(ii) SCOTLAND

The National Insurance (Modification of Local Government Superannuation Schemes) Amendment (Scotland) Regulations, 1948

1948 No. 1559 (S. 140)

Made - - - -	*3rd July*, 1948
Laid before Parliament	*6th July*, 1948
Coming into Operation	*7th July*, 1948

The Secretary of State, in exercise of the powers conferred on him by subsection (4) of section 69 of the National Insurance Act, 1946, and of all other powers enabling him in that behalf, hereby makes the following regulations:— 9 & 10 Geo. 6. c. 67.

1.—(1) These regulations may be cited as the National Insurance (Modification of Local Government Superannuation Schemes) Amendment (Scotland) Regulations, 1948, and shall come into operation on the seventh day of July, 1948.

(2) These regulations shall be read as one with the National Insurance (Modification of Local Government Superannuation Schemes) (Scotland) Regulations, 1947(a) (in these regulations called " the principal regulations "), and may be cited together with the principal regulations as the National Insurance (Modification of Local Government Superannuation Schemes) (Scotland) Regulations, 1947 and 1948.

(3) The Interpretation Act, 1889, applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament. 52 & 53 Vict. c. 63.

2. Regulation 10 of the principal regulations, shall be amended by the insertion after the words " material date " where they first occur of the words " or within such longer further period as the Secretary of State may allow in any particular case or class of case."

3. In regulation 11 of the principal regulations, after the words " local Act contributor " where they occur for the second time, there shall be inserted the words " without a break of more than twelve months at any one time ", and there shall be inserted after the words " that authority " the words " or in the employment of any other authority whose employment he enters in consequence of the transfer to that authority by any enactment of any functions of the first mentioned authority ".

Given under my hand and seal this third day of July, 1948.

Arthur Woodburn,
One of His Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations amend the National Insurance (Modification of Local Government Superannuation Schemes) (Scotland) Regulations, 1947. Regulation 2 provides that the period within which certain classes of persons may opt to come within the principal Regulations may be extended if the Secretary

(a) S.R. & O. 1947 (No. 1697) I, p. 1509.

of State allows. Regulation 3 applies to certain employees whose superannuation rights were already modified, before the passing of the principal regulations, to take account of National Health Insurance, and who are allowed to retain these existing modified rights as long as they remain with the same local authority. It is now provided that they may retain these rights if there is a break of up to twelve months in their employment, or if they are transferred to another authority in consequence of any enactment.

17. RESIDENCE AND PERSONS ABROAD

The National Insurance (Residence and Persons Abroad) Regulations, 1948

1948 No. 1275

Made - - - -	16*th June*, 1948
Laid before Parliament	17*th June*, 1948
Coming into Operation	24*th June*, 1948

M.N.I.111.

The Minister of National Insurance, in conjunction with the Treasury so far as relates to matters with regard to which the Treasury have so directed, in exercise of powers conferred by sections 1, 14, 29, 60 and 71 of the National Insurance Act, 1946, and of all other powers enabling him in that behalf, hereby makes the following regulations:—

9 & 10 Geo. 6. c. 67.

Citation, commencement and interpretation.

1.—(1) These regulations may be cited as the National Insurance (Residence and Persons Abroad) Regulations, 1948, and shall come into operation on the 24th June, 1948.

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

" the Act " means the National Insurance Act, 1946;

26 Geo. 5. & 1 Edw. 8. c. 32.

" the Insurance Act " means the National Health Insurance Act, 1936;

26 Geo. 5. & 1 Edw. 8. c. 33.

" the Contributory Pensions Act " means the Widows', Orphans' and Old Age Contributory Pensions Act, 1936;

" the Minister " means the Minister of National Insurance;

and other expressions have the same meanings as in the Act.

(3) References in these regulations to any enactment or regulations shall include references to such enactment or regulations as amended by any subsequent enactment, order or regulations.

52 & 53 Vict. c. 63.

(4) The Interpretation Act, 1889, applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

Residence condition

Condition as to residence in Great Britain.

2. For the purposes of subsection (1) of section 1 of the Act (which subsection provides for persons who are in Great Britain becoming insured under the Act subject to such conditions as may be prescribed as to residence in Great Britain), the condition as to residence in Great Britain shall be that a person must have been resident in Great Britain for a continuous period of twenty-six weeks terminating on or after the appointed day(a) and on or after attaining school leaving age:

Provided that—

(*a*) this condition shall not apply to the following persons as from the respective dates mentioned below:—

(i) (subject to the provisions of paragraph (*b*) of this proviso) in the case of a person who, but for the foregoing provision, would be an employed person(b)—as from the date on which he becomes such a person;

(a) 5th July, 1948. *See* S.I. 1948 No. 54, p. 2615 above.

(b) *See* s. 1 (2) (a), National Insurance Act, 1946.