

1962. No. 210

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LOCAL GOVERNMENT SUPERANNUATION

REGULATIONS*, DATED 21ST NOVEMBER, 1962, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT, UNDER SECTION 2 OF THE LOCAL GOVERNMENT (SUPERANNUATION) ACT (NORTHERN IRELAND), 1950.

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*A draft of these Regulations was approved by resolution of the Senate on the 13th day of November, 1962, and by resolution of the House of Commons on the 20th day of November, 1962.

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The Ministry of Health and Local Government (hereinafter referred to as “the Ministry”), in exercise of the powers conferred on it by sub-section (1) of section 2 of the Local Government (Superannuation) Act (Northern Ireland), 1950, and of all other powers enabling it in that behalf, hereby makes the following regulations in the terms of a draft which has been approved by the Ministry of Finance in accordance with sub-section (2) of section 7 of the aforementioned Act:—

PART I

PRELIMINARY

Citation and commencement

1. These regulations may be cited as the Local Government (Superannuation) Regulations (Northern Ireland), 1962, and shall come into operation on the 1st day of December, 1962.

Interpretation

2.—(1) In these regulations, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them:—

“the Act” means the Local Government (Superannuation) Act (Northern Ireland), 1950;

“the Act of 1875” means the County Surveyors Superannuation Act (Ireland), 1875;

“the Act of 1919” means section 8 of the Local Government (Ireland) Act, 1919;

“the Act of 1937” means the Local Government Superannuation Act, 1937, or the Local Government Superannuation (Scotland) Act, 1937, as the case may be;

“the Act of 1953” means the Local Government Superannuation Act, 1953;

“the Superannuation Acts” means the Superannuation Acts, 1834 to 1950, and any Act amending those Acts, or, as the case may be, the Superannuation Acts, 1834 to 1919, as applied to the civil service of Northern Ireland, and the Superannuation Acts (Northern Ireland), 1921 to 1958;

“the Teachers Act” means the Teachers (Superannuation) Act (Northern Ireland), 1950;

“1923 Act scheme” has the same meaning as in the Teachers Act;

“1936 scheme” means the Teachers (Public Elementary) Superannuation (Amendment) Scheme, 1936, the Teachers (Secondary and Preparatory) Superannuation (Amendment) Scheme, 1936, or the Teachers (Agricultural and Technical) Superannuation (Amendment) Scheme, 1936, as the case may be;

“1940 scheme” means the Teachers’ (Public Elementary) Superannuation (Amendment) Scheme, 1940, the Teachers’ (Secondary and Preparatory) Superannuation (Amendment) Scheme, 1940, or the Teachers’ (Agricultural and Technical) Superannuation (Amendment) Scheme, 1940, as the case may be;

- “the 1950 regulations” means the Local Government (Superannuation) Regulations (Northern Ireland), 1950;
- “the English or Scottish Local Government regulations” means the Local Government Superannuation (Benefits) Regulations, 1954, or, as the case may be, the Local Government Superannuation (Benefits) (Scotland) Regulations, 1954;
- “the Health Services regulations” means any regulations for the time being in force under section 61 of the Health Services Act (Northern Ireland), 1948, section 67 of the National Health Service Act, 1946, or section 66 of the National Health Service (Scotland) Act, 1947;
- “the Belfast Corporation Superannuation Scheme” means the superannuation scheme made by the council of the county borough of Belfast under section 5A of the Act;
- “actuary” means a Fellow of the Institute of Actuaries or of the Faculty of Actuaries in Scotland;
- “added years” means any additional years reckonable by virtue of regulation 26 and includes any additional years which, having been granted thereunder or under any similar provision contained in any other enactment or scheme, have subsequently become reckonable under or by virtue of any enactment by an officer in relation to any such employment as is mentioned in paragraph (3) of regulation 18;
- “additional contributory payment” means any payment made for the purposes of regulation 22, paragraphs (3) and (4) of regulation 25 and regulations 27 and 28, any payment made for the purposes of the following provisions of the 1950 regulations, namely, paragraphs (8), (9) and (13) of regulation 15 and paragraph (4) of regulation 16 and any payment made for the purposes of paragraph (2) of regulation 2 of the Local Government Superannuation (Northern Ireland and Great Britain) Regulations (Northern Ireland), 1952;
- “appointed day” means the 1st day of April, 1950;
- “approved course of study or training” in relation to any person means a course of study or training approved for the purposes of these regulations by the Committee on the written application of that person made before or within three months after the commencement of the course or within such longer period as the Committee may in any particular case allow;
- “average remuneration” has the meaning assigned to it by regulation 32;
- “Belfast Corporation” means the council of the county borough of Belfast;
- “contributing service” means service which is reckonable as contributing service in accordance with regulation 25, 27, 28 or 30 and includes any added years reckonable in accordance with regulation 26 or 29;
- “contributory employee” has the same meaning as in the Act of 1937;
- “death gratuity” means a death gratuity payable under regulation 14;
- “employing authority” means the Committee, a local authority other than the Belfast Corporation, or a designated body;
- “established service” means service in the capacity of a civil servant for the purposes of the Superannuation Acts, and the term “established civil servant” shall be construed accordingly;
- “excepted officer” means a person who at the date when he ceases to be employed or ceases to be an officer without ceasing to be employed is entitled to reckon as service for the purposes of these regulations any period prior to the date of coming into operation of these regulations, being a period during which he was an officer or a

