
STATUTORY INSTRUMENTS

1948 No. 1483

**National Health Service (Superannuation)
(England and Scotland) Regulations 1948**

Citation and Interpretation

1.—(1) These regulations may be cited as the National Health Service (Superannuation) (England and Scotland) Regulations, 1948.

(2) The Interpretation Act, 1889, applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

(3) In these regulations, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them:—

“the English Act” means the National Health Service Act, 1946;

“the Scottish Act” means the National Health Service (Scotland) Act, 1947;

“the English regulations” means the regulations made by the Minister of Health under subsection (1) of section 67 of the English Act;

“the Scottish regulations” means the regulations made by the Secretary of State under subsection (1) of section 66 of the Scottish Act;

“English employing authority” means an employing authority within the meaning of the English regulations;

“Scottish employing authority” means an employing authority within the meaning of the Scottish regulations;

“employee of an English employing authority” and “employee of a Scottish employing authority” include a person who is treated as being an officer in the employment of an employing authority for the purposes of the English regulations or the Scottish regulations, as the case may be;

“English contributory employee or local Act contributor” means a contributory employee or local Act contributor within the meaning of the Local Government Superannuation Act, 1937, and “Scottish contributory employee or local Act contributor” means a contributory employee or local Act contributor within the meaning of the Local Government Superannuation (Scotland) Act, 1937;

“English teacher” means a person in contributory service under the Teachers (Superannuation) Acts, 1918 to 1946 otherwise than under any scheme made under section 21 (1) (a) of the Teachers (Superannuation) Act, 1925, or otherwise than by virtue of section 13 (2) (g) of that Act;

“Scottish teacher” means a person in service recorded in terms of the Superannuation Scheme framed and approved under the Education (Scotland) Superannuation Acts, 1919 to 1939, and any amendment thereof.

Application of Scottish regulations to employees of English employing authorities, English contributory employees or local Act contributors and English teachers who become employees of Scottish employing authorities.

2. Where a person becomes an employee of a Scottish employing authority after ceasing to be an employee of an English employing authority, an English contributory employee or local Act contributor or an English teacher, the Scottish regulations shall have effect in relation to him subject to such modifications as may be necessary to secure that he shall enjoy rights substantially similar to those which he would have enjoyed by virtue of the English regulations had he become an employee of an English employing authority.

Application of English regulations to employees of Scottish employing authorities, Scottish contributory employees or local Act contributors and Scottish teachers who become employees of English employing authorities.

3. Where a person becomes an employee of an English employing authority after ceasing to be an employee of a Scottish employing authority, a Scottish contributory employee or local Act contributor or a Scottish teacher, the English regulations shall have effect in relation to him subject to such modifications as may be necessary to secure that he shall enjoy rights substantially similar to those which he would have enjoyed by virtue of the Scottish regulations had he become an employee of a Scottish employing authority.

Application of Scottish regulations to employees of Scottish employing authorities who become English contributory employees or local Act contributors or English teachers.

4. Where a person becomes an English contributory employee or local Act contributor or an English teacher after having ceased to be an employee of a Scottish employing authority, the Scottish regulations shall have effect in relation to him subject to such modifications as may be necessary to secure that he shall enjoy rights substantially similar to those which he would have enjoyed by virtue of the said regulations had he become a Scottish contributory employee or local Act contributor or a Scottish teacher, as the case may be.

Application of English regulations to employees of English employing authorities who become Scottish contributory employees or local Act contributors or Scottish teachers.

5. Where a person becomes a Scottish contributory employee or local Act contributor or a Scottish teacher after having ceased to be an employee of an English employing authority, the English regulations shall have effect in relation to him subject to such modifications as may be necessary to secure that he shall enjoy rights substantially similar to those which he would have enjoyed by virtue of the said regulations had he become an English contributory employee or local Act contributor or an English teacher.