

**1974 No. 276 (S.18)**
**NATIONAL HEALTH SERVICE, SCOTLAND**
**The National Health Service (Remuneration and Conditions of Service) (Scotland) Regulations 1974**

*Made* - - - - 18th February 1974

*Laid before Parliament* 12th March 1974

*Coming into Operation* 1st April 1974

In exercise of the powers conferred on me by paragraph 8 of Part I of Schedule 1 and paragraph 8 of Schedule 3 to the National Health Service (Scotland) Act 1972(a) and of all other powers enabling me in that behalf I hereby make the following regulations:—

**1.** These regulations may be cited as the National Health Service (Remuneration and Conditions of Service) (Scotland) Regulations 1974 and shall come into operation on 1st April 1974.

**2.**—(1) In these regulations, unless the context otherwise requires—

“authority” means a Health Board or the Common Services Agency for the Scottish Health Service;

“officer” means an officer of an authority;

“negotiating body” means any body accepted by the Secretary of State as a proper body for negotiating remuneration and other conditions of service for officers or any class of officers.

(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.**—(1) Subject to the provisions of any Act or any order having statutory effect, the remuneration of any officer who belongs to a class of officers whose remuneration has been the subject of negotiations by a negotiating body and has been approved by the Secretary of State after considering the result of these negotiations shall, subject to paragraph (3) of this regulation, be neither more nor less than the remuneration so approved whether or not it is paid out of moneys provided by Parliament.

(2) Subject as aforesaid, where conditions of service, other than conditions with respect to remuneration, of any class of officers have been the subject of negotiations by a negotiating body and have been approved by the Secretary of State after considering the result of these negotiations, the conditions of service of any officer belonging to that class shall include the conditions so approved.

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(a) 1972 c.58.

(b) 1889 c.63.

(3) The Secretary of State may, if he thinks fit, authorise an authority to vary the remuneration or other conditions of service approved as aforesaid in the case of an individual officer or officers of a particular description.

4. Subject to the provisions of any Act or any order having statutory effect, the remuneration (whether or not paid out of moneys provided by Parliament) and other conditions of service of any officer shall, except so far as they are determined in accordance with the provisions of regulation 3, be such as the authority may subject to the approval of the Secretary of State determine.

5. These regulations shall not affect the rights of any person or body under any contract of service or for services existing at the date on which the regulations are made, but any authority which is a party to such a contract that is at variance with the regulations shall take the appropriate steps in accordance with such contract for terminating it at the earliest practicable date, or for amending it to bring it into conformity with the regulations, unless the Secretary of State gives to the authority a direction to the contrary in writing in any particular case or class of cases.

6.—(1) The National Health Service (Remuneration and Conditions of Service) (Scotland) Regulations 1951(a) are hereby revoked.

(2) Section 38 of the Interpretation Act 1889 shall apply as if these regulations were an Act of Parliament and as if the regulations revoked by these regulations were an Act of Parliament repealed by an Act of Parliament.

*Gordon Campbell,*

One of Her Majesty's Principal  
Secretaries of State.

St. Andrew's House,  
Edinburgh.  
18th February 1974.

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#### EXPLANATORY NOTE

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

These Regulations provide for the determination of remuneration and conditions of service of officers employed by authorities in the National Health Service.

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(a) S.I. 1951/1465 (1951 I, p.1429).



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