, immediately before 1st April 1996, holds office or employment with a local authority constituted under section 2 of the Local Government (Scotland) Act 1973⁽⁷⁾ and is not transferred on 1st April 1996 by or under an order made under section 8 of the 1994 Act, or that section as extended by sections 97 and 137 of that Act, or under a scheme under section 22(3) of the 1995 Act, but is appointed by a local authority, a water and sewerage authority established under section 62(1) of the 1994 Act, the Scottish Children’s Reporter Administration established under section 128 of that Act, the Strathclyde Passenger Transport Authority established under section 40(1) of that Act or the Scottish Environment Protection Agency established under section 20 of the 1995 Act to hold any office or employment with that body, as from 1st April 1996; or
- (d) any person who at 1st April 1996 remains in the employment of the same body as immediately before that date but who in consequence of the 1994 Act, or anything done thereunder, or of these Regulations, becomes entitled to participate in the benefits of a superannuation fund maintained under Part P by a body different from the body which maintained the superannuation fund in the benefits of which he was immediately before 1st April 1996 entitled to participate;

“continuing administering authority” means Orkney Islands Council and Shetland Islands Council;

“new administering authority” means the body specified in column 2 of Part 2 of Schedule 3A to which the superannuation fund of the old administering authority is transferred in terms of regulation T3(1);

“new employing body” means the body which becomes the employing authority in relation to a transferred employee;

“new employment” means employment to which a transferred employee is transferred or appointed;

(5) 1994 c. 39.

(6) 1995 c. 25.

(7) 1973 c. 65; to which no relevant amendments have been made.

“old administering authority” means the body specified in column 1 of Part 2 of Schedule 3A from which a superannuation fund is transferred in terms of regulation T3(1);

and in relation to a person appointed as aforesaid his taking up the office or employment to which he is appointed shall for the purposes of this Part be deemed to be a transfer.

Valuation of superannuation funds at 31st March 1996

T2. An old administering authority shall not be required to obtain any actuarial valuation of, or report on, the assets and liabilities of the superannuation fund maintained by it immediately before 1st April 1996 which is due as at 31st March 1996 in terms of regulation P8, and any such valuation and report shall be obtained instead by the new administering authority to which the assets and liabilities of that fund transferred in terms of regulation T3(1).

Transfer of superannuation funds

T3.—(1) The superannuation fund maintained immediately before 1st April 1996 by an old administering authority shall by virtue of these Regulations be transferred to and vest in the relevant new administering authority specified in column 2 of Part 2 of Schedule 3A opposite the name of the relevant old administering authority and any such fund shall, subject to the provisions of regulation T4, be carried by the new administering authority to the fund which they are required with effect from 1st April 1996 to maintain under Part P.

(2) All liabilities attaching to an old administering authority in respect of their superannuation fund which subsist immediately before 1st April 1996 shall on 1st April 1996, but subject to the provisions of this Part, attach to the relevant new administering authority in respect of their superannuation fund.

(3) Any liability of any body or person to make payments into the superannuation fund of an old administering authority immediately before 1st April 1996 shall, subject to the provisions of regulation T4, on 1st April 1996 become a liability to make payments into the superannuation fund of the relevant new administering authority.

(4) All contracts, deeds, bonds, agreements and other instruments subsisting in favour of, or against, and all notices in force which were given by or to any old administering authority or any other body on their behalf for the purposes of their superannuation fund shall, subject to the provisions of regulation T4, be of full force and effect in favour of, or against, the relevant new administering authority.

(5) Any action or proceeding or cause of action or proceeding pending or existing at 1st April 1996 by or against an old administering authority in respect of their superannuation fund shall, subject to the provisions of regulation T4, be of full force and effect in favour of, or against, the relevant new administering authority.

(6) Where an old administering authority would have become liable, or would have been empowered, on the happening of any event, to make a payment out of their superannuation fund or take any other action in respect of any person who has ceased to participate in the benefits of the fund before 1st April 1996, then on the happening of that event such payment or action shall, or, as the case may be, may be made out of the superannuation fund of the relevant new administering authority or be taken by that authority.

(7) Where a person has ceased to contribute to the superannuation fund of an old administering authority before 1st April 1996 and has not become a pensionable employee in any other superannuation fund, the superannuation fund of the relevant new administering authority shall, on and after that date, be deemed to be the fund to which he was last a contributor.

(8) The accounts of any body or of their committees or officers relating to any superannuation fund transferred by this regulation shall be made up to 31st March 1996 and shall be audited in the like manner and subject to the like incidents and consequences as if these regulations had not been made:

Provided that any sum certified by the appointed auditor at any such audit as due from any person shall be paid to the new administering authority.

(9) All legal proceedings pending on 1st April 1996 may be amended in such manner as may be necessary or proper in consequence of these Regulations.