person subject to the Belfast Corporation Superannuation Scheme, and who has remained since the date of coming into operation of these regulations without a break of twelve months or more at any one time an officer or a person subject to the Belfast Corporation Superannuation Scheme:

Provided that for the purposes of this definition no account shall be taken of any service which becomes reckonable by the making of additional contributory payments;

“existing officer” has the same meaning as in paragraph (a) of sub-section (1) of section 3 of the Act except that it also includes such a person as is mentioned in sub-section (2) of section 6B of the Act;

“health authority” means a health authority constituted under section 1 of the Public Health and Local Government (Administrative Provisions) Act (Northern Ireland), 1946;

“health service employee” means a person who has been duly admitted to participate in the benefits of the Health Services regulations;

“injury allowance” means an injury allowance payable under regulation 11;

“judicially separated” means judicially separated in circumstances in which the husband is not required by the order of any competent court to contribute to the support of his wife, and any such reference and any similar reference to judicial separation includes a reference to separation by an order made under the Summary Jurisdiction (Separation and Maintenance) Act (Northern Ireland), 1945, having by virtue of section 3 of that Act the effect of a decree of judicial separation on the ground of cruelty;

“local Act authority” and “local Act scheme” have the same meanings respectively as in the Act of 1937;

“local Act contributor” has the same meaning as in the Act of 1937 and includes a person who, although not in the employment of a local Act authority, was entitled to participate in the benefits of a superannuation fund maintained under a local Act scheme;

“national service”, in relation to any person, means service of a description specified in the First Schedule to the Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951, and includes any period immediately following the termination thereof during which the person, with the consent of the authority or body by whom he was employed before undertaking such service, continues in similar service;

“national service pay”, in relation to the remuneration to which any person would have been entitled if he had continued in any former employment during the period of his national service, means his pay (including marriage, family and other similar allowances) in respect of his national service or, in the case of a person who immediately before he entered upon national service was employed not only in that employment but also in any other employment or employments in relation to which it is necessary to ascertain his pay in respect of his national service, an amount which bears the same proportion to his pay (including marriage, family and other similar allowances) in respect of his national service as the remuneration to which he would have been entitled if he had continued in the first mentioned employment bears to the total remuneration to which he would have been entitled if he had continued in both or all such employments as aforesaid;

“non-contributing service” means service which is reckonable as non-contributing service in accordance with paragraph (5) of regulation 25;

