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.

(3) Subject to the provisions of this regulation the term of office of the members of the Trust shall be six years:

Provided that at the expiration of his term of office a member of the Trust shall be eligible for re-appointment.

4.—(1) A member of the Trust who desires to resign his membership shall give written intimation of his resignation to the Secretary of State.

(2) If the Secretary of State is satisfied that a member of the Trust—

(*a*) has, without reasonable cause, not attended a meeting of the Trust or of any committee of the Trust throughout a period of twelve consecutive months;

(*b*) has become incapacitated by physical or mental illness; or

(*c*) has granted a trust deed for behoof of his creditors or has had his estates sequestrated in Scotland or has been adjudged bankrupt elsewhere than in Scotland,

the Secretary of State may declare that such member has ceased to be a member of the Trust.

5.—(1) If a vacancy occurs in the membership of the Trust by reason of the death, resignation, removal or disqualification of a member, the Secretary of State shall forthwith be informed and the Secretary of State may, if he sees fit, fill the vacancy.

(2) Any person appointed to fill a casual vacancy shall hold office for the remainder of the term of office of the person in whose place he is appointed.

PART III

Appointment, &c. of officers of the Trust

6.—(1) The Trust shall appoint a secretary, who may be a body corporate, and may appoint such other officers and servants as they from time to time consider necessary for the efficient administration of the Trust.

(2) Subject to any directions the Secretary of State may give, the Trust, out of the funds under their charge—

(*a*) shall pay to the secretary and to any other officers and servants of the Trust remuneration at such rates as they think fit and shall apply to such secretary and any other officers and servants such conditions of service as they think fit; and

(*b*) may make such contributions as they think fit in respect of the superannuation of the secretary and any other officers and servants of the Trust.

PART IV

Procedure

7. The Trust shall hold such meetings as are required for the discharge of their functions under the Act:

Provided that the Trust shall hold a meeting after the close of each financial year for the purpose of adopting the accounts of the Trust in respect of that year and preparing an annual report of their proceedings in accordance with the provisions of subsection (6) of section 1 of the Act.

8.—(1) At any meeting of the Trust a majority of the members thereof for the time being shall form a quorum.

(2) Any meeting of the Trust may be adjourned to any other day, hour and place.

9.—(1) At every meeting of the Trust the chairman, if present, shall preside.

(2) If the chairman is absent from any meeting, the members present at the meeting shall elect from among themselves a person to act as chairman for that meeting.

(3) All acts of, and all questions coming or arising before, the Trust shall be done and decided by a majority of the members of the Trust present and voting at a meeting of the Trust and, in the event of an equality of votes, the person presiding at the meeting shall give a casting vote.

10.—(1) Minute books shall be kept by the secretary containing a record of the proceedings of the Trust and of any committee of the Trust.

(2) All minutes of the Trust and of any committee of the Trust shall be submitted to the next ensuing meeting of the Trust for approval and shall be signed by the person presiding at that meeting.

11. The Trust may make such standing orders as they consider necessary or expedient for the regulation of their business and may vary and revoke the same.

12.—(1) The Trust may appoint committees of their own number for the exercise of such functions as the Trust think fit and may appoint conveners of such committees.

(2) The Trust shall fix the number of members of such a committee which shall form a quorum.

PART V

Payment of travelling, &c. expenses

13. The Trust may, out of the funds under their charge, make to the members thereof payments in respect of travelling and subsistence allowances and loss of earnings at rates not exceeding the rates prescribed for the time being in relation to members of the Scottish Health Services Council in regulations made under paragraph 2 of the First Schedule to the National Health Service (Scotland) Act, 1947(**a**), as amended by Part II of the Schedule to the National Health Service (Amendment) Act, 1949(**b**).

Dated this 22nd day of December, 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 the regulations, but is intended to indicate their general purport.)

These regulations, made under section 3 of the Hospital Endowments (Scotland) Act, 1953, make provision in respect of the appointment and term of office of members of the Scottish Hospital Endowments Research Trust constituted under the Act, and of the procedure of the Trust.

(**a**) 10 & 11 Geo. 6. c. 27. (**b**) 12, 13 & 14 Geo. 6. c. 93.