

## 1978 No. 301

## HEALTH SERVICES SUPERANNUATION

The Health Services (Superannuation)  
(Amendment) Regulations (Northern Ireland) 1978

Made . . . . . 5th October 1978

Coming into operation . . . . . 6th October 1978

The Department of Health and Social Services, in exercise of the powers conferred by articles 12 and 14 of the Superannuation (Northern Ireland) Order 1972(a) and of all other powers enabling it in that behalf, after consulting such representatives of persons likely to be affected by these regulations as appear to it to be appropriate, and with the consent of the Department of the Civil Service for Northern Ireland, hereby makes the following regulations:—

## PART I

## PRELIMINARY

*Citation and commencement*

1. These regulations may be cited as the Health Services (Superannuation) (Amendment) Regulations (Northern Ireland) 1978 and shall come into operation on 6th October 1978.

*Interpretation*

2. In these regulations “the principal regulations” means the Health Services (Superannuation) Regulations (Northern Ireland) 1962(b), and other words and expressions used have the same meaning as in the principal regulations.

## PART II

AMENDMENTS TO FULFIL CONTRACTING-OUT REQUIREMENTS OF  
THE SOCIAL SECURITY PENSIONS (NORTHERN IRELAND) ORDER 1975

3. In regulation 2 of the principal regulations (interpretation)—

(a) in paragraph (1)—

(i) after the definition of “the Order” there shall be inserted—

““the Pensions Order” means the Social Security Pensions (Northern Ireland) Order 1975(c);”;

(a) S.I. 1972/1073 (N.I.10)

(b) S.R. & O. (N.I.) 1962 No. 237 (p. 961) as amended by S.R. & O. (N.I.) 1967 No. 55 (p. 108), S.R. & O. (N.I.) 1971 No. 352 (p. 1601), S.R. & O. (N.I.) 1972 No. 343 (p. 1694), S.R. & O. (N.I.) 1973 No. 101 (I, p. 424), S.R. & O. (N.I.) 1973 No. 201 (I, p. 1032), S.R. & O. (N.I.) 1973 No. 360 (II, p. 2014), S.R. 1974 No. 93 (I, p. 302), S.R. 1974 No. 248 (II, p. 1179), S.R. 1974 No. 327 (II, p. 1493) and S.R. 1976 No. 46 (I, p. 245)

(c) S.I. 1975/1503 (N.I. 15)

The first part of the book is devoted to a general history of the United States from its discovery by Columbus in 1492 to the present time. It covers the early years of settlement, the struggle for independence, the formation of the Constitution, and the various wars and conflicts that have shaped the nation's history. The author provides a detailed account of the political, social, and economic changes that have taken place over the centuries.

The second part of the book is a collection of essays and documents that illustrate the development of the United States. These include the Declaration of Independence, the Constitution, and various speeches and letters of the Founding Fathers. The author also discusses the role of the judiciary and the executive branch in the early years of the republic.

The third part of the book is a series of chapters that deal with the various aspects of the United States' history, such as the Civil War, the Reconstruction period, and the rise of the industrial revolution. The author provides a comprehensive overview of these events and their impact on the nation's development.

The fourth part of the book is a series of chapters that deal with the various aspects of the United States' history, such as the Civil War, the Reconstruction period, and the rise of the industrial revolution. The author provides a comprehensive overview of these events and their impact on the nation's development.

The fifth part of the book is a series of chapters that deal with the various aspects of the United States' history, such as the Civil War, the Reconstruction period, and the rise of the industrial revolution. The author provides a comprehensive overview of these events and their impact on the nation's development.

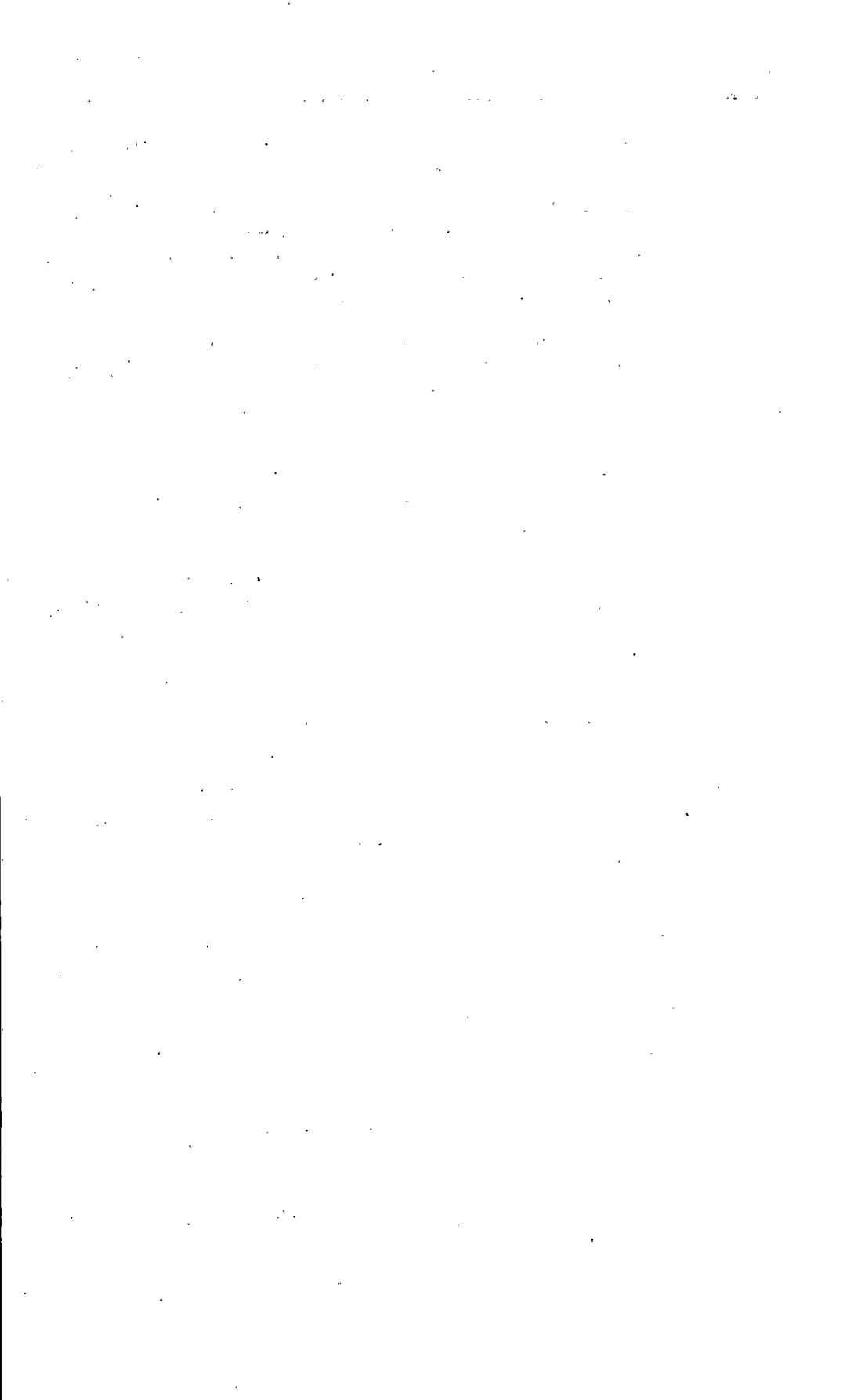
The sixth part of the book is a series of chapters that deal with the various aspects of the United States' history, such as the Civil War, the Reconstruction period, and the rise of the industrial revolution. The author provides a comprehensive overview of these events and their impact on the nation's development.