- “officer”, subject as provided in paragraph (3), has the meaning assigned to it by paragraph (1) of regulation 4;
- “pension” means a pension payable under regulation 9;
- “registration officer” means a superintendent registrar or registrar of births and deaths appointed prior to the fifth day of July, 1948, pursuant to the Births and Deaths Registration Acts (Northern Ireland), 1863 to 1947, and a superintendent registrar or registrar of marriages appointed prior to the fifth day of July, 1948, pursuant to the Registration of Marriages (Ireland) Act, 1863;
- “remuneration”, except as provided in paragraph 1 of part I of the third schedule and paragraph 1 of the fourth schedule, means all salary, wages, fees and other payments paid or made to an officer as such for his own use, and includes the money value of any apartments, rations or other allowances in kind appertaining to his employment, but does not include payments for work of a casual or non-recurring nature or for overtime or any allowance paid to him to cover the cost of providing office or laboratory accommodation or clerical or other assistance, or any travelling or subsistence allowance or other moneys to be spent, or to cover expenses incurred by him, for the purposes of his employment;
- “retiring allowance” means a retiring allowance payable under regulation 9;
- “service”, in relation to an officer of an employing authority, means continuous employment under that authority as an officer, after attaining the age of eighteen years, and any other employment or any war service or national service which by or in pursuance of these regulations is reckonable as service in relation to his employment as such an officer, but does not include—
- (a) any period of employment as an officer mentioned in paragraph (2) of regulation 8; or
 - (b) in the case of an officer who has entered employment after having become entitled to receive superannuation benefits, whether under these regulations or otherwise, employment which was taken into account for the purpose of determining whether he was entitled to receive those benefits or for the purpose of calculating those benefits;
- “short service gratuity” means a short service gratuity payable under regulation 12;
- “the superannuation fund” means the superannuation fund maintained by the Committee under regulation 6;
- “transfer value” has the same meaning as “accrued superannuation value”;
- “war service” means war service within the meaning of the Local Government Staffs (War Service) Act (Northern Ireland), 1939, or service in any of the naval, military or air forces of the Crown, or employment for war purposes, within the meaning of the Superannuation Schemes (War Service) Act (Northern Ireland), 1941; and
- “widow’s pension” means a widow’s pension payable under regulation 15.
- (2) In these regulations—
- (a) references to any Act of the Parliament of the United Kingdom or to any provision contained in an order, regulation, rule, scheme or other instrument having effect by virtue of such an Act shall be construed as references to that enactment as amended, extended, applied or re-enacted by any other enactment and accordingly (without prejudice to the

generality of the preceding provisions of this paragraph) any reference to the Act of 1937 shall, unless the context otherwise requires, be construed as including a reference to the Act of 1953;

- (b) any reference to non-contributing service under a local Act scheme shall be construed as a reference to non-contributing service as defined in the relevant local Act scheme; and
- (c) any reference to a person's becoming an officer of an employing authority within twelve months after leaving employment subject to the Act of 1937 or a local Act scheme or within twelve months after ceasing to be a contributory employee or local Act contributor and any reference to the like effect shall be construed in relation to a person to whom section 6 of the Superannuation (Miscellaneous Provisions) Act, 1948, has become applicable, as a reference to his becoming an officer within five years, or such longer period as the Minister of Housing and Local Government or the Secretary of State for Scotland, as the case may be, may in any particular case allow, after so leaving such employment or ceasing to be such an employee or contributor as aforesaid.

(3) In these regulations, unless the context otherwise requires—

- (a) references to officers or to officers of an employing authority shall be construed as including references to persons who are deemed for the purposes of these regulations to be in the employment of an employing authority or of a body which is deemed to be an employing authority, and any other provisions relating to employment by or under an employing authority shall be construed accordingly; and
- (b) references to a person's having become or having been an officer shall, if that person became an officer by virtue of the 1950 regulations, be construed as references to that person's having become or having been an officer by virtue of and within the meaning of the 1950 regulations.

(4) For the purposes of exercising any rights which are dependent on, and limited in time by reference to, a person's having become an officer, a person shall not be deemed to have become an officer on the date of coming into operation of these regulations if, immediately before that date, he was an officer within the meaning of the 1950 regulations and, without any break in employment, is an officer within the meaning of these regulations.

(5) Where a person holds under an employing authority two or more separate employments of such a nature that he can cease to hold one without ceasing to hold the other or others, the provisions of these regulations shall, unless the context otherwise requires, apply as respects him in relation to each of the separate employments as if the other or others were an employment or employments held by him under another authority.