Apportionment of superannuation funds

T4.—(1) Subject to paragraph (2), where in consequence of the provisions of the 1994 Act or the 1995 Act, transferred employees who immediately before 1st April 1996 were entitled to participate in the benefits of a superannuation fund maintained by an old administering authority become on that date entitled to participate in the benefits of a superannuation fund maintained under Part P (other than the superannuation fund maintained by the relevant new administering authority), or where in consequence of the provisions of either of those Acts transferred employees who immediately before 1st April 1996 were entitled to participate in the benefits of a superannuation fund maintained by a continuing administering authority become on that date entitled to participate in the benefits of a superannuation fund maintained under Part P (other than the superannuation fund maintained by that continuing administering authority), an apportioned part of the fund of the old or continuing administering authority, as appropriate, in respect of those transferred employees shall be transferred by the new or continuing administering authority to the body maintaining the fund in the benefits of which those transferred employees become on 1st April 1996 entitled to participate and shall be carried by that body to that fund and that body shall assume the rights, liabilities and obligations that would otherwise vest in either the new administering authority in terms of regulation T3 or the continuing administering authority in respect of that portion of the fund transferred to it and those transferred employees interested in it.

(2) Paragraph (1) shall not apply in respect of transferred employees whose entitlement to participate in the benefits of a superannuation fund, immediately before 1st April 1996, was only in relation to preserved benefits.

(3) The administering authority maintaining a superannuation fund under Part P which falls to be apportioned in terms of this regulation shall obtain from their actuary as soon as is reasonably practicable after 1st April 1996 a report on the apportionment of the fund.

(4) The provisions set out in Schedule 19 shall have effect for the purposes of the apportionment required by paragraph (1).

(5) Where at any time after 1st April 1996, but before the relevant date there is paid to a body which is responsible from 1st April 1996 for maintaining the fund in the benefits of which a transferred employee is entitled to participate any sum by way of transfer value which became payable prior to 1st April 1996 in respect of any period of service of that transferred employee, that sum shall be excluded, as regards the value of both the assets of the fund and its liabilities in respect of transferred employees, from the calculation of the apportionment of the fund required by paragraph (1).

(6) For the purposes of paragraph (5) “the relevant date” is the date on which the new or continuing administering authority transfers to the body responsible for maintaining the fund in the benefits of which a transferred employee is entitled to participate that proportion of the fund which falls to be transferred in terms of paragraph (1).

Certain liabilities of former local authorities

T5.—(1) Where at any time before 1st April 1996 a gratuity or allowance, by way of periodical payments or an annuity—

- (a) has been granted to any person by any local authority on his ceasing to be employed by them; or
- (b) has been granted to the widow or any dependant of a person who died while in, or after leaving, the employment of such an authority or during the currency of a gratuity or allowance granted to him as mentioned in sub-paragraph (a),

and, if payment in respect of the gratuity or allowance had continued in accordance with the terms of the grant and of any subsequent increase, one or more payments would have been made on or after 1st April 1996 (whether under legal obligation or otherwise), those payments shall be made by the body which would have become the person's new employing body had he still been in employment at that date.

(2) Without prejudice to paragraph (1), where, if these Regulations had not been made, any authority would for the purposes of any enactment relating to pensions have been the employing authority or former employing authority in relation to a person who died before 1st April 1996 in the employment of that authority or otherwise ceased to be employed by them, or the widow or any dependant of such a person, the body which would have become the person's new employing body had he still been in employment at that date shall be treated as being at that time the employing authority or former employing authority for those purposes in relation to that person, his widow or dependant.

Policy schemes

T6. Any agreement or trust deed made for the purposes of any scheme of superannuation by a body employing a transferred employee and having effect immediately prior to his transfer shall, so far as it relates to that employee, have effect thereafter as if it had been made by the new employing body; and any policies of insurance which are held for the purposes mentioned in this regulation for the benefit of any transferred employee shall be held for the like purposes by the new employing body.

Continuity of employment and preservation of status

T7.—(1) Subject to paragraph (2)—

- (a) any provision of these Regulations has effect, in relation to a transferred employee to whom it applies, as if his new employment and his former employment had been one continuous employment, and
- (b) notwithstanding anything in these Regulations, a transferred employee who was a pensionable employee immediately before the date on which he is transferred continues in his new employment to be a pensionable employee.

(2) Paragraph (1) does not affect the operation of regulation T8 or of regulations Q1 to Q3.

Discretionary powers

T8. Where—

- (a) a transferred employee has continued in the employment of his new employing authority, and
- (b) immediately before he was transferred (whether on or before 1st April 1996) it was the prevailing practice of the body employing him, in relation to employees

of that description, to exercise so as to secure the payment of, or of increased, gratuities, allowances or pensions any discretionary power exercisable by them by virtue of any enactment relating to pensions, and

(c) that or any corresponding power becomes exercisable in relation to him,

the new employing body shall exercise the power in a way which is not less beneficial than the general character of that practice.