The seventh part of the book is a series of chapters that deal with the various aspects of the United States' history, such as the Civil War, the Reconstruction period, and the rise of the industrial revolution. The author provides a comprehensive overview of these events and their impact on the nation's development.

The eighth part of the book is a series of chapters that deal with the various aspects of the United States' history, such as the Civil War, the Reconstruction period, and the rise of the industrial revolution. The author provides a comprehensive overview of these events and their impact on the nation's development.

The ninth part of the book is a series of chapters that deal with the various aspects of the United States' history, such as the Civil War, the Reconstruction period, and the rise of the industrial revolution. The author provides a comprehensive overview of these events and their impact on the nation's development.

The tenth part of the book is a series of chapters that deal with the various aspects of the United States' history, such as the Civil War, the Reconstruction period, and the rise of the industrial revolution. The author provides a comprehensive overview of these events and their impact on the nation's development.



- (iv) where an officer has received payment of a retiring allowance, a widow's pension shall not be payable in respect of any part of his service before 25th March 1972 in respect of which his retiring allowance was calculated at the rate of three times the annual amount of his pension unless either—
- (a) the Department has accepted repayment to such extent and in such manner as it considers appropriate in order to recover the difference between the retiring allowance so paid and that which would have been paid on the basis that a widow's pension might become payable, or
  - (b) a corresponding adjustment falls to be made under the proviso to regulation 33(2);
- (v) the amount of a widow's pension shall, notwithstanding regulation 23, be not less than the following amounts in respect of her husband's contributing service on or after 6th April 1978, namely—
- (a) in the case of service otherwise than as a practitioner, an amount equal to 1/160th of his average remuneration in respect of each year of service, and
  - (b) in the case of service as a practitioner, an amount equal to 0.7 per cent. of his total uprated remuneration in respect of such service,
- so, however, that any contributing service added under regulation 28(3) or 61(2) shall be disregarded;
- (vi) during the period that a pension of limited duration is payable under regulation 13B a widow's pension shall not be payable at any of the rates specified in this paragraph.
- (4) For the first 3 months following the death of a person mentioned in paragraph (1)(a) or (b), and subject to the provisos thereto, a widow's pension shall be payable if, at the date of his death—
- (a) he was a person mentioned in paragraph (1)(a) and he was not an officer at the date of his death, at the rate at which his pension was payable at the date of his death without having regard to any reduction or suspension by reason of the operation of regulation 32;
  - (b) he was a person mentioned in paragraph (1)(a) and he was an officer at the date of his death, at the aggregate of his rate of remuneration at the date of his death and the rate at which his pension was being paid at that date having regard to any reduction or suspension by reason of the operation of regulation 32;
  - (c) he was a person mentioned in paragraph (1)(b), not being a person mentioned in paragraph (1)(a), at the rate of his remuneration at the date of his death:

Provided that—

- (i) a widow's pension shall not be payable at any of the rates mentioned in paragraph (3) or in the case of a person to whom regulation 36 applied, a relevant provision, whilst a widow's pension is payable at any of the rates mentioned in this paragraph;
- (ii) no account shall be taken of any reduction or suspension of the remuneration of an officer who was on leave of absence from duty at the time of his death;
- (iii) for the purposes of this paragraph the remuneration of a practitioner shall be taken as the rate of his remuneration during

the quarter immediately before his death or, if his remuneration during that quarter was reduced or suspended because of his illness or injury or that of any partner of his, at the rate set out in regulation 55(3);

- (iv) this paragraph shall not apply to any case in which a greater amount would be payable under these regulations apart from this paragraph;
- (v) a widow's pension shall not be payable at any of the rates mentioned in this paragraph if the widow has become entitled to receive a pension of limited duration under regulation 13B.

(5) During the period that a widow's pension is payable at any of the rates specified in paragraph (4) a child's allowance shall not be payable under regulation 13A in respect of any child dependant upon the widow.

(6) A widow's pension shall not be payable to a widow—

- (a) if she re-marries, in respect of any period after her re-marriage, so, however, that in the event of the termination of her re-marriage, the Department may restore her widow's pension in whole or in part if it is satisfied that she would otherwise suffer hardship and if it does so it may take account of any deficiency payment already made under paragraph (7); or
- (b) in respect of any period during which she and a man to whom she is not married are living together as man and wife.

(7) If on the death of any person a widow's pension becomes payable and the death gratuity is thereby less than it would have been had no widow's pension been payable, then if on the death or re-marriage of the widow the amount paid by way of widow's pension is less than the difference between the amount of the death gratuity and the amount that the death gratuity would have been had no widow's pension become payable, there shall be paid to or among such persons as the Department may determine an amount equal to the difference."

7. In regulation 13B(2) of the principal regulations (pensions of limited duration) for proviso (i) there shall be substituted—