(6) In these regulations, unless the context otherwise requires, references to an officer's contributions (except references in regulations 8, 25, 26, 28, 29, 30, 39 and 42, sub-paragraph (2) of paragraph 6 of the second schedule, the definition of "remuneration" in paragraph 1 of part I of the third schedule, proviso (a) to paragraph 2 of part I of the third schedule and the definition of "remuneration" in paragraph 1 of the fourth schedule) shall be construed as including references to—

- (a) any sums contributed by him under regulation 8 of these regulations or regulation 5 of the 1950 regulations;
- (b) any sums paid by him by way of additional contributory payments or which are deemed to be additional contributory payments;

- (c) any payments made by him under regulation 26 or 29 in respect of added years and any such voluntary contributions as are referred to in regulation 30 made by him under that regulation;
- (d) any sums contributed, or treated as having been contributed, by him under the Belfast Corporation Superannuation Scheme, the Teachers Act or a 1923 Act scheme, the Health Services regulations, the Act of 1937 or a local Act scheme (other than such additional contributory payments as are referred to in regulations 27 and 28, such payments in respect of added years as are referred to in regulation 29 and such voluntary contributions as are referred to in regulation 30, which have not been continued in pursuance of whichever of those regulations is relevant in his case);
- (e) any sums contributed by him under any scheme approved by the Ministry under sub-paragraph (e)(iv) of paragraph (3) of regulation 18; and
- (f) any sums paid by him under a scheme made under sub-section (3) of section 28 of the Widows', Orphans' and Old Age Contributory Pensions Act, 1936, or the corresponding provisions of any Act repealed by that Act:

Provided that—

- (i) where under these regulations an officer has become entitled to reckon as service any period of employment as an established civil servant, he shall, for the purposes of regulation 33, be deemed to have made to the superannuation fund maintained under these regulations contributions during that period of employment of an aggregate amount equal to three eightieths of the annual salary and emoluments of his office immediately before he ceased to be employed as an established civil servant, multiplied by the number of completed years of his established service, and for this purpose the annual salary and emoluments of his office shall mean the average annual amount of the salary and emoluments of his office during the last three years of his established service or, where the period of his said service is less than three years, the annual average amount of his salary and emoluments during the actual period of his said service; and
- (ii) in proviso (a) to paragraph (1) of regulation 18 the reference to contributions shall be construed as a reference to contributions returned on or after the person's ceasing to hold such employment as is mentioned in paragraph (3) of that regulation other than payments made voluntarily for the purpose of securing benefits for his widow, children or other dependants, and payments (except completed payments, that is to say, payments in respect of a liability which has been wholly discharged) of any of the following categories:—
 - (i) additional contributory payments under the second schedule to the Belfast Corporation Superannuation Scheme, the second schedule to the Health Services regulations or the second schedule to the English or Scottish Local Government regulations;
 - (ii) any similar payments made under a local Act scheme as a condition of reckoning any period of employment as service or as a period of contribution for the purposes of the scheme or, where the local Act scheme provides for the reckoning of non-contributing service, as contributing service for the purposes of the scheme;
 - (iii) any payments made for the purpose of increasing the length at which any period of service or of contribution would be reckonable for the purpose of calculating the benefits under a local Act scheme:

- (iv) any payments made in respect of added years; and
- (v) any such voluntary contributions as are referred to in regulation 30.

(7) A pension or injury allowance payable by the Committee under these regulations or the 1950 regulations shall be deemed for the purposes of these regulations to be payable out of public funds.

Revocation

3. The Local Government (Superannuation) Regulations (Northern Ireland), 1950, the Local Government (Superannuation) (Amendment) Regulations (Northern Ireland), 1950, the Local Government Superannuation (Northern Ireland and Great Britain) Regulations (Northern Ireland), 1952, the Local Government (Superannuation) (Amendment) Regulations (Northern Ireland), 1952, the Local Government (Superannuation) (Amendment) Regulations (Northern Ireland), 1959, the Local Government Superannuation (Northern Ireland and Great Britain) (Amendment) Regulations (Northern Ireland), 1959, the Local Government (Superannuation) (Amendment) Regulations (Northern Ireland), 1960, the Local Government Superannuation (Interchange with the Civil Service of the United Kingdom) Regulations (Northern Ireland), 1960, the Local Government Superannuation (Interchange with Teaching Service) Regulations (Northern Ireland), 1960; and the Local Government Superannuation (Interchange with Teaching Service) (Amendment) Regulations (Northern Ireland), 1961, are hereby revoked.

