STATUTORY INSTRUMENTS

1980 No. 343 (S. 33)

NATIONAL HEALTH SERVICE, SCOTLAND

The National Health Service (Superannuation) (Scotland) Amendment Regulations 1980

Made - - - -	*6th March* 1980
Laid before Parliament	*10th March* 1980
Coming into Operation	*1st April* 1980

In exercise of the powers conferred on me by section 10 of the Superannuation Act 1972(a) and of all other powers enabling me in that behalf, after consulting with such representatives of persons likely to be affected by these regulations as appear to me to be appropriate, and with the consent of the Minister for the Civil Service, I hereby make the following regulations:—

PART I
PRELIMINARY

Citation and commencement

1.—(1) These regulations may be cited as the National Health Service (Superannuation) (Scotland) Amendment Regulations 1980, and shall come into operation on 1st April 1980.

(2) The National Health Service (Superannuation) (Scotland) Regulations 1961 to 1978(b) and these regulations may be cited together as the National Health Service (Superannuation) (Scotland) Regulations 1961 to 1980.

Interpretation

2. In these regulations "the principal regulations" means the National Health Service (Superannuation) (Scotland) Regulations 1961(c) and other words and expressions used have the same meaning as in the principal regulations.

PART II
AMENDMENTS RELATING TO THE MODIFICATION OF CONTRIBUTIONS AND BENEFITS IN CONNECTION WITH THE NATIONAL INSURANCE ACT 1946

3. In regulation 44(7) of the principal regulations (benefits of officers who have exercised option to retain rights corresponding with those previously enjoyed) after sub-paragraph (*i*) there shall be added—

(a) 1972 c. 11.
(b) S.I. 1978/1508.
(c) S.I. 1961/1398; as amended by S.I. 1966/1522; 1972/1604; 1973/304, 746, 1713; 1974/441, 1357; 1975/1376; 1978/1508.

"(*j*) where an officer's contributions or benefits are subject to the modification provisions of the National Insurance Act 1946**(a)** those provisions will cease to apply in respect of service on or after 1st April 1980.".

4. In regulation 51 of the principal regulations (modification of benefits and obligations under these regulations in connection with the National Insurance Act 1946)—

(*a*) in paragraph (1) after the words "shall apply" there shall be inserted "in respect of service before 1st April 1980";

(*b*) in paragraph (2) after the words "under regulation 9" there shall be inserted "in respect of service before 1st April 1980";

(*c*) in paragraph (3) after the words "shall be reduced" there shall be inserted "in respect of service before 1st April 1980";

(*d*) in paragraph (3)(*a*)(i) for the words "on and after that date" there shall be substituted "between that date and 31st March 1980 (both dates inclusive)";

(*e*) in paragraph (3)(*a*)(ii) for the words "on and after the said date" there shall be substituted "between the said date and 31st March 1980 (both dates inclusive)";

(*f*) in paragraph (3)(*b*)(i) for the words "on and after the appointed day, or on and after the date on which he became an officer, whichever is the later" shall be substituted "between the appointed day, or the date on which he became an officer, whichever was the later, and 31st March 1980 (both dates inclusive)"

(*g*) in paragraph (3)(*b*)(ii) for the words "on and after the said date" there shall be substituted "between the said date and 31st March 1980 (both dates inclusive)";

(*h*) in proviso (ii) to regulation 51(3) for the words "added to an officer's service by virtue of regulations 25, 34(3), 34A(7) or 68(2) or (3)" there shall be substituted "which an officer had elected to purchase before 1st April 1980 and which is added to his service by virtue of regulation 25";

(*i*) in proviso (iv) to regulation 51(3) the word "and" at the end shall be deleted and after that proviso there shall be inserted the following:—

"(v) If a person who enters employment as an officer on or after 1st April 1980 is entitled to reckon a period of contributing service calculated in accordance with Part II of Schedule 3 then his pension in so far as it falls to be calculated by reference to that service shall not be reduced under the provisions of this regulation; and";

(*j*) the existing proviso (v) to regulation 51(3) shall be re-numbered "(vi)".

George Younger,
One of Her Majesty's Principal Secretaries of State.

New St. Andrew's House,
Edinburgh.
5th March 1980.

(a) 1946 c. 67.

Consent of the Minister for the Civil Service given under her official seal on 6th March 1980.

(L.S.)

T. A. A. Hart,
Authorised by the
Minister for the Civil Service.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations further amend the National Health Service (Superannuation) (Scotland) Regulations 1961 which provide for the superannuation of persons engaged in the National Health Service in Scotland.

The amendments provide for the abolition of the modification of contributions and benefits to take account of the benefits payable under the National Insurance Act 1946. Contributions and benefits in respect of service after 1st April 1980 are no longer subject to modification.