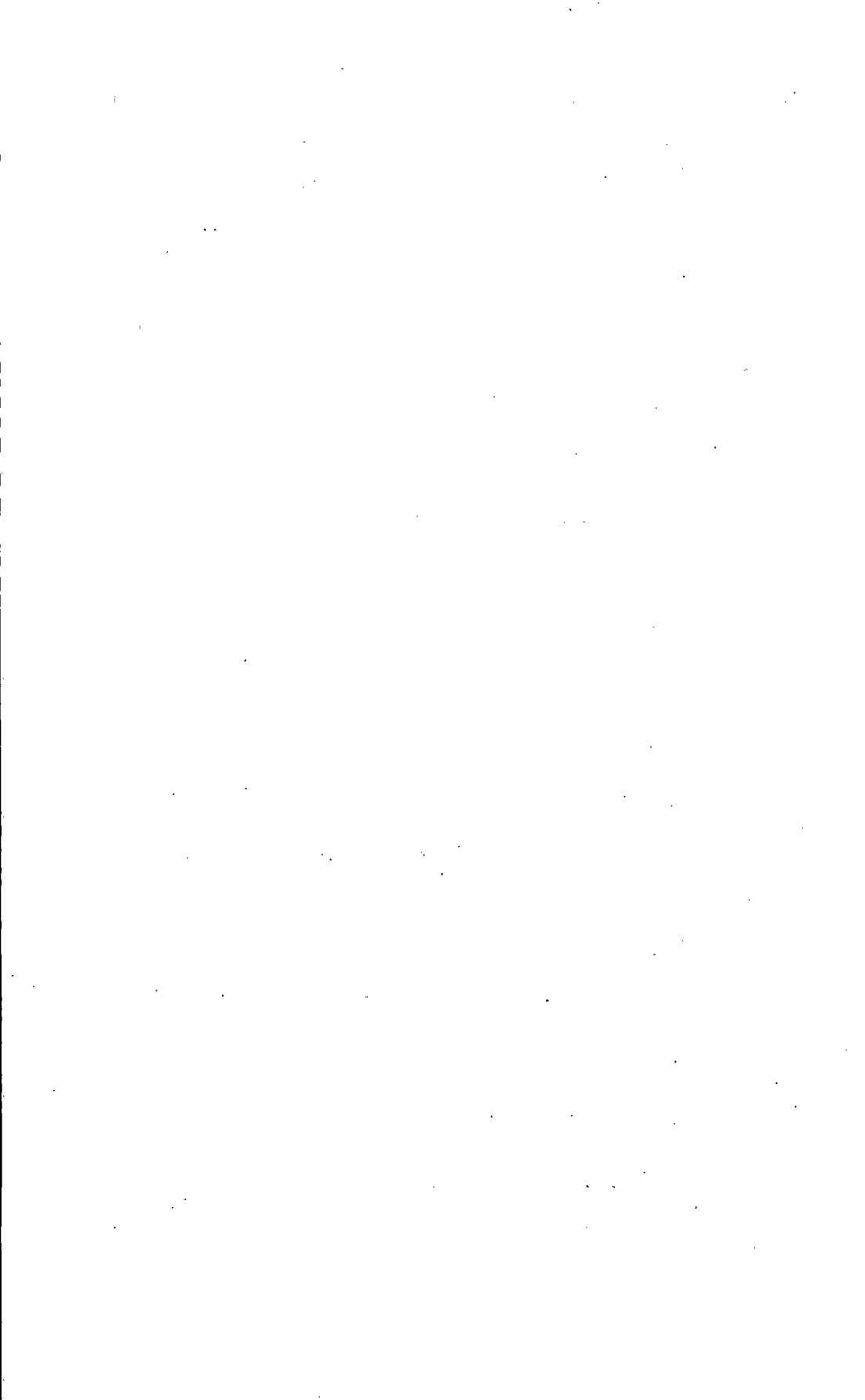
"(i) a limited pension shall not be payable to a widow if at the date of her husband's death they were judicially separated or if she would not be entitled to a widow's pension by virtue of the provisions of regulation 13(6)."

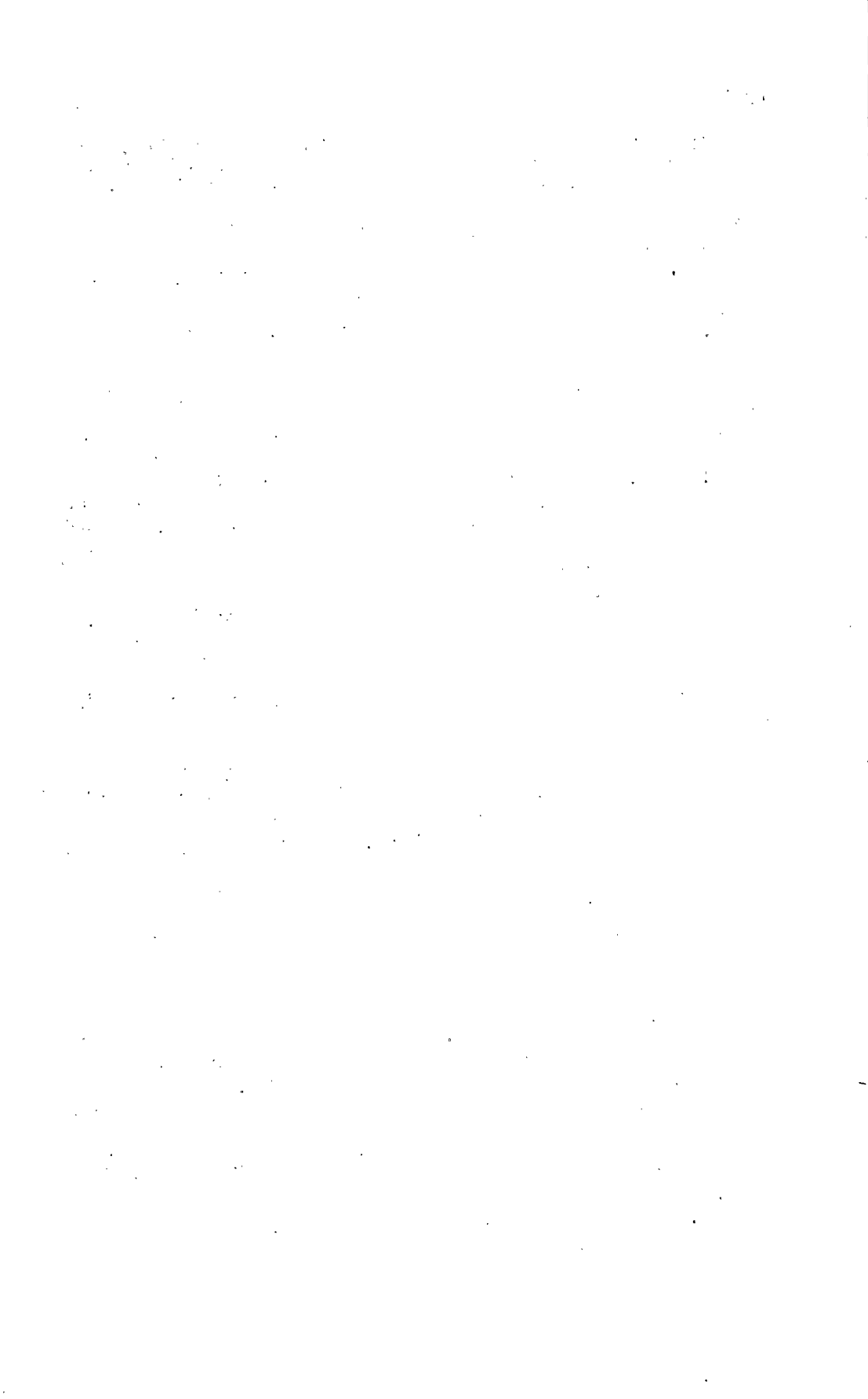
8. In regulation 13D of the principal regulations (widower's pension) for "regulation 13(4)(b)" there shall be substituted "regulation 13(6)(b)".

9. For regulation 14 of the principal regulations (power to compound small benefits) there shall be substituted—

*"Power to compound small benefits"*

14.—(1) Subject to paragraph (2), where the annual sum payable to any person is less than £39, the Department may discharge its liability in respect of that annual sum and in respect of any death gratuity which might otherwise become payable on that person's death by the payment of a lump sum representing the capital value of that annual sum and that death gratuity.