Contributions of transferred manual workers

T9. A transferred employee who immediately before he was transferred (whether before or after the commencement of these Regulations) was paying contributions at a rate appropriate to a manual worker shall continue to contribute at the like rate so long as he continues to be employed by his new employing body on duties reasonably comparable to those on which he was engaged immediately before he was transferred.

Admission agreements

T10. Any admission agreement under regulation B6 whereby the employees of any body specified in regulation B6(8) are, or can be, admitted to participate in the benefits of a superannuation fund maintained by an old administering authority and which is in force immediately before 1st April 1996 shall have effect as an agreement between the first-mentioned body or, if that body ceases to exist on 1st April 1996, the body succeeding to its functions, and the new administering authority or, where the provisions of regulation T4 apply, the body responsible for maintaining the fund to which the fund of the old administering authority transferred under that regulation.”.

Glossary of Expressions

7. Schedule 1 to the principal Regulations shall be amended—

(a) by inserting after the definition of “Local Act scheme” the following definition:—

““local authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994.”; and

(b) by omitting the definition of “Water development board”.

Pensionable employees

8. Schedule 3 to the principal Regulations shall be amended by substituting for Part I the following new Part:—

“PART I

1. A council constituted under section 2 of the Local Government etc. (Scotland) Act 1994.

2. A joint board or joint committee appointed under any enactment, order or scheme, all the constituent authorities of which are local authorities as aforesaid.

3. A body established under section 62(1) of the Local Government etc. (Scotland) Act 1994 (new water and sewerage authorities).

4. The Scottish Children’s Reporter Administration established under section 128 of the Local Government etc. (Scotland) Act 1994.

5. The Scottish Environment Protection Agency established under section 20 of the Environment Act 1995.

6. A board of management of a college of further education established in terms of Part I of the Further and Higher Education (Scotland) Act 1992⁽⁸⁾.

7. A board of management of a self-governing school constituted and incorporated under section 19(2) of the Self-Governing Schools etc. (Scotland) Act 1989⁽⁹⁾.

8. The Strathclyde Passenger Transport Authority established under section 40(1) of the Local Government etc. (Scotland) Act 1994.”.

Administering authorities

9. The principal Regulations shall be amended by inserting the following new Schedule after Schedule 3:—

“SCHEDULE 3A

Regulations C1, P1 and T3

SUPERANNUATION FUNDS

PART I

APPROPRIATE SUPERANNUATION FUND

Column 1	Column 2
Employing authorities	Administering authorities
Aberdeen City Council	Aberdeen City Council
Aberdeenshire Council	
Moray Council	
Dumfries and Galloway Council	Dumfries and Galloway Council
Angus Council	Dundee City Council
Dundee City Council	
Perthshire and Kinross Council	
City of Edinburgh Council	City of Edinburgh Council
East Lothian Council	
Midlothian Council	
West Lothian Council	
The Clackmannanshire Council	Falkirk Council
Falkirk Council	

⁽⁸⁾ 1992 c. 37.

⁽⁹⁾ 1989 c. 39.

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Column 1	Column 2
Employing authorities	Administering authorities
Stirling Council	
Fife Council	Fife Council
Argyll and Bute Council	City of Glasgow Council
City of Glasgow Council	
West Dunbartonshire Council	
East Ayrshire Council	
East Dunbartonshire Council	
East Renfrewshire Council	
Inverclyde Council	
North Ayrshire Council	
North Lanarkshire Council	
Renfrewshire Council	
South Ayrshire Council	
South Lanarkshire Council	
Highland Council	Highland Council
Western Isles Council	
Orkney Islands Council	Orkney Islands Council
Scottish Borders Council	Scottish Borders Council
Shetland Islands Council	Shetland Islands Council

PART 2

ADMINISTERING AUTHORITIES AND TRANSFER OF FUNDS

Column 1	Column 2
Old administering authorities	New administering authorities
Borders Regional Council	Scottish Borders Council
Central Regional Council	Falkirk Council
Dumfries and Galloway Regional Council	Dumfries and Galloway Council
Fife Regional Council	Fife Council
Grampian Regional Council	Aberdeen City Council

Column 1	Column 2
Old administering authorities	New administering authorities
Highland Regional Council	Highland Council
Lothian Regional Council	City of Edinburgh Council
Strathclyde Regional Council	City of Glasgow Council
Tayside Regional Council	Dundee City Council”.

Fund apportionment for changes of fund

10. Schedule 19 to the principal Regulations shall be amended by inserting in paragraphs 1 and 20 after the figure “Q2(6)” where it appears in both paragraphs the words “or regulation T4(1)”.

