

**1989 No. 807 (S.81)**

**NATIONAL HEALTH SERVICE, SCOTLAND**

**The National Health Service (Superannuation)  
(Scotland) Amendment Regulations 1989**

<i>Made</i> - - - -	<i>8th May 1989</i>
<i>Laid before Parliament</i>	<i>11th May 1989</i>
<i>Coming into force</i>	<i>1st June 1989</i>

The Secretary of State, in exercise of the powers conferred on him by sections 10 and 12 of the Superannuation Act 1972(a) and of all other powers enabling him in that behalf, after consulting with such representatives of persons likely to be affected by these Regulations as appear to him to be appropriate in accordance with section 10(4) of that Act, and with the consent of the Treasury(b) hereby makes the following Regulations:

**Citation and commencement**

1.—(1) These Regulations may be cited as the National Health Service (Superannuation) (Scotland) Amendment Regulations 1989, and may be cited together with the National Health Service (Superannuation) (Scotland) Regulations 1980 to 1988(c) as the National Health Service (Superannuation) (Scotland) Regulations 1980 to 1989.

(2) These Regulations shall come into force on 1st June 1989.

**Interpretation**

2. In these Regulations “the principal Regulations” means the National Health Service (Superannuation) (Scotland) Regulations 1980(d).

**Interpretation of the principal Regulations**

3. In regulation 2 of the principal Regulations (Interpretation), after paragraph (6) there shall be added the following paragraph:—

“(6A) In relation to a person who becomes an officer on or after 1st June 1989, where his remuneration in the year ending on 5th April 1990, calculated in accordance with the definition of “remuneration” in regulation 3, regulation 68(2) or regulation 76, as the case may be, and paragraph (6) of this regulation where applicable, exceeds £60,000, the excess over that amount shall not be treated as remuneration for the purposes of these Regulations.”.

**Definitions**

4. In regulation 3 of the principal Regulations (Definitions), in the definition of “remuneration” after the words “regulations 2(6)” there shall be inserted the words “and (6A).”.

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(a) 1972 c.11; section 10(1)(a) was amended by the National Health Service (Scotland) Act 1972 (c.58), Schedule 7, Part II.

(b) The function was transferred to the Treasury by S.I. 1981/1670).

(c) S.I. 1980/1177, 1981/1680, 1983/272 and 1988/1956.

(d) S.I. 1980/1177; the relevant amending instrument is S.I. 1981/1680.

**Meaning of "remuneration"**

5. In regulation 68 of the principal Regulations (Meaning of "remuneration"), in paragraph (2) at the beginning there shall be inserted the words "Subject to regulation 2(6A),".

**Further modifications with respect to assistant practitioners**

6. In regulation 76 of the principal Regulations (Further modifications with respect to assistant practitioners), in the definition of "remuneration" in sub-paragraph (a), after the words "'remuneration" means" there shall be inserted the words ",subject to regulation 2(6A),".

St. Andrew's House, Edinburgh  
27th April 1989

*Michael B. Forsyth*  
Parliamentary Under Secretary of State,  
Scottish Office

We consent,

8th May 1989

*Stephen Dorrell*  
*Alan Howarth*  
Two of the Lords Commissioners of Her Majesty's Treasury

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**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These regulations amend the National Health Service (Superannuation) (Scotland) Regulations 1980.

They provide that, in relation to persons who become officers (including practitioners) to whom the Regulations apply on or after 1st June 1989, all remuneration received in excess of £60,000 in the year to 5th April 1990 shall not be treated as remuneration for the purposes of the 1980 Regulations, and accordingly shall not be taken into account in calculating contributions payable and pensions.

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