- (c) in proviso (a) to paragraph (2) for the words from "number of years" to the end of the proviso there shall be substituted "service in respect of which the pension was granted shall be multiplied by 6/5ths;"

**16.** In regulation 36 of the principal regulations (benefits of officers who have exercised options)—

- (a) in paragraph (1B) for "becomes an officer" there shall be substituted "has become an officer before 6th April 1978";
- (b) in paragraph (4) in proviso (iii) to sub-paragraph (e) for "regulation 13(4)" there shall be substituted "regulation 13(6)".

**17.** In regulation 36A of the principal regulations (additional pension for widows of certain optants)—

- (a) in proviso (ii) to paragraph (1) for "regulation 13(4)" there shall be substituted "regulation 13(6)";
- (b) for proviso (iii) to paragraph (1) there shall be substituted—  
 "(iii) in the circumstances mentioned in either proviso (i) or (ii) to regulation 13(1) a widow's pension shall not become payable under this regulation except in respect of service on or after 6th April 1978;"
- (c) in paragraph (2) after "any part-year" there shall be inserted "so, however, that no contribution shall be payable under this paragraph for any period during which contributions are payable under regulation 36B(3)."

**18.** After regulation 36A of the principal regulations there shall be inserted—

*"Minimum benefits for certain optants*

**36B.**—(1) This regulation shall apply in respect of every officer in contracted-out employment to whom the provisions of regulation 36 or regulation 38 apply.

(2) An officer to whom this regulation applies shall be entitled at pensionable age to the pension specified in the relevant provisions or in the relevant scheme or arrangements applying in his case and such pension shall be at the rate of not less than 1/80th of his average remuneration (determined in accordance with regulation 29) in respect of each year of service in contracted-out employment, but he shall not become entitled to receive payment of such pension until he ceases to be an officer.

(3) Subject to paragraph (4) a male officer to whom this regulation applies shall, as from 6th April 1978, pay an additional contribution of 1½ per cent. of his remuneration for the time being for so long as he remains an officer to whom the provisions of the said regulation 36 or regulation 38 apply and has not attained pensionable age.

(4) Paragraph (3) shall not apply to an officer in respect of whom, apart from this regulation and regulation 36A, a widow's pension might become payable at a rate of not less than 1/160th of his average remuneration (as defined in regulation 29) in respect of each year of service on or after 6th April 1978.

(5) Where an officer to whom paragraph (3) applies dies either—

- (a) after becoming entitled to a pension under these regulations; or
- (b) after having completed 5 years' service; or



(c) while in employment as an officer having attained pensionable age or such earlier age on which, under the relevant provisions applying in his case, he could have qualified for a pension on retirement,

his widow shall be entitled to a pension and regulation 13(6) shall apply to such pension.

(6) The aggregate of widow's pension payable under these regulations in respect of any period during which contributions were paid under paragraph (3) shall be at a rate of not less than 1/160th of the officer's average remuneration (determined in accordance with regulation 29) in respect of each year of employment during which such contributions were paid, periods of part-time employment being reduced to their equivalent whole-time length.

(7) Any relevant provision relating to the payment of contributions to secure a widow's pension shall not apply in respect of any period during which contributions are paid under paragraph (3).

(8) Where the provisions of regulation 32, 44, 48 or 49 apply to the pension payable under these regulations, they shall similarly apply to a pension specified in paragraph (2), and that paragraph shall not apply to any pension in respect of which the Department has discharged its liability by a payment under regulation 70 or a relevant provision corresponding to regulation 14.

(9) No relevant provision for the allocation of part of a pension shall operate so as to enable the pension to be reduced below the amount specified in paragraph 1(b) of the first schedule."

**19.** In regulation 38 of the principal regulations (persons subject to non-statutory superannuation schemes and arrangements)—

(a) in paragraph (4) for the full stop at the end of the paragraph there shall be substituted a colon and there shall be added—

"Provided that this paragraph shall not apply to a person who becomes an officer on or after 6th April 1978.";

(b) in the proviso to paragraph (5) after "employing authority" there shall be inserted "and shall not apply to a person who becomes an officer on or after 6th April 1978.";

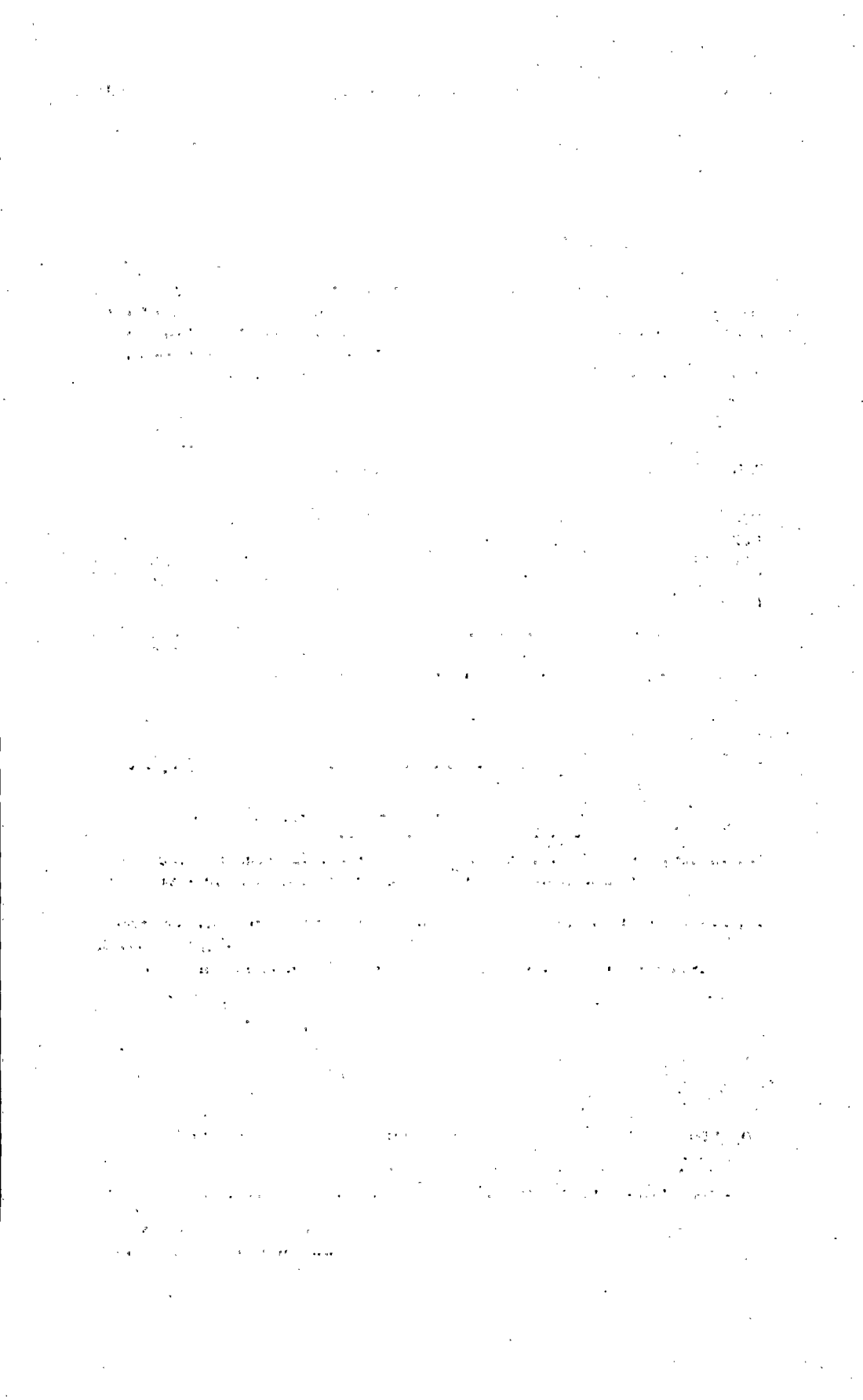
(c) in paragraph (6) for the words from "been participating" to and including "purposes of this paragraph" there shall be substituted "and in consequence of a request made by him to the Department under this regulation or the corresponding provision of the previous regulations, been participating in the scheme or other arrangements for the provision of superannuation benefits previously applicable to him";

