1961 No. 471 (S. 24)

NATIONAL INSURANCE

The National Insurance (Non-participation—Teachers Superannuation) (Scotland) Regulations, 1961

Made - - - -	15*th March*, 1961
Laid before Parliament	23*rd March*, 1961
Coming into Operation	3*rd April*, 1961

In exercise of the powers conferred on me by section 12 of the National Insurance Act, 1959(**a**), and of all other powers enabling me in that behalf, I hereby make the following Regulations after consultation with the bodies referred to in subsection (3) of that section:—

1. These Regulations may be cited as the National Insurance (Non-participation—Teachers Superannuation) (Scotland) Regulations, 1961, and shall come into operation on the third day of April, 1961.

2.—(1) In these Regulations unless the context otherwise requires—

(*a*) "the Act" means the National Insurance Act, 1959;

(*b*) "the Assurance Regulations" mean the National Insurance (Non-participation—Assurance of Equivalent Pension Benefits) Regulations, 1960(**b**);

(*c*) "first class service" has the meaning assigned to the expression "first class service" in the Teachers (Superannuation) (Scotland) Regulations, 1957(**c**).

(2) Unless the context otherwise requires, references in these Regulations to any enactment or regulation shall be construed as references to that enactment or regulation as amended by any subsequent enactment or regulation or to any enactment or regulation substituted for that enactment or regulation.

(3) The Interpretation Act, 1889(**d**), applies to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

3. Employment in first class service shall be treated as employment under a single employer different from the employer in any other employment for the purposes of—

(*a*) subsection (4) of section 9 of the Act (which section relates to liability to make payments in lieu of contributions); and

(*b*) regulation 4 of the Assurance Regulations (which regulation relates to the giving of notice of the ending of employment which is non-participating employment within the meaning of the Act).

4.—(1) In relation to employment in first class service things that are required or authorised to be done by or to the employer under the provisions specified in paragraph (2) of this regulation shall be done by or to the Secretary of State.

(**a**) 7 & 8 Eliz. 2. c. 47.
(**b**) S.I. 1960/1103 (1960 II, p. 2244).
(**c**) S.I. 1957/356 (1957 I, p. 733).
(**d**) 52 & 53 Vict. c. 63.

(2) The provisions referred to in the last foregoing paragraph are the following provisions of the Assurance Regulations—

(*a*) regulation 2 (End of period of service and disregard of interruptions);

(*b*) regulation 3 (Employment not treated as continuing during interruption);

(*c*) regulation 4 (Notice of end of employment);

(*d*) regulation 7 (Conditions for assurance of equivalent pension benefits);

(*e*) regulation 8 (Information to be furnished by employer and responsible paying authority);

(*f*) regulation 11 (Certificate to be furnished for the purpose of section 9 (4) of the Act);

(*g*) regulation 14 (Cases of double employment);

(*h*) regulation 15 (Payment in lieu of contributions where two employments end simultaneously); and

(*i*) paragraphs (3) and (4) of regulation 18 so far as they relate to paragraph (2) of that regulation (Extension of assurance periods).

John S. Maclay,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
15th March, 1961.

EXPLANATORY NOTE

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

These Regulations provide that, for certain purposes of the National Insurance Act, 1959, and the Regulations thereunder, employment in first class service under the Scottish Teachers Superannuation Scheme, which is non-participating employment within the Act, shall be treated as employment under a single employer; and that the Secretary of State shall be treated as the employer.