PART II

PROVISIONS RELATING TO OFFICERS EMPLOYED BY EMPLOYING AUTHORITIES

Application

4.—(1) This part shall apply to the following officers of an employing authority (other than such officers as are referred to in paragraph (2)) who have attained the age of eighteen years:—

- (a) every whole-time officer whose duties are wholly or mainly administrative, professional, technical or clerical;
- (b) any other whole-time officer who entered the employment of that employing authority within twelve months after leaving any such employment as is mentioned in paragraph (3) of regulation 18 or, if he left that employment in order to undertake war service or if immediately after leaving that employment he became engaged in national service, entered the employment of that authority within six months after the termination of that service;
- (c) any other whole-time officer who at any time since attaining the age of eighteen years has been in the employment of that or any other employing authority, as such whole-time officer or as such a part-time officer as is mentioned in sub-paragraph (f), for a continuous period of two years or for an aggregate period of two years without having had before the expiration of that aggregate period a break in such employment of more than one month at any one time;
- (d) every part-time officer whose duties are wholly or mainly administrative, professional, technical or clerical, and who devotes the rest of his time to employment under any employing authority or to any such employment as is mentioned in paragraph (3) of regulation 18;
- (e) any other part-time officer who entered their employment within twelve months after leaving any such employment as is mentioned in para-

graph (3) of regulation 18 or, if he left that employment in order to undertake war service or if immediately after leaving that employment he became engaged in national service, within six months after the termination of that service, and who devotes the rest of his time to employment under any employing authority or to any such employment as is mentioned in paragraph (3) of regulation 18;

(f) any other part-time officer who devotes the rest of his time to employment under any employing authority or to any such employment as is mentioned in paragraph (3) of regulation 18 and who at any time since attaining the age of eighteen years has been in the employment of that or any other employing authority, as such part-time officer or as such a whole-time officer as is mentioned in sub-paragraph (c), for a continuous period of two years or for an aggregate period of two years without having had before the expiration of that aggregate period a break in such employment of more than one month at any one time; and

(g) any registration officer;

and the term "officer" shall be construed accordingly:

Provided that—

(i) for the purposes of sub-paragraphs (c) and (f), account shall be taken as if it were employment under an employing authority of any national service undertaken by a person immediately after ceasing to hold any such employment under an employing authority as is mentioned in sub-paragraph (c) or (f); and

(ii) in relation to an officer employed by a designated body sub-paragraphs (c) and (f) shall have effect as if after the words "since attaining the age of eighteen years" there were inserted the words "or since the date on which his employing authority became a designated body, whichever was the later".

(2) The provisions of paragraph (1) shall not apply to—

(a) any person in contributory service within the meaning of the Teachers Act;

(b) any fire officer or fireman such as is referred to in the Fire Services Acts (Northern Ireland), 1947 to 1950;

(c) any officer in the employment of the Northern Ireland Fire Authority who was employed by that Authority immediately before the first day of May, 1954, and who did not exercise the option available to him under the relevant proviso to paragraph (1) of regulation 3 of the 1950 regulations to avail himself of the benefits of those regulations;

(d) any professional or technical officer who in the opinion of the employing authority, should, by reason of the temporary nature of his employment with the authority, be entitled to elect that the regulations shall not apply to him, and who has given notice in writing to the Committee within three months after entering the employment of the employing authority that he does not wish to avail himself of the benefits provided by these regulations;

(e) any such officer as is mentioned in sub-paragraph (c) or (f) of paragraph (1) who has given notice in writing to the Committee within three months after completing the aggregate period of two years referred to in either of those sub-paragraphs, that he does not wish to avail himself of the benefits provided by these regulations;

(f) any officer of either of the categories mentioned in sub-paragraphs (d) and (e) who gave notice in accordance with the relevant proviso

to paragraph (1) of regulation 3 of the 1950 regulations that he did not wish to avail himself of the benefits of those regulations;

- (g) any person in the employment of a designated body at the date on which it became such designated body to whom but for the provisions of this sub-paragraph paragraph (1) would apply, if within three months after such date as aforesaid he has given notice in writing to the Committee that he does not wish to avail himself of the benefits of these regulations; or
- (h) any such person as is mentioned in sub-section (2) of section 10 of the Museum Act (Northern Ireland), 1961.

(3) Every such officer as is mentioned in sub-paragraph (g) of paragraph (1) shall be deemed for the purposes of these regulations to be an officer in the employment of the employing authority discharging registration functions in relation to the district in or for which the officer acts.

