



# Superannuation Act 1965

## 1965 CHAPTER 74

### PART V

#### MISCELLANEOUS AND GENERAL

##### *General*

#### **98 Meaning of “civil service” and “civil servant” and supplementary provisions.**

- (1) In this Act “civil service” means the civil service of the State.
- (2) In this Act “civil servant” means a person serving in an established capacity in the permanent civil service, and references in this Act to persons ceasing to be civil servants, to persons retiring from being civil servants and to retired civil servants shall be construed accordingly.

Except where the context otherwise requires, any reference in this Act to a person ceasing to be a civil servant includes a reference to the death of a person who dies while he is a civil servant.

- (3) For the purposes of this Act no person shall be deemed to have served in the permanent civil service unless he holds his appointment directly from the Crown or has been admitted into the civil service with a certificate from the Civil Service Commissioners.
- (4) For the purposes of pensions and other superannuation benefits—
  - (a) service in an established capacity—
    - (i) in employment of any of the kinds listed in Schedule 8 to this Act, or
    - (ii) in the office of Falkland Macer,shall, where the person in question has been admitted into that employment, or as the case may be has been appointed to the said office, with a certificate from the Civil Service Commissioners, be treated as service in the permanent civil service within the meaning of subsection (3) of this section, and

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*Changes to legislation: There are currently no known outstanding effects for the Superannuation Act 1965, Section 98. (See end of Document for details)*

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- (b) service in the employment of any of the said kinds, or in the said office, in any other case shall be treated as service in the civil service, not falling within the said subsection (3).
- (5) [<sup>F1</sup>The Minister for the Civil Service] may by order add any employment to those listed in the said Schedule, being employment by a body or in an institution specified in the order.
- (6) The references in section 12 of this Act to a public department, the references in section 33 of this Act to a government service, and the references in section 93 of this Act to a government department, shall include references to any of the bodies or institutions listed in the said Schedule or, as the case may be, to the service provided by any of those bodies or institutions.
- (7) Section 46(1)(b) of this Act shall, notwithstanding subsection (3)(d) of that section, include employment of any of the kinds listed in the said Schedule.
- (8) References in this section to employment of the kinds listed in the said Schedule are references, in the case of any institution specified in that Schedule, to employment by the trustees or other authority responsible for the institution, and, in other cases, references to employment by the body specified in the Schedule.
- (9) Subsections (4) to (8) of this section shall be deemed always to have had effect, and any order of [<sup>F1</sup>the Minister for the Civil Service] under this section may be expressed to have effect retrospectively.

**Annotations:**

**Amendments (Textual)**

**F1** Words substituted by virtue of [S.I. 1968/1656](#), [arts. 2\(1\)\(6\)](#), 3(2)

**Modifications etc. (not altering text)**

**C1** [S. 98](#) has effect as if any reference to the Minister for the Civil Service were a reference to the Treasury: [S.I. 1981/1670](#), [arts. 2\(1\)\(c\)](#), 3(5)

**Changes to legislation:**

There are currently no known outstanding effects for the Superannuation Act 1965, Section 98.