1960 No. 799 (S. 38)

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

Made - - - - 29*th April*, 1960
Coming into Operation 14*th May*, 1960

In exercise of the powers conferred on me by section 67 of the National Health Service (Scotland) Act, 1947(a), and of all other powers enabling me in that behalf, I hereby make the following regulations, a draft of which has been laid before Parliament and has been approved by resolution of each House of Parliament :—

1. These regulations may be cited as the National Health Service (Transfer of Officers and Compensation) (Scotland) 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) (Scotland) Regulations, 1948(b), may be cited together as the National Health Service (Transfer of Officers and Compensation) (Scotland) 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 8 of the National Health Service (Transfer of Officers and Compensation) (Scotland) 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 Secretary of State, 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"

Dated this 29th day of April, 1960.

John S. Maclay,
One of Her Majesty's
Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

(a) 10 & 11 Geo. 6. c. 27. (b) S.I. 1948/1465 (Rev. XV, p. 1031: 1948 I, p. 2595).
(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) (Scotland) 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 (Scotland) Act, 1947. 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).