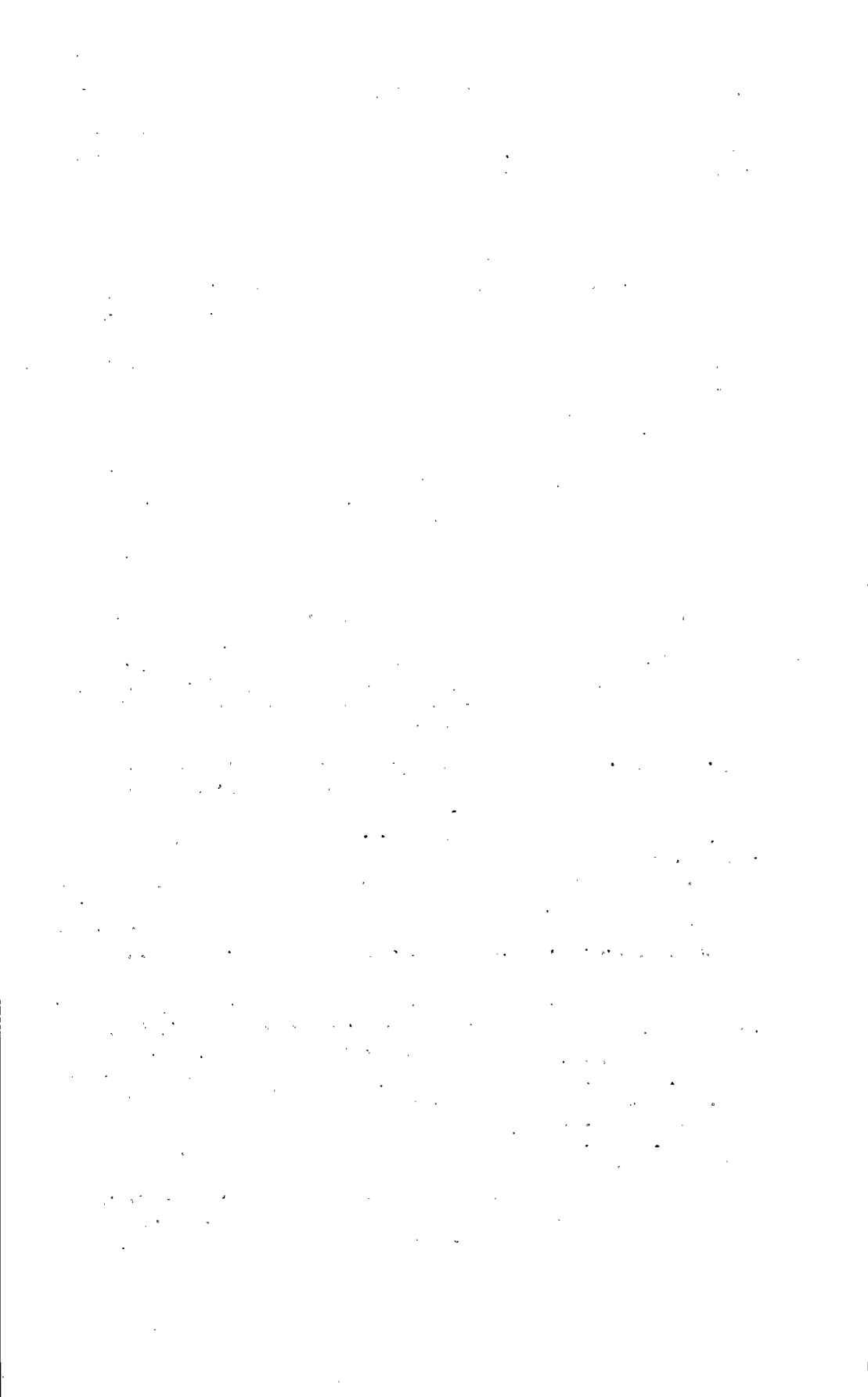
(d) in paragraph (9) after "Department" where it first occurs there shall be inserted "shall do so subject to the modification provided by regulation 36B and".

**20.** After regulation 40 of the principal regulations there shall be inserted—

*"Officers wishing to relinquish options*

**40A.**—(1)(a) Subject to the provisions of sub-paragraph (b), an officer to whom the provisions of regulation 36, regulation 38 or regulation 65 (as the case may be) apply may elect in writing to the Department that the provisions of that regulation shall cease to apply to





26. In the seventh schedule to the principal regulations (child's allowance) for each reference to "13 (3B)" in paragraph 1 and the proviso thereto there shall be substituted a reference to "13(4)".

### PART III

#### MISCELLANEOUS AMENDMENTS

27. In regulation 2(1) of the principal regulations (interpretation), in the definition of "practitioner" after "paid" there shall be inserted "by an employing authority wholly".

28. In regulation 7 of the principal regulations (officer's pension and retiring allowance)—

(a) in paragraph (1)—

(i) for sub-paragraph (a)(iii) there shall be substituted—

"(iii) there has been repaid to the Department a transfer payment which was made under regulation 70(1) to the superannuation scheme of the Commission of the European Community in respect of that person; or";

(ii) in proviso (i) for "(a)(iv) or (vi)" there shall be substituted "(a)(iii), (iv) or (vi)";

(b) in paragraph (2)—

(i) for "(a)(iv) or (vi)" there shall be substituted "(a)(iii), (iv) or (vi)";

(ii) in sub-paragraph (a) for the words from "in the case of" to and including the words "at which he" there shall be substituted "in a case where the Department has certified that the officer's retirement is by reason of redundancy, the earliest age at which the officer";

(c) in paragraph 6(a) "(1)(a)(iii) or" shall be omitted.

29. In regulation 8(4) of the principal regulations (scales of pension and retiring allowance) for "regulation 7(1)(a)(iv)" there shall be substituted "regulation 7(1)(a)(iii), (iv) or (vi) or regulation 7(6)(b)(i)".

