# 1960 No. 772

## The National Health Service (Transfer of Officers and Compensation) (Amendment) Regulations, 1960

| | |
|---|---|
| *Made* - - - - | *27th April*, 1960 |
| *Coming into Operation* | *12th May*, 1960 |

The Minister of Health, in exercise of his powers under section 68 of the National Health Service Act, 1946(a), and of any other power enabling him in that behalf, hereby makes the following regulations in the terms of a draft approved by a resolution of each House of Parliament:—

**1.** These regulations may be cited as the National Health Service (Transfer of Officers and Compensation) (Amendment) Regulations, 1960, and shall come into operation on the fifteenth day after the day on which they are made.

**2.**—(1) These regulations and the National Health Service (Transfer of Officers and Compensation) Regulations, 1948(b), may be cited together as the National Health Service (Transfer of Officers and Compensation) Regulations, 1948 and 1960.

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

**3.** In regulation 11 of the National Health Service (Transfer of Officers and Compensation) Regulations, 1948 (which prescribes the conditions subject to which a person is entitled to have his case considered for compensation) for paragraph (*a*) there shall be substituted the following paragraph:—

"(*a*) the cause of the claim to compensation arises, or is occasioned by any decision taken by or on behalf of the Minister, not later than ten years after the appointed day, and the claim is made not later than two years after the date on which the cause of claim arises; and".

Given under the official seal of the Minister of Health this twenty-seventh day of April, nineteen hundred and sixty.

(L.S.)

*Derek Walker-Smith*,
Minister of Health.

(a) 9 & 10 Geo. 6. c. 81.
(b) S.I. 1948/1475 (Rev. XV, p. 779: 1948 I, p. 2283).
(c) 52 & 53 Vict. c. 63.

## EXPLANATORY NOTE

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

The National Health Service (Transfer of Officers and Compensation) Regulations, 1948, provide for the payment of compensation to persons who suffer loss of employment or diminution of emoluments which is attributable to the passing of the National Health Service Act, 1946. Entitlement to compensation is subject to the condition that the cause of the claim should have arisen within ten years from 5th July, 1948. The pattern of the existing regulations remains unaltered. These regulations are designed to meet the case where, although the decision which caused the termination or reduction of employment was taken within the period of ten years from 5th July, 1948, the cessation of employment which gives rise to the actual claim is delayed (e.g. owing to difficulty in disposing of premises).