EXPLANATORY NOTE

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

These regulations amend the provisions of the National Health Service (Medical Practices Compensation (Scotland) Regulations, 1948, with respect to the payment of interest on compensation payable under those regulations. Until the amount of compensation has been notified to the claimant or his personal representative, payments in respect of interest are to be calculated and paid on a provisional basis, any under-payment or over-payment being subsequently adjusted.

The National Health Service (Medical Practices Compensation) Amendment No. 2 (Scotland) Regulations, 1949

1949 No. 1946 (S. 136)

Made - - - -	19*th October*, 1949
Laid before Parliament	20*th October*, 1949
Coming into Operation	21*st October*, 1949

In exercise of the powers conferred on me by section 37 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 :—

1. These regulations may be cited as the National Health Service (Medical Practices Compensation) Amendment No. 2 (Scotland) Regulations, 1949, and shall come into operation on the 21st day of October, 1949.

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

3. The National Health Service (Medical Practices Compensation) (Scotland) Regulations, 1948(**c**), as amended by the National Health Service (Medical Practices Compensation) Amendment (Scotland) Regulations, 1949(**d**), shall be amended as follows :—

At the end of regulation 13 there shall be inserted the following paragraphs :—

(2) The referee may call upon the claimant to furnish within such period as the referee may allow a concise statement of the facts and contentions upon which the claimant relies and to produce any books or documents in the claimant's custody or under his control which relate to the appeal, and the Secretary of State and, where appropriate, the Committee, shall, within a like period submit to the referee answers to the claimant's statement.

Provided that nothing in this paragraph shall empower the referee to require the claimant or any other person to make any statement or to produce any book or document which he would be entitled, on the grounds of privilege or confidentiality, to refuse to make or to produce if the appeal were a proceeding in a court of law.

(**a**) 10 & 11 Geo. 6. c. 27.
(**b**) 52 & 53 Vict. c. 63.
(**c**) S.I. 1948 (No. 1768) I, p. 2441.
(**d**) S.I. 1949 No. 1206, p. 2667 above.

(3) Where the referee is of opinion that a hearing is required, the hearing shall take place at such time and place as he may direct and notice of the hearing shall be sent by post to the claimant, the Secretary of State, and, where appropriate, the Committee not less than fourteen days before the date fixed for the hearing.

(4) The claimant and any of the parties to whom notice of the hearing is required to be given shall be entitled to attend and be heard in person or by counsel or solicitor or other representative. The Secretary of State may be represented at the hearing by any duly authorised officer or by counsel or solicitor, and the Committee by any duly authorised member or by counsel or solicitor.

(5) Subject to the provisions of this regulation, the procedure at the hearing shall be such as the referee may determine.

(6) The referee may administer oaths and examine witnesses on oath and may accept in lieu of evidence on oath by any person a statement in writing by that person.

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

St. Andrew's House,
Edinburgh, 1.
19th October, 1949.

EXPLANATORY NOTE

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

These regulations lay down the procedure to be adopted in handling appeals by medical practitioners in connection with their claims for compensation for loss of the right to sell the goodwill of their practices, and prescribe the powers of the referee appointed to decide such appeals.

8. SUPERANNUATION

The National Health Service (Scotland) (Superannuation) (Amendment) Regulations, 1949*

1949 No. 1479 (S. 105)

Made - - - -	28*th July*, 1949
Coming into Operation	1*st August*, 1949

In exercise of the powers conferred on me by subsection (1) of section 66 of the National Health Service (Scotland) Act, 1947(a), I hereby make the following regulations:—

1.—(1) These regulations may be cited as the National Health Service (Scotland) (Superannuation) (Amendment) Regulations, 1949, and shall come into operation on the first day of August, 1949.

(a) 10 & 11 Geo. 6. c. 27.

* These regulations were approved by resolution of the House of Commons, 27th July, 1949, and the House of Lords, 25th July, 1949, in accordance with section 73 (2) of the National Health Service (Scotland) Act, 1947.