30. In regulation 12 of the principal regulations (death gratuity) for paragraph (5) there shall be substituted—

"(5) In calculating a person's average remuneration for the purposes of this regulation, the remuneration in respect of any employment which reckons as service as a practitioner shall be deemed to have been at the rate of the annual average of the total uprated remuneration calculated in accordance with regulation 56(2)."

31. In regulation 16 of the principal regulations (reckoning as service of previous periods of employment) after paragraph (4) there shall be inserted—

"(4A) Where two or more persons at the same time enter employment as officers of one or more employing authorities after leaving employments in which they were not officers and in which they were subject to the same superannuation scheme, not being a health service scheme, the Department may, on the advice of the Government Actuary, accept a single transfer payment in respect of those persons in substitution for the several transfer payments in respect of those persons which would otherwise be payable in accordance with paragraph (3); and in any such case the provisions of these regulations shall apply as if that payment comprised a transfer payment in respect of each of the persons in respect of whom it is made of such amount as it may determine."

32. In regulation 22A of the principal regulations (purchase of added years)—

(a) in paragraph (4)(b) for “3 months of so ceasing to be an officer” there shall be substituted “6 months of so ceasing to be an officer”;

(b) for paragraph (4)(c) there shall be substituted—

“(c) If sub-paragraph (b) has applied to him and he again becomes an officer within 6 months in circumstances in which his previous service is reckonable or was taken into account for the purpose of calculating benefits under regulation 7(1)(a)(iv), he may within 3 months of so becoming an officer make the payment that he would have made in accordance with the provisions of the ninth schedule if he had not ceased to be an officer and on making such payment his election under this regulation shall continue to have effect;

(d) the Department may in any particular case extend any time limit mentioned in this regulation.”.

33. In regulation 22B of the principal regulations (additional payments to reckon certain periods of service as contributing service at actual length)—

(a) in paragraph (3)(b) for “3 months of so ceasing to be an officer” there shall be substituted “6 months of so ceasing to be an officer”;

(b) for paragraph (3)(c) there shall be substituted—

“(c) if sub-paragraph (b) has applied to him and he again becomes an officer within 6 months in circumstances in which his previous service is reckonable or was taken into account for the purpose of calculating benefits under regulation 7(1)(a)(iv), he may within 3 months of so becoming an officer make the payment that he would have made in accordance with the provisions of the ninth schedule if he had not ceased to be an officer and on making such payment his election under this regulation shall continue to have effect;

(d) the Department may in any particular case extend any time limit mentioned in this regulation.”.

34. In regulation 22C of the principal regulations (purchase of unreduced retiring allowance)—

(a) in paragraph (2)(b) for “3 months of so ceasing to be an officer” there shall be substituted “6 months of so ceasing to be an officer”;

(b) for paragraph (2)(c) there shall be substituted—

“(c) if sub-paragraph (b) has applied to him and he again becomes an officer within 6 months in circumstances in which previous service is reckonable or was taken into account for the purpose of calculating benefits under regulation 7(1)(a)(iv), he may within 3 months of so becoming an officer make those payments that he would have made in accordance with the provisions of the ninth schedule if he had not ceased to be an officer and on making such payment his election under this regulation shall continue to have effect;

(d) the Department may in any particular case extend any time limit mentioned in this regulation.”.

35. In regulation 36A of the principal regulations (additional pension for widows of certain optants)—

(a) in paragraph (4)(b) for “3 months of so ceasing to be an officer” there

shall be substituted "6 months of so ceasing to be an officer, or such longer period as the Department may in any particular case allow";

- (b) in paragraph (4)(c) the words "to whom regulation 36 applies in circumstances in which his previous service is still reckonable" shall be omitted.

**36.** In regulation 38(9) of the principal regulations (persons subject to non-statutory superannuation schemes and arrangements) after sub-paragraph (d) there shall be inserted—

"(e) where any remuneration which has been awarded to an officer to whom this regulation applies or to which he was entitled under his conditions of employment has been withheld or deferred in the national interest the Department may pay, in addition to the contributions mentioned in this regulation, an amount equal to the contributions which would have been payable both by the employer and the officer on the remuneration so withheld or deferred had it been paid."

**37.** In regulation 42 of the principal regulations (female nurses etc.) after "to women who" there shall be inserted "for the whole of the last 5 years of service".

**38.** In regulation 58 of the principal regulations (prior service to be treated as practitioner service) the words from " , unless regulation 59" to and including "otherwise than as a practitioner" shall be omitted.

**39.** In regulation 59 (1) of the principal regulations (employment as an officer and as a practitioner) after "such service otherwise than as a practitioner shall" there shall be inserted "except where regulation 58 applies."

**40.** In regulation 65 of the principal regulations (continuation of contracts or policies of insurance in certain cases) after paragraph (3) there shall be inserted—

"(4) Where any remuneration which has been awarded to a practitioner or to which he was entitled under his terms of service has been withheld or deferred in the national interest the Department shall, if it considers it appropriate, pay in addition to the contributions mentioned in paragraph (1) or (2) an amount equal to 14 per cent. of the remuneration so withheld or deferred."

**41.** In regulation 70 of the principal regulations (rights on transfer to other employment)—

- (a) after paragraph (1) there shall be inserted—

"(1A) Where two or more persons at the same time take up new employment in which they participate in the same scheme after leaving old employment the Department may, on the advice of the Government Actuary, pay to the body administering the scheme a single transfer payment in respect of those persons in substitution for the several transfer payments which would otherwise be payable in accordance with this regulation.";

- (b) in paragraph (1)(b) after "6 months after taking up his new employment" insert "or within such longer period as the Department may in any particular case allow";

- (c) in paragraph (3) for "any provision of these regulations" there shall be substituted "the provisions of these regulations other than the provisions of regulation 7(1)(a)(iii)".

42. In the fourth schedule to the principal regulations (transfer payments)—

- (a) in paragraph 3(a) the words "attained minimum pensionable age and had" shall be omitted;
- (b) in paragraph 3(b) the words ", by virtue of his having attained minimum pensionable age," shall be omitted.

43. In regulation 23(4) of the Health Services (Superannuation) (Amendment) Regulations (Northern Ireland) 1967(f), after "regulation 7(1)(a)(iv)" there shall be inserted "or 7(6)(b)".

#### PART IV

##### *Revocation*

44.—(1) The following regulations of the principal regulations are hereby revoked—

- (a) proviso (b) to regulation 30(1), proviso (c) to regulation 36(1), and regulation 36(4)(g);
- (b) regulation 6(4)(d) and the proviso thereto; and
- (c) regulation 7(4).

(2) Regulation 18 of the Health Services (Superannuation) (Amendment) (No. 3) Regulations (Northern Ireland) 1974(g) is hereby revoked.

##### *Regulations having retrospective effect*

45. Each of the regulations set out in column (1) of schedule 2 shall have effect as from the date set out in column (2) of that schedule, subject to the qualification, if any, set out in column (3).

