1960 No. 888

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

Made - - - -	18*th May*, 1960
Laid before Parliament	23*rd May*, 1960
Coming into Operation	1*st June*, 1960

The Minister of Health, in exercise of the powers conferred on him by section 12 of the National Insurance Act, 1959(a), and of all other powers enabling him in that behalf, hereby makes the following regulations after consultation with the bodies referred to in subsection (3) of that section :—

Citation and commencement

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

Interpretation

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 ;

"the Minister" means the Minister of Health ;

"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.

Elections, etc., to be made by the Minister

3. In relation to employments in which a person's service qualifies him for retirement benefits by way of pension under section 67 of the National Health Service Act, 1946(c)—

(*a*) the Minister hereby directs that every election shall be made or revoked by him 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

(a) 7 & 8 Eliz. 2. c. 47. (b) 52 & 53 Vict. c. 63. (c) 9 & 10 Geo. 6. c. 81.
(d) S.I. 1959/1860 (1959 II, p. 1867).

(ii) the National Insurance (Non-participation—Appeals and References) Regulations, 1959(a),

shall be done by or to the Minister.

Given under the official seal of the Minister of Health this eighteenth day of May, nineteen hundred and sixty.

(L.S.) *Derek Walker-Smith,*
Minister of Health

EXPLANATORY NOTE

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

These regulations provide that the Minister of Health instead of the employer may decide whether persons who are subject to the National Health Service Superannuation scheme 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 fall to be done by or to the employer, are to be done by or to the Minister.

(a) S.I. 1959/2119 (1959 II, p. 1856).