Amendment of the Local Government (Compensation for Premature Retirement) (Scotland) Regulations 1979

11. Schedule 1 (employing authorities who may credit certain pensionable employees with an additional period of service) to the Local Government (Compensation for Premature Retirement) (Scotland) Regulations 1979(10) shall be amended—

- (a) by deleting paragraphs (a), (c) and (d);
- (b) in paragraph (b) by deleting the words “(a) or”;
- (c) in paragraph (m) by deleting the words from “in respect of which” to the end; and
- (d) by inserting at the end of the Schedule the following paragraphs:—
 - “(p) the Strathclyde Passenger Transport Authority established under section 40(1) of the Local Government etc. (Scotland) Act 1994;
 - (q) the Scottish Environment Protection Agency established under section 20 of the Environment Act 1995.”.

Amendment of the Local Government (Compensation for Redundancy or Premature Retirement on Reorganisation) (Scotland) Regulations 1995

12. After regulation 12 of the Local Government (Compensation for Redundancy or Premature Retirement on Reorganisation) (Scotland) Regulations 1995(11) there shall be inserted the following new regulation:—

“Right of appeal

12A.—(1) If any person is dissatisfied with a relevant body’s determination under regulation 5(a) or if a relevant body has failed to notify him, in accordance with regulation 11(1), of any such determination made on or before the material date, he may, after having exhausted all internal grievance procedures which may be made available by the relevant body in respect of the matter, institute proceedings for determination of the matter by an industrial tribunal in accordance with the Industrial Tribunals (Constitution and Rules of Procedure (Scotland) Regulations 1993(12); and the tribunal shall determine the matter accordingly.

(2) Proceedings under paragraph (1) shall be instituted—

(10) S.I. 1979/785, amended by S.I. 1982/917, 1984/846, 1986/409, 1990/125, 1992/1025 and 1597, 1993/490, 1994/1715 and 3068 and 1995/340 and 750.

(11) S.I. 1995/340.

(12) S.I. 1993/2688; to which there are amendments not relevant to these Regulations.

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- (a) within three months after the grievance procedures referred to in paragraph (1) have been exhausted; or
- (b) if no such procedures are available—
 - (i) where the person is dissatisfied with the determination, within three months after its notification to him; and
 - (ii) in any other case, within three months after the material date.”.

St Andrew’s House,
Edinburgh
15th December 1995

James Douglas-Hamilton
Minister of State, Scottish Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the provisions of the Local Government Superannuation (Scotland) Regulations 1987 (“the 1987 Regulations”) to take account of re-organisation of local government and the establishment of water and sewerage authorities, the Scottish Children’s Reporter Administration and the Strathclyde Passenger Transport Authority, all in terms of the Local Government etc. (Scotland) Act 1994 (“the 1994 Act”) and the establishment of the Scottish Environment Protection Agency in terms of the Environment Act 1995. They also make amendments to the Local Government (Compensation for Premature Retirement) (Scotland) Regulations 1979 (“the 1979 Regulations”) and the Local Government (Compensation for Redundancy or Premature Retirement on Reorganisation) (Scotland) Regulations 1995 (“the 1995 Regulations”). Regulation 5(3) has retrospective effect from 31st March 1995, as authorised by section 12(1) of the Superannuation Act 1972.

With the exception of Orkney Islands Council and Shetland Islands Council the existing administering authorities are all abolished in terms of the 1994 Act. In relation to the 1987 Regulations, these Regulations therefore designate specified new authorities as administering authorities. Each superannuation fund presently administered by a regional council will on 1st April 1996 transfer to the appropriate designated new administering authority when the new authorities established under the 1994 Act assume responsibility for the functions of existing district and regional councils.

The Regulations provide for the superannuation of staff who transfer on 1st April 1996 from employment with local authorities to employment with new local authorities or with the new water and sewerage authorities, the Scottish Children’s Reporter Administration, the Strathclyde Passenger Transport Authority, or the Scottish Environment Protection Agency. Apportionment of existing superannuation funds will be required in certain circumstances and the Regulations provide for the fund administered by an old administering authority to transfer in its entirety to a designated successor authority and, where appropriate, for that successor authority to then make payments from the fund transferred to it to the authority which has responsibility for administering the fund of the relevant new body.

The Regulations also provide for transfer of rights, liabilities and obligations of existing administering authorities to the relevant new administering authority.

Some minor amendments are made to the 1979 and 1987 Regulations which are consequential on either the changes to the structure of local government in Scotland brought about by the 1994 Act or the establishment of the Scottish Children’s Reporter Administration, the Scottish Environment Protection Agency or the Strathclyde Passenger Transport Executive.

In addition, a right of appeal to an industrial tribunal is introduced in the 1995 Regulations for any person dissatisfied with the determination of a relevant body regarding the payment of mandatory compensation under the Regulations or with its failure to make such a determination timeously.