

1974 No. 940 (S.80)

PENSIONS

**The Pensions Increase (National Health Service Pensions)
(Scotland) Regulations 1974***Made - - - - 23rd May 1974**Laid before Parliament 11th June 1974**Coming into Operation 2nd July 1974*

In exercise of the powers conferred on me by sections 1 and 4 of the Pensions (Increase) Act 1974^(a) and of all other powers enabling me in that behalf and with the consent of the Minister for the Civil Service, I hereby make the following regulations:—

Citation and commencement

1. These regulations may be cited as the Pensions Increase (National Health Service Pensions) (Scotland) Regulations 1974 and shall come into operation on 2nd July 1974.

Interpretation

2.—(1) In these regulations, unless the context otherwise requires, “the Act” means the Pensions (Increase) Act 1974 and other words and expressions used have the same meaning as in the Act.

(2) The Interpretation Act 1889^(b) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

3. For the purposes of section 1(1) of the Act (which provides that a pension authority may increase the basic rate of an official pension of a class prescribed by a percentage of the said basic rate ascertained in accordance with the provisions of the Act and beginning after a specified date) a National Health Service pension, being an official pension which is payable by the Secretary of State, is hereby prescribed as an official pension of a class of which the basic rate may be increased.

4. A National Health Service pension in respect of service ending with service of a person in a category of employment specified in Part I of the Schedule to these regulations (being a pension as respects which, in the opinion of the Secretary of State, increases in the emoluments relevant for the purpose of calculating the pension were deferred during the period beginning with 6th November 1972 and ending with 31st March 1973 in consequence of provisions of Counter-Inflation (Temporary Provisions) Act 1972^(c)) is hereby specified as a pension of a class to which section 1(2)(a) of the Act applies.

^(a) 1974 c. 9.^(b) 1889 c. 63.^(c) 1972 c. 74.

5. Subject to regulation 6 of these regulations, the relevant date in relation to a National Health Service pension in respect of service ending with service of a person in a category of employment specified in column (1) of Part I or Part II, as the case may be, of the Schedule to these regulations (being the date on which, in the opinion of the Secretary of State, the emoluments relevant for the purpose of calculating the National Health Service pension were, or are expected to be, increased by the principal pay increase made or expected to be made, during the year ending with 6th November 1974, in accordance with the code in force under section 2 of the Counter-Inflation Act 1973(a) at the time of the increase) shall be the date specified in relation to that category of employment in column (2) of that Schedule.

6. Where a person was transferred by an order made under the National Health Service (Scotland) Act 1972(b) in a category of employment mentioned in this regulation, the relevant date in relation to the National Health Service pension in respect of the service of such a person shall be in the case of—

- (a) a chief administrative officer who retains his former terms and conditions of service, 1st July 1974;
- (b) a medical officer (other than a medical officer who upon transfer became a community medicine specialist) or a dental officer, 1st October 1974; and
- (c) in the case of a person who immediately before being so transferred was an ancillary worker on the staff of a local health authority, the relevant date specified by regulations made under the Act which would have applied in relation to the pension of that person had he not been so transferred.

7. Any increase of pension payable by virtue of these regulations shall have effect in respect of any period beginning on or after 1st December 1973.

William Ross,
One of Her Majesty's Principal
Secretaries of State.

St Andrew's House,
Edinburgh.
21st May 1974.

Consent of the Minister for the Civil Service given under his Official Seal on
23rd May 1974.

(L.S.)

K. H. McNeill,
Authorised by the Minister for the Civil Service.

(a) 1973 c. 9.

(b) 1972 c. 58.

SCHEDULE

PART I

(1) <i>Category of Employment</i>	(2) <i>Relevant Date</i>
Analytical estimator	1st January 1974
Ancillary worker	10th December 1973
Biochemist	1st January 1974
Clinical psychologist	1st January 1974
Cytology screener	1st January 1974
Hospital pharmacist	1st March 1974
Media maker	1st January 1974
Medical artist	1st January 1974
Medical chartist	1st January 1974
Medical laboratory technician	1st January 1974
Museum attendant	1st January 1974
Maintenance worker	1st January 1974
Neurophysiological technician	1st January 1974
Psychological technician	1st January 1974
Physicist	1st January 1974

PART II

(1) <i>Category of Employment</i>	(2) <i>Relevant Date</i>
Administrative and clerical staff	1st April 1974
Ambulance driver or attendant	7th November 1973
Animal house technician	1st April 1974
Artificial kidney assistant	1st August 1974
Assistant supervisor	1st July 1974
Community medicine specialist	1st April 1974
Contact lens fitter	1st April 1974
Dark room technician	1st September 1974
Dental auxiliary	1st July 1974
Dental hygienist	1st July 1974
Dental laboratory attendant	1st August 1974
Dental surgery assistant	1st July 1974
Dental technician	1st April 1974
General dental practitioner	1st April 1974
General medical practitioner	1st April 1974
Hospital dentist	1st April 1974
Hospital doctor	1st April 1974
Hospital engineer	1st April 1974
Hospital optician	1st May 1974
Laboratory aide	1st October 1974
Medical photographer	1st July 1974
Medical physics technician	1st August 1974
Nursing and midwifery staff	1st April 1974
Ophthalmic medical practitioner	1st April 1974
Pharmacy technician	1st July 1974
Phlebotomist	1st April 1974
Physiological measurement technician	1st August 1974
Post mortem room technician	1st August 1974
Professional and technical staff	1st April 1974
Professional and technical staff (building and maintenance)	1st April 1974
Quality control technician	1st April 1974
Social worker	1st July 1974
Supervisor in MD hospital	1st July 1974
Works staff (building and maintenance)	1st July 1974

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations provide for National Health Service pensions payable by the Secretary of State to be increased by a percentage of the basic rate in accordance with the provisions of the Pensions (Increase) Act 1974.

In accordance with section 4(3)(a) of that Act, these Regulations have retrospective effect as from 1st December 1973 (Regulation 7).

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