STATUTORY INSTRUMENTS

1969 No. 1472

SOCIAL SECURITY

The National Insurance (National Health Service Superannuation Scheme—Modification and Non-participation) (Amendment) Regulations 1969

Made - - -	14*th October* 1969
Laid before Parliament	23*rd October* 1969
Coming into Operation	3*rd November* 1969

The Secretary of State for Social Services to whom there were by the Secretary of State for Social Services Order 1968(**a**) transferred all functions of the Minister of Health (which Minister the Treasury had determined was the appropriate Minister for the purposes of section 110 of the National Insurance Act 1965(**b**) to make regulations under that section modifying the scheme for the provision of pensions and other benefits established by regulations made under section 67 of the National Health Service Act 1946(**c**)), in exercise of his powers under section 110 of the National Insurance Act 1965 and of all other powers enabling him in that behalf, hereby makes the following regulations :—

Citation and commencement

1.—(1) These regulations may be cited as the National Insurance (National Health Service Superannuation Scheme—Modification and Non-participation) (Amendment) Regulations 1969 and shall come into operation on 3rd November 1969.

(2) The National Insurance (National Health Service Superannuation Scheme —Modification and Non-participation) Regulations 1965(**d**) and these regulations may be cited together as the National Insurance (National Health Service Superannuation Scheme—Modification and Non-participation) Regulations 1965 and 1969.

Interpretation

2.—(1) In these regulations :—

"the regulations of 1965" means the National Insurance (National Health Service Superannuation Scheme—Modification and Non-participation) Regulations 1965.

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

(**a**) S.I. 1968/1699 (1968 III, p. 4585).
(**b**) 1965 c. 51.
(**c**) 1946 c. 81.
(**d**) S.I. 1965/2179 (1965 III, p. 6382).
(**e**) 1889 c. 63.

Amendment of the regulations of 1965

3. Regulation 2 (definitions) of the regulations of 1965 shall be amended as follows:—

(*a*) in paragraph (1)—

(i) for the definition of "maximum graduated remuneration" there shall be substituted the following:—

" "maximum graduated remuneration" means, for any period of employment or part of a period prior to 6th January 1964, £780 per annum, and for any period of employment or part of a period commencing on or after that date, £936 per annum;"

(ii) in the definition of "participating employment" after the words "does not include any period" there shall be inserted the words "of non-participating employment or".

(*b*) After paragraph (1) there shall be added the following paragraph:—

"(1A) Where in respect of any period of non-participating employment which has become reckonable as service for the purposes of the principal regulations, equivalent pension benefits have been assured for the purposes of the Act of 1959, the Act of 1965, the Northern Ireland Act or the Isle of Man Act, as the case may be, there shall, for the purposes of these regulations, be deemed to have been made a payment in lieu of contributions of such amount as would otherwise have fallen to be paid in respect of such employment."

(*c*) After paragraph (3) there shall be added the following paragraph:—

"(3A) In respect of any amount of money which falls to be paid on or after 15th February 1971 (the day appointed under section 1 of the Decimal Currency Act 1967(**a**)), references in paragraph (3) of this regulation to a penny and to a halfpenny shall be read as referring to a new penny and to a new halfpenny respectively."

4. Regulation 19 (pensions payable to optants) of the regulations of 1965 shall be amended by adding at the end thereof the following paragraph:—

"(5) In calculating for the purposes of paragraph (4) of this regulation the number of units of a person's graduated contributions account shall be taken only of such number of units as is attributable to graduated contributions paid by him at the rate of 4¼ per cent. of the amount up to £468 per annum by which his remuneration exceeds £468 per annum."

Revocation

5. The National Insurance (National Health Service Superannuation Scheme —Modification and Non-participation) (Amendment) Regulations 1966(**b**) are hereby revoked.

Signed by authority of the Secretary of State for Social Services.

Serota,
Minister of State,
Department of Health and Social Security.

14th October 1969.

(**a**) 1967 c. 47. (**b**) S.I. 1966/1214 (1966 III, p. 3271).

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the National Insurance (National Health Service Superannuation Scheme—Modification and Non-participation) Regulations 1965 under which the superannuation contributions and pensions of persons subject to the National Health Service Superannuation Scheme are reduced to take account of graduated contributions and benefits payable under the National Insurance Scheme. They exclude from reckoning, towards such reduction of superannuation contributions and pension, the additional contributions and benefits payable in consequence of the National Insurance Acts 1966 and 1969. These Regulations also provide for the reckoning of service, in respect of which equivalent pension benefits have been assured, to be subject to the same conditions as would have applied had a payment in lieu been made. A minor amendment is also made in anticipation of the introduction of decimal currency.

The National Insurance (National Health Service Superannuation Scheme—Modification and Non-participation) (Amendment) Regulations 1966 are revoked entirely but their provisions are reproduced in a consolidated form.