(4) Notwithstanding anything in the foregoing provisions of this regulation, this part shall not apply to any officer of an employing authority to whom a pension became or becomes payable out of public funds on his retirement after the attainment of a specified age if that pension is not liable to be reduced or suspended in consequence of his employment under that authority.

Participation in superannuation benefits

5. Every officer of an employing authority shall be entitled to participate in the superannuation benefits provided by these regulations, subject to and in accordance with the terms and conditions hereof.

Management of superannuation fund

6.—(1) The superannuation fund established under the 1950 regulations shall be managed by the Committee.

(2) There shall be carried and credited in each year to the superannuation fund—

- (a) the amounts contributed during the year by the officers entitled to participate in the benefits of the superannuation fund;
- (b) the contributions payable into the superannuation fund by employing authorities;
- (c) any amounts payable into the superannuation fund in pursuance of an actuary's certificate given, or a scheme made under paragraph (4) or paragraph (8) of regulation 2 of the 1950 regulations or under paragraph (5) of regulation 7;
- (d) all dividends and interest arising during the year out of the investment or use of the superannuation fund or any part thereof, and any capital moneys resulting from the realisation of investments, or from the repayment of moneys used temporarily for other authorised purposes;
- (e) the amount of any transfer values, payments in respect of added years or additional contributory payments received by the Committee under these regulations; and
- (f) any other sums which the Committee may become liable to carry to the superannuation fund under these regulations.

(3) If any moneys forming part of the superannuation fund are not for the time being required to meet payments to be made out of the superannuation fund, the Committee shall invest the moneys in securities in which trustees

are authorised to invest, or, in lieu of such investment, may lend the moneys to any employing authority contributing to the superannuation fund for use for any purpose for which that authority have a statutory borrowing power, subject to the following conditions, that is to say:—

- (a) interest shall be paid to the superannuation fund on any moneys so used and for the time being not repaid at such rate per cent. per annum as may be determined by the Committee to be equal, as nearly as may be, to the rate of interest which would be payable on a loan raised on mortgage under the statutory borrowing power; and
- (b) the statutory borrowing power for the purpose of which the moneys are so used shall be deemed to be exercised by such use as fully in all respects as if a loan of the same amount had been raised in exercise of the power.
- (4) (a) The Committee shall keep accounts of all financial transactions in connection with the superannuation fund and separate accounts shall be kept in respect of contributions and benefits of manual workers.
- (b) The Secretary of the Committee shall close the accounts of all the receipts and payments of the superannuation fund on the 31st day of March in each year and shall forward a copy of such accounts duly signed and dated by him to the Ministry not later than the 30th day of April next following.
- (c) The accounts shall be audited by a local government auditor and a copy of his report together with an audited copy of the accounts shall be forwarded to the Ministry and to each employing authority.
- (d) For the purposes of sub-paragraph (c) the Committee shall be deemed to be a public body within the meaning of section 23 of the Local Government (Ireland) Act, 1902.

Periodical valuation of superannuation fund

7.—(1) Upon the expiration of a period of five years from the end of the financial year comprising the date as at which the superannuation fund was last valued under the 1950 regulations and upon the expiration of every subsequent period of five years the Committee shall obtain from an actuary an actuarial valuation of, and a report on, the assets and liabilities of the superannuation fund.

(2) In addition to the periodical valuation and report required by paragraph (1) the Committee may at any other time obtain a valuation and report on the assets and liabilities of the superannuation fund.

(3) Every valuation obtained under paragraph (1) shall be a valuation as at the end of a financial year and every report obtained under paragraph (1) or (2) shall indicate the share of any deficiency or disposable surplus disclosed by a valuation which is attributable to each employing authority to which the valuation relates.

(4) Upon receipt of a valuation or report obtained under paragraph (1) or (2) the Committee shall forthwith send a copy thereof to the Ministry.

(5) Where by any valuation and report obtained for the purposes of this regulation a deficiency or disposable surplus is disclosed, the Committee shall, within three months after receiving the valuation and report, make a scheme for making good the deficiency or, as the case may require, for disposing of the surplus.

(6) A scheme made under paragraph (5) shall not have effect unless it has been approved by the Ministry and the Ministry may approve any such scheme either with or without modifications.