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 5th October 1978.

(L.S.)

*W. Young*

Assistant Secretary

The Department of the Civil Service for Northern Ireland hereby consents to the foregoing Regulations.

Sealed with the Official Seal of the Department of the Civil Service for Northern Ireland on 5th October 1978.

(L.S.)

*R. J. Christie*

Senior Assistant Secretary

## SCHEDULE 1

Regulation 25(e)

## PUBLIC SERVICE TRANSFER VALUES

TABLE 1 — MEN

| (A)      | (B)            | (C)                       | (D)                 | (E)                               |
|----------|----------------|---------------------------|---------------------|-----------------------------------|
| Age      | Pension Factor | Retiring Allowance Factor | Modification Factor | Guaranteed Minimum Pension Factor |
| Under 20 | 5.00           | .60                       | .25                 | 1.47                              |
| 20       | 5.05           | .60                       | .25                 | 1.50                              |
| 21       | 5.10           | .61                       | .25                 | 1.53                              |
| 22       | 5.15           | .61                       | .30                 | 1.56                              |
| 23       | 5.20           | .61                       | .30                 | 1.59                              |
| 24       | 5.25           | .62                       | .30                 | 1.62                              |
| 25       | 5.30           | .62                       | .35                 | 1.65                              |
| 26       | 5.35           | .63                       | .40                 | 1.68                              |
| 27       | 5.40           | .63                       | .40                 | 1.71                              |
| 28       | 5.45           | .63                       | .45                 | 1.74                              |
| 29       | 5.50           | .64                       | .50                 | 1.78                              |
| 30       | 5.55           | .64                       | .50                 | 1.81                              |
| 31       | 5.60           | .65                       | .55                 | 1.85                              |
| 32       | 5.65           | .66                       | .60                 | 1.88                              |
| 33       | 5.70           | .66                       | .65                 | 1.92                              |
| 34       | 5.75           | .67                       | .70                 | 1.95                              |
| 35       | 5.80           | .67                       | .80                 | 1.99                              |
| 36       | 5.85           | .68                       | .90                 | 2.02                              |
| 37       | 5.90           | .68                       | 1.00                | 2.06                              |
| 38       | 5.95           | .68                       | 1.10                | 2.10                              |
| 39       | 6.00           | .69                       | 1.20                | 2.14                              |
| 40       | 6.05           | .69                       | 1.30                | 2.18                              |
| 41       | 6.10           | .70                       | 1.40                | 2.22                              |
| 42       | 6.15           | .70                       | 1.55                | 2.26                              |
| 43       | 6.20           | .71                       | 1.60                | 2.30                              |
| 44       | 6.25           | .72                       | 1.70                | 2.34                              |
| 45       | 6.30           | .72                       | 1.80                | 2.39                              |
| 46       | 6.40           | .73                       | 1.90                | 2.44                              |
| 47       | 6.50           | .74                       | 2.00                | 2.48                              |
| 48       | 6.60           | .74                       | 2.20                | 2.53                              |
| 49       | 6.70           | .75                       | 2.40                | 2.58                              |
| 50       | 6.80           | .75                       | 2.60                | 2.62                              |
| 51       | 6.90           | .76                       | 2.90                | 2.67                              |
| 52       | 7.10           | .76                       | 3.20                | 2.72                              |
| 53       | 7.30           | .77                       | 3.50                | 2.78                              |
| 54       | 7.50           | .78                       | 3.80                | 2.84                              |
| 55       | 7.70           | .79                       | 4.20                | 2.90                              |
| 56       | 8.00           | .80                       | 4.60                | 2.97                              |
| 57       | 8.30           | .81                       | 5.00                | 3.04                              |
| 58       | 8.60           | .82                       | 5.40                | 3.12                              |
| 59       | 9.00           | .84                       | 5.80                | 3.20                              |
| 60       | 9.50           | .86                       | 6.30                | 3.28                              |
| 61       | 9.50           | .88                       | 6.80                | 3.36                              |
| 62       | 9.50           | .91                       | 7.40                | 3.44                              |
| 63       | 9.50           | .94                       | 8.10                | 3.53                              |



TABLE 1 — MEN (Continued)

| (A)        | (B)                   | (C)                              | (D)                        | (E)                                      |
|------------|-----------------------|----------------------------------|----------------------------|--|
| <i>Age</i> | <i>Pension Factor</i> | <i>Retiring Allowance Factor</i> | <i>Modification Factor</i> | <i>Guaranteed Minimum Pension Factor</i> |
| 64         | 9.50                  | .98                              | 9.00                       | 3.64                                     |
| 65         | 9.50                  | 1.00                             | 9.50                       | 3.80                                     |
| 66         | 9.15                  | 1.00                             | 9.15                       | 4.10                                     |
| 67         | 8.80                  | 1.00                             | 8.80                       | 4.50                                     |
| 68         | 8.50                  | 1.00                             | 8.50                       | 4.90                                     |
| 69         | 8.15                  | 1.00                             | 8.15                       | 5.30                                     |
| 70         | 7.80                  | 1.00                             | 7.80                       | 5.70                                     |

