

3. Where a person has received non-effective pay or excess remuneration in respect of any part of his war service, then that part of his war service shall not be treated under Section 1 of the Act as service in an unestablished capacity (except if counted for the purposes of so much of Section 6 of the Act as requires a minimum period of service as a condition for the grant of a gratuity), unless :—

(1) that person makes an application to the Ministry on the prescribed form within six months of the date when he was first employed in the Civil Service of Northern Ireland, or the date of the coming into force of these Regulations (whichever is the later) or within such further time as the Ministry of Finance, having regard to the circumstances of case, may allow ; and

(2) that person satisfies the Ministry that he has refunded or is willing to refund any non-effective pay or excess remuneration in respect of any part of his war service which he desires to be treated under Section 1 of the Act as service in an unestablished capacity, and that he has surrendered his right to any further payment of non-effective pay or excess remuneration in respect of such part of his war service as aforesaid.

4. Where such adjustment as aforesaid involves the repayment of any sum the application shall not be effective until repayment is made, and when repayment falls to be made by instalments the application shall not be effective until the Department to which the payment is due has certified that repayment is complete. If repayment is not complete within two years of the date of the application then the Ministry may declare the application to be null and void.

Provided that if a person dies before repayment is completed the Ministry may treat the application as effective and may in these circumstances modify any award in respect of that person under the Superannuation Acts (Northern Ireland) 1921 to 1947 in such manner as appears to the Ministry to be equitable, having regard to the sum outstanding on account of the said repayment.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 31st day of December, 1948, in the presence of

(L.S.)

J. A. McKeown,
Second Secretary.

Definition of War Period

ORDER, DATED 31ST DECEMBER, 1948, MADE BY THE MINISTRY OF FINANCE UNDER SUB-SECTION (2) OF SECTION FOUR OF THE SUPERANNUATION ACT (NORTHERN IRELAND), 1947.

1948. No. 349

WHEREAS sub-section (2) of section four of the Superannuation Act

(Northern Ireland) 1947, (which section makes provision for the modification of the Superannuation Acts to meet war circumstances) provides that the expression "war period" shall, in the said section, mean the period beginning with the third day of September, nineteen hundred and thirty-nine, or as respects persons who have served in the armed forces of the Crown, such earlier date (if any) as the Ministry of Finance (in this Order referred to as "the Ministry") may by order appoint, and ending with such date as the Ministry may by order appoint :

Now, THEREFORE, the Ministry, in exercise of the powers conferred upon it by the said sub-section, hereby orders as follows :—

1.—(1) This Order may be cited as the Superannuation (Definition of War Period) Order (Northern Ireland), 1948.

(2) The Interpretation Act, 1889, as applied to Acts of Parliament of Northern Ireland by the Interpretation Act, 1921, shall apply for the purpose of the interpretation of this Order in like manner as it applies to the interpretation of the said Acts.

2. For the purposes of section four of the Superannuation Act (Northern Ireland), 1947, the "war period" shall begin, as respects persons who have served in the armed forces of the Crown, with the 1st August, 1939, and end with the 31st December, 1948.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 31st day of December, one thousand nine hundred and forty-eight, in the presence of

(L.S.)

J. A. McKeown,
Second Secretary.

War-Time Interruption of Service

REGULATIONS, DATED 31ST DECEMBER, 1948, MADE BY THE MINISTRY OF FINANCE UNDER SUBSECTION (1) OF SECTION FOUR OF THE SUPERANNUATION ACT (NORTHERN IRELAND), 1947.

1948. No. 339

The Ministry of Finance (hereinafter referred to as "the Ministry"), in exercise of the powers conferred by sub-section (1) of Section four of the Superannuation Act (Northern Ireland), 1947, (a) and of all other powers enabling it in that behalf, hereby makes the following Regulations :—

(a) 1947 c.18