Contributions

8.—(1) For the purpose of defraying the cost of the superannuation benefits provided by these regulations, there shall, subject to the provisions of these regulations, be paid in respect of every officer, not being an officer specified in paragraph (2), in relation to his employment by an employing authority, the following contributions, namely:—

- (a) an amount to be paid by the officer equal to six per cent. of his remuneration for the time being;
- (b) an amount to be paid by the employing authority equal to eight per cent. of his remuneration or, if that remuneration is at any time reduced or suspended, of the remuneration which would be taken into account under the provisos to regulation 32 in respect of the period of reduction or suspension were the officer's average remuneration being calculated for a period which included that period; and
- (c) the share properly attributable to the employing authority of any sums payable into the superannuation fund, in pursuance of an actuary's certificate given, or a scheme made, under paragraph (4) or (8) of regulation 2 of the 1950 regulations or in pursuance of a scheme made under paragraph (5) of regulation 7:

Provided that —

- (i) in the case of an officer whose employment is by way of manual labour, six per cent. shall be substituted for eight per cent. in sub-paragraph (b) and, unless he is such an existing officer as is mentioned in proviso (ii), five per cent. shall be substituted for six per cent. in sub-paragraph (a);
- (ii) in the case of an existing officer who elected under regulation 23 of the 1950 regulations to avail himself of the benefits of those regulations, or in the case of a person to whom sub-paragraph (e)(i) of paragraph (3) of regulation 18 applies and who elected under a provision of the Belfast Corporation Superannuation Scheme corresponding to regulation 23 of the 1950 regulations to avail himself of the benefits of the Belfast Corporation Superannuation Scheme, and who has remained since the appointed day an officer of any employing authority or a person subject to the Belfast Corporation Superannuation Scheme without a break in employment of twelve months or more, three per cent. shall be substituted for six per cent. in sub-paragraph (a); and
- (iii) in determining whether any person to whom proviso (ii) applies has had such a break in employment as is mentioned therein no account shall be taken of any period during which he was in temporary employment undertaken by him with the consent of the employing authority obtained in writing before the date on which he ceased to be an officer in their employment, if after ceasing to hold the temporary employment and without in the meantime having entered any other employment the person again became an officer in the employment of that employing authority.

(2) The reference in paragraph (1), in the definition of "service" in paragraph (1) of regulation 2 and in regulation 32 to an officer mentioned in this paragraph is a reference to an officer who—

- (a) has attained the age of seventy years; or
- (b) being a woman who is a nurse, physiotherapist, midwife or health visitor, has attained the age of sixty-five years; or
- (c) has completed forty-five years service, counting contributing service at its full length and non-contributing service at half its actual length, and, unless he is an existing officer, has also attained—
 - (i) in the case of a woman who is a nurse, physiotherapist, midwife or health visitor, an age of not less than sixty years; or
 - (ii) in any other case an age of not less than sixty-five years; or
- (d) has or had attained on the date when he first becomes or became an officer whether by virtue of these regulations or the 1950 regulations—
 - (i) in the case of a woman who is a nurse, physiotherapist, midwife or health visitor, the age of sixty years; or
 - (ii) in any other case the age of sixty-five years :

Provided that sub-paragraph (d) shall not apply in the case of—

- (i) a person who before becoming an officer was entitled to a pension or injury allowance payable out of public funds otherwise than under the National Insurance Acts (Northern Ireland), 1946, or who apart from this sub-paragraph might become entitled to a pension under these regulations; or
- (ii) a person who became an officer within the meaning of the 1950 regulations on 1st April, 1959, by virtue of section 2 of the Health Services Act (Northern Ireland), 1958, having immediately before that date been an employee of the Northern Ireland Tuberculosis Authority to whom the Health Services (Superannuation) Regulations (Northern Ireland), 1954, applied.

(3) An officer who receives any part of his remuneration otherwise than from the employing authority shall render to that authority within one month after the first day of each financial half-year a written statement of his receipts in respect of that part of his remuneration during the preceding financial half-year, together with a statutory declaration verifying the correctness of the statement.

(4) Where an officer, owing to transfer to other employment under the same employing authority or an alteration in the remuneration of his employment, has suffered a reduction in his remuneration, he shall make contