

1972 No. 1031

## SOCIAL SECURITY

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

<i>Made</i>	10th July 1972
<i>Laid before Parliament</i>	17th July 1972
<i>Coming into Operation</i>	31st July 1972

The Secretary of State for Social Services, in exercise of his powers under section 57(4)(b) of the National Insurance Act 1965(a) and of all other powers enabling him in that behalf, after considering the report of the National Insurance Advisory Committee on the preliminary draft submitted to them under section 108 of that Act, hereby makes the following regulations:—

*Citation and commencement*

1. These regulations may be cited as the National Insurance (Non-participation—Benefits and Schemes) Amendment Regulations 1972 and shall come into operation on 31st July 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; and

(a) 1965 c. 51.

(c) S.I. 1960/1104, 1961/137 (1960 II, p. 2258; 1961 I, p. 191).

(d) 1972 c. 11.

(b) S.I. 1959/1861 (1959 II, p. 1865).

(e) 1971 c. 75.

(e) a scheme or arrangement established by 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, 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.”

*Revocation of Provisional Regulations*

3. The National Insurance (Non-participation—Benefits and Schemes) Amendment Provisional Regulations 1972(a) are hereby revoked, but without prejudice to anything duly done or suffered or to any right, privilege, obligation or liability acquired, accrued or incurred, thereunder.

*Keith Joseph,*  
Secretary of State for Social Services.

10th July 1972.

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EXPLANATORY NOTE

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

These Regulations revoke and supersede the National Insurance (Non-participation—Benefits and Schemes) Amendment Provisional Regulations 1972. They 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.

The report of the National Insurance Advisory Committee on the preliminary draft of these Regulations dated 1st May 1972 is contained in House of Commons Paper No. 377 (Session 1971-72) published by Her Majesty's Stationery Office.

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(a) S.I. 1972/428 (1972 I, p. 1608).



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