1960 No. 982 (S. 52)

The National Insurance (Non-participation—National Health Service) (Scotland) Regulations, 1960

Made - - - -	1*st June*, 1960
Laid before Parliament	10*th June*, 1960
Coming into Operation	11*th June*, 1960

I, the Secretary of State for Scotland, in exercise of the powers conferred on me by section 12 of the National Insurance Act, 1959(a), and of all other powers enabling me in that behalf, hereby make the following regulations after consultation with the bodies referred to in subsection (3) of that section.

1. These regulations may be cited as the National Insurance (Non-participation—National Health Service) (Scotland) Regulations, 1960, and shall come into operation on the 11th day of June, 1960.

2.—(1) In these regulations, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them:—

"the Act" means the National Insurance Act, 1959;

"election" means an election with a view to the issue, variation, cancellation or surrender of a certificate that any employment is to be treated for purposes of the Act, either generally or in relation to any description of persons specified in that certificate as a non-participating employment;

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

(2) Unless the context otherwise requires, references in these regulations to any enactment shall be construed as references to that enactment as amended or modified by any subsequent enactment.

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

3. In relation to employments in which a person's service qualifies him for retirement benefits by way of pension under section 66 of the National Health Service (Scotland) Act, 1947(c):—

(*a*) every election shall be made or revoked by the Secretary of State for Scotland instead of by the employer; and

(*b*) those things which are required or authorised to be done by or to the employer under—

(i) The National Insurance (Non-participation—Certificates) Regulations, 1959(d), and

(ii) The National Insurance (Non-participation—Appeals and References) Regulations, 1959(e),

shall be done by or to the Secretary of State for Scotland.

Dated this 1st day of June, 1960.

John S. Maclay,
Secretary of State for Scotland.

St. Andrew's House,
Edinburgh, 1.

(a) 7 & 8 Eliz. 2. c. 47. (b) 52 & 53 Vict. c. 63. (c) 10 & 11 Geo. 6. c. 27.
(d) S.I. 1959/1860 (1959 II, p. 1867). (e) S.I. 1959/2119 (1959 II, p. 1856).

EXPLANATORY NOTE

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

These regulations provide that the Secretary of State for Scotland instead of the employer may decide whether persons who are subject to the National Health Service Superannuation Scheme, Scotland, should not participate in the scheme of retirement benefits provided for in the National Insurance Act, 1959. The regulations further provide that those things leading to the issue, variation, cancellation or surrender of certificates of non-participation which apart from the regulations would fail to be done by or to the employer are to be done by or to the Secretary of State.