STATUTORY INSTRUMENTS

1972 No. 428

SOCIAL SECURITY

The National Insurance (Non-participation—Benefits and Schemes) Amendment Provisional Regulations 1972

Made - - -	20*th March* 1972
Laid before Parliament	24*th March* 1972
Coming into Operation	25*th March* 1972

The Secretary of State for Social Services hereby certifies, under section 108(4) of the National Insurance Act 1965(**a**), that on account of urgency the following regulations should come into operation without delay, and, in exercise of his powers under section 57(4)(*b*) of that Act, and of all other powers enabling him in that behalf, after submitting a preliminary draft to the National Insurance Advisory Committee, hereby makes the following regulations as provisional regulations:—

Citation and commencement

1. These regulations may be cited as the National Insurance (Non-participation—Benefits and Schemes) Amendment Provisional Regulations 1972 and shall come into operation on 25th March 1972.

Amendment of regulation 3(3) *of the National Insurance (Non-participation – Benefits and Schemes) Regulations* 1959

2. In regulation 3(3) of the National Insurance (Non-participation—Benefits and Schemes) Regulations 1959(**b**), as amended(**c**), after sub-paragraph (*b*) there shall be added the words—

"and

(*c*) any scheme or arrangement made or having effect as if made under section 1 or 18 of the Superannuation Act 1972(**d**) shall be a prescribed means of securing the benefits provided under that scheme or arrangement; and

(*d*) any scheme or arrangement which, by virtue of subsection (4) of section 56 of the Civil Aviation Act 1971(**e**), as substituted by section 21 of the said Act of 1972, has effect as if established by virtue of subsection (2) of the said section 56 shall, so long as it remains unamended in any way which adversely affects the security of that scheme or arrangement, be a prescribed means of securing the benefits provided by that scheme or arrangement;

(**a**) 1965 c. 51. (**b**) S.I. 1959/1861 (1959 II, p. 1865).
(**c**) S.I. 1960/1104, 1961/137 (1960 II, p. 2258; 1961 I, p. 191).
(**d**) 1972 c. 11. (**e**) 1971 c. 75.

and any enactment, regulation or other instrument which immediately before the coming into force of any provision of the Superannuation Act 1972 was prescribed by this paragraph as a means of securing benefits shall, notwithstanding the coming into force of that provision, continue to be a prescribed means of securing benefits, so long as it remains unamended in any way which adversely affects the security of the scheme or arrangement established by it."

Keith Joseph,
Secretary of State for Social Services.

20th March 1972.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Provisional Regulations amend the National Insurance (Non-participation—Benefits and Schemes) Regulations 1959 to take account of the passing of the Superannuation Act 1972. They ensure that any superannuation scheme affected by that Act which was a recognised superannuation scheme for the purposes of Part III of the National Insurance Act 1965 continues to be recognised so long as the security of the scheme is not affected adversely by amendments to it; future schemes made under the Superannuation Act in respect of civil servants and certain other persons will also be recognised.

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