TABLE 2 — WOMEN

| (A)        | (B)                   | (C)                              | (D)                        | (E)                                      |
|------------|-----------------------|----------------------------------|----------------------------|--|
| <i>Age</i> | <i>Pension Factor</i> | <i>Retiring Allowance Factor</i> | <i>Modification Factor</i> | <i>Guaranteed Minimum Pension Factor</i> |
| Under 20   | 7.00                  | .60                              | .50                        | 2.20                                     |
| 20         | 7.05                  | .60                              | .50                        | 2.24                                     |
| 21         | 7.10                  | .61                              | .55                        | 2.28                                     |
| 22         | 7.15                  | .61                              | .60                        | 2.32                                     |
| 23         | 7.20                  | .61                              | .65                        | 2.36                                     |
| 24         | 7.25                  | .62                              | .70                        | 2.40                                     |
| 25         | 7.35                  | .62                              | .75                        | 2.45                                     |
| 26         | 7.40                  | .63                              | .80                        | 2.50                                     |
| 27         | 7.45                  | .63                              | .85                        | 2.55                                     |
| 28         | 7.50                  | .63                              | .90                        | 2.60                                     |
| 29         | 7.55                  | .64                              | .95                        | 2.66                                     |
| 30         | 7.65                  | .64                              | 1.05                       | 2.71                                     |
| 31         | 7.70                  | .65                              | 1.15                       | 2.77                                     |
| 32         | 7.80                  | .66                              | 1.25                       | 2.82                                     |
| 33         | 7.90                  | .66                              | 1.35                       | 2.88                                     |
| 34         | 7.95                  | .67                              | 1.45                       | 2.93                                     |
| 35         | 8.05                  | .67                              | 1.55                       | 2.99                                     |
| 36         | 8.15                  | .68                              | 1.65                       | 3.05                                     |
| 37         | 8.25                  | .68                              | 1.75                       | 3.11                                     |
| 38         | 8.35                  | .68                              | 1.85                       | 3.17                                     |
| 39         | 8.45                  | .69                              | 1.95                       | 3.24                                     |
| 40         | 8.55                  | .69                              | 2.10                       | 3.31                                     |
| 41         | 8.65                  | .70                              | 2.25                       | 3.38                                     |
| 42         | 8.75                  | .70                              | 2.45                       | 3.45                                     |
| 43         | 8.85                  | .71                              | 2.65                       | 3.52                                     |
| 44         | 8.95                  | .72                              | 2.90                       | 3.59                                     |
| 45         | 9.05                  | .73                              | 3.15                       | 3.66                                     |
| 46         | 9.15                  | .74                              | 3.40                       | 3.74                                     |
| 47         | 9.25                  | .75                              | 3.70                       | 3.82                                     |
| 48         | 9.35                  | .76                              | 4.00                       | 3.90                                     |
| 49         | 9.45                  | .77                              | 4.35                       | 3.98                                     |
| 50         | 9.55                  | .78                              | 4.75                       | 4.06                                     |
| 51         | 9.65                  | .79                              | 5.15                       | 4.15                                     |
| 52         | 9.80                  | .80                              | 5.60                       | 4.24                                     |
| 53         | 9.95                  | .81                              | 6.10                       | 4.33                                     |
| 54         | 10.10                 | .82                              | 6.65                       | 4.43                                     |
| 55         | 10.30                 | .83                              | 7.25                       | 4.53                                     |
| 56         | 10.50                 | .84                              | 7.95                       | 4.63                                     |
| 57         | 10.75                 | .85                              | 8.75                       | 4.74                                     |
| 58         | 11.05                 | .87                              | 9.65                       | 4.85                                     |
| 59         | 11.40                 | .89                              | 10.65                      | 4.97                                     |
| 60         | 11.75                 | .91                              | 11.75                      | 5.10                                     |
| 61         | 11.75                 | .93                              | 11.75                      | 5.30                                     |
| 62         | 11.75                 | .95                              | 11.75                      | 5.60                                     |
| 63         | 11.75                 | .97                              | 11.75                      | 6.00                                     |
| 64         | 11.75                 | .99                              | 11.75                      | 6.40                                     |
| 65         | 11.75                 | 1.00                             | 11.75                      | 6.80                                     |

TABLE 2 — WOMEN (Continued)

| (A)        | (B)                   | (C)                              | (D)                        | (E)                                      |
|------------|-----------------------|----------------------------------|----------------------------|--|
| <i>Age</i> | <i>Pension Factor</i> | <i>Retiring Allowance Factor</i> | <i>Modification Factor</i> | <i>Guaranteed Minimum Pension Factor</i> |
| 66         | 11·40                 | 1·00                             | 11·40                      | 7·20                                     |
| 67         | 11·05                 | 1·00                             | 11·05                      | 7·60                                     |
| 68         | 10·70                 | 1·00                             | 10·70                      | 8·00                                     |
| 69         | 10·35                 | 1·00                             | 10·35                      | 8·40                                     |
| 70         | 10·00                 | 1·00                             | 10·00                      | 8·80                                     |

## SCHEDULE 2

Regulation 45

**Regulations having retrospective effect**

| Column (1)  | Column (2)      | Column (3)   |
|---|-----------------|--|
| 3 to 14(a), 14(c) to 26, 43 to 44(1)(a) and 44(2) | 6th April 1978  |  |
| 14(b)   | 6th April 1978  | In relation to any person ceasing to be an officer on or after 6th April 1978. |
| 31, 41(a)   | 1st July 1977   |  |
| 38, 39  | 31st March 1977 |  |
| 44(1)(b)  | 6th April 1978  | In relation to any person becoming an officer on or after 6th April 1978.      |

## EXPLANATORY NOTE

*(This note is not part of the regulations but is intended to indicate their general purport.)*

The regulations further amend the Health Services (Superannuation) Regulations (Northern Ireland) 1962 which provide for the superannuation of persons engaged in the Health Services.

The main changes are—

- (a) The scheme is amended so that it complies with the contracting-out requirements of the Social Security Pensions (Northern Ireland) Order 1975 in relation to members of the main Health Services scheme and those who have chosen to remain subject to the terms of certain schemes instead of joining the main scheme (regulations 3 to 15, 16(b), 17, 18, 19(d) and 21 to 26).
- (b) For members who leave the scheme on or after 6th April 1978, the exclusion of the right to a return of contributions where earnings have exceeded £5,000 will only apply to those who are aged 26 or over with 5 years or more of qualifying service (regulation 14(b)).
- (c) Persons who exercised an option to remain subject to the terms of a former scheme are given the opportunity to join the main Health Services scheme, and provision is made so that new options of this kind will no longer be permitted (regulation 16(a), 19(a), (b) and (c) and 20).
- (d) In the case of a repayment of transfer payments made to the Superannuation Scheme of the Commission of the European Community, rights under these regulations are preserved (regulations 28 (except sub-paragraph (b)(ii) and (c)) and 41(c)).
- (e) Provision is made for the payment or acceptance of bulk transfer payments in respect of persons transferred from or to the Health Services scheme (regulations 31 and 41(a)).
- (f) The 6 month period in which a person who leaves HS employment and takes up new employment must give written notice that he wishes a transfer payment to be made, may be extended at the Department's discretion (regulation 41(b)).
- (g) Members may resume payments for added years of service etc. after a break in service of 6 months, or in a certain case a longer period. The time limit for completion of payments for purchase of additional service following termination of employment is similarly extended (regulations 32 to 34).
- (h) The time limit for optants to complete payments for the purchase of back service widow's pension cover on leaving HS employment is extended to 6 months, or longer in certain cases. Provision is also made to allow former optants to continue payments for back service widow's pension cover (regulation 35).
- (i) Where any payment of remuneration has been withheld in the national interest the benefits of affected officers who are optants for insurance policy schemes under regulations 38 and 65 may be provided as if the payment had not been withheld (regulations 36 and 40).
- (j) An amendment is introduced requiring women who are nurses, midwives, physiotherapists or health visitors to have rendered 5 years' service in that capacity before being able to retire on pension at age 55 (regulation 37).

- (k) Revised arrangements are introduced for the treatment of certain employment as service as a practitioner (regulations 38 and 39).
- (l) Dental practitioners paid under new arrangements where they receive a minimum salary plus a fluctuating element will be treated as practitioners rather than salaried officers (regulation 27).

In accordance with article 14(1) of the Superannuation (Northern Ireland) Order 1972 regulations 38 and 39 have retrospective effect as from 31st March 1977; regulations 31 and 41(a) as from 1st July 1977; regulations 3 to 26, 43 and 44(1)(a), (b) and 44(2) as from 6 April 1978 (regulation 45).

---

**1978 No. 302**

This Order has been exempted from printing by the Statutory Rules Act (Northern Ireland) 1958. A summary is given in the List of Statutory Rules of a Local Character under the heading ROADS.