1953 No. 1234 (S. 102)

The National Health Service (Scotland) (Superannuation) Amendment Regulations, 1953

Made - - - -	*5th August*, 1953
Coming into Operation	*12th August*, 1953

In exercise of the powers conferred on me by subsection (1) of section 66 of the National Health Service (Scotland) Act, 1947(a), as amended by the Schedule to the National Health Service (Amendment) Act, 1949(b), 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.—(1) These regulations may be cited as the National Health Service (Scotland) (Superannuation) Amendment Regulations, 1953, and shall come into operation on the seventh day after the day on which they are made.

(2) These regulations and the National Health Service (Scotland) (Superannuation) Regulations, 1950 to 1952(c), shall be construed as one, and may be cited together as the National Health Service (Scotland) (Superannuation) Regulations, 1950 to 1953.

(3) In these regulations the expression "the 1950 regulations" means the National Health Service (Scotland) (Superannuation) Regulations, 1950(d).

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

2. In the 1950 Regulations, there shall be added in Part I after regulation 41 the following regulation:—

"*Provisions applicable to persons entering employment of an employing authority in consequence of the Transfer of Functions (Ministry of Pensions) Order*, 1953.

41A.—(1) Where, in consequence of the Transfer of Functions (Ministry of Pensions) Order, 1953, a person becomes an officer of an employing authority having immediately before becoming such officer been employed in the service of the Crown at or for the purposes of any hospital or other premises transferred to the Secretary of State by the said Order, or otherwise in the administration of any functions so transferred, the following provisions of this regulation shall apply.

(2) In the succeeding provisions of this regulation "new entrant" means a person who becomes an officer of an employing authority in the circumstances described in paragraph (1) of this regulation and in relation to any such person "the material date" means the date on which he becomes an officer of an employing authority.

(3) In relation to a new entrant who, immediately before the material date was subject to the provisions of the Superannuation Acts as an established civil servant, paragraphs (2) and (4) of regulation 28 shall apply as if on the material date he had been employed at, or for the purposes of administering the services provided at, premises acquired on that date by the Secretary of State under section 57 of the Act and had entered the employment of an employing authority in consequence of such acquisition.

(a) 10 & 11 Geo. 6. c. 27. (b) 12, 13 & 14 Geo. 6. c. 93.
(c) S.I. 1950/498; 1951/1147; 1952/1260: 1950 I, p. 1458; 1951 I, p. 1431; 1952 II, p. 2104.
(d) S.I. 1950/498; 1950 I, p. 1458. (e) 52 & 53 Vict. c. 63.

(4) In relation to a new entrant who, immediately before the material date, was employed as a civil servant in an unestablished capacity, part (*ii*) of proviso (ii) of paragraph (1) of regulation 2 and paragraph (9) of regulation 15 shall apply as if on the material date he had been employed at, or for the purposes of administering the services provided at, premises acquired on that date by the Secretary of State under section 57 of the Act, and had entered the employment of an employing authority in consequence of such acquisition.

(5) In relation to a new entrant who, immediately before the material date, was participating in the Superannuation Scheme operated under the Federated Superannuation Scheme for Nurses and Hospital Officers, paragraph (4) of regulation 30 shall apply as if on the material date he had been employed at, or for the purposes of administering the services provided at, premises acquired by the Secretary of State under section 57 of the Act, and had entered the employment of an employing authority in consequence of such acquisition.

(6) For the purposes of this regulation a person shall be deemed to become an officer of an employing authority in consequence of the Transfer of Functions (Ministry of Pensions) Order, 1953, if he enters the employment of an employing authority as an officer after a decision by the Secretary of State to administer under the National Health Service (Scotland) Acts, 1947 to 1952, through the agency of a Regional Hospital Board, any hospital or other premises transferred to the Secretary of State by the aforesaid Order.

(7) In this regulation "the Superannuation Acts" means the Superannuation Acts, 1834 to 1949."

3.—(1) In regulation 34 of the 1950 regulations in paragraph (1) thereof, for the words "Subject to regulation 28", there shall be substituted the words "Subject to regulations 28 and 41A".

(2) In regulation 48 of the 1950 regulations in paragraph (1) thereof, for the words "or regulation 28 of these regulations" there shall be substituted the words "or regulation 28 or regulation 41A of these regulations".

Dated this 5th day of August, 1953.

James Stuart,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

EXPLANATORY NOTE

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

Regulation 2 of these regulations amends the National Health Service (Scotland) (Superannuation) Regulations at present in force under section 66 (1) of the National Health Service (Scotland) Act, 1947, by inserting a new regulation (41A) to provide for the staffs of a Ministry of Pensions hospital and limb-fitting and other treatment centres to be transferred to the Secretary of State by the Transfer of Functions (Ministry of Pensions) Order, 1953, who subsequently enter the employment of a Regional Hospital Board owing to a decision by the Secretary of State that any such hospital or centre shall be administered through the agency of a Board (paragraph (6)).

An established civil servant who enters the employment of a Board in such circumstances will be subject to the National Health Service (Scotland) (Superannuation) Regulations (all previous pensionable service in the civil service reckoning for pension thereunder) but by paragraphs (1), (2) and (3) of regulation 41A any such person may exercise an option to remain subject to the conditions and enjoy the benefits of the Superannuation Acts relating to civil servants in place of those of the National Health Service (Scotland) (Superannuation) Regulations.

Paragraph (4) enables unestablished civil servants to reckon service with the Ministry of Pensions as qualifying service for the purpose of determining their eligibility for benefits under the National Health Service (Scotland) (Superannuation) Regulations.

Paragraph (5) allows any person who upon entering the employment of a Board was participating in the Federated Superannuation Scheme for Nurses and Hospital Officers to remain subject to that scheme if he so desires.

Regulation 3 makes minor consequential amendments to the National Health Service (Scotland) (Superannuation) Regulations.

1953 No. 1918 (S. 128)

The Scottish Hospital Endowments Research Trust Regulations, 1953

Made - - - -	*22nd December*, 1953
Laid before Parliament	*24th December*, 1953
Coming into Operation	*25th December*, 1953

In exercise of the powers conferred on me by subsection (1) of section 3 of the Hospital Endowments (Scotland) Act, 1953(a), and of all other powers enabling me in that behalf, I hereby make the following regulations:—

PART I

General

1. These regulations may be cited as the Scottish Hospital Endowments Research Trust Regulations, 1953, and shall come into operation on the 25th day of December, 1953.

2.—(1) In these regulations—

"the Act" means the Hospital Endowments (Scotland) Act, 1953;

"the Trust" means the Scottish Hospital Endowments Research Trust.

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

PART II

Term of office of members of the Trust, filling of vacancies, &c.

3.—(1) The first chairman of the Trust shall hold office until the thirty-first day of March, 1960.

(2) Of the original members of the Trust, other than the chairman, one-third, or as near as may be, shall retire on the thirty-first day of March, 1956, one-third, or as near as may be, on the thirty-first day of March, 1958, and the remainder on the thirty-first day of March, 1960.

(a) 1 & 2 Eliz. 2. c. 41. (b) 52 & 53 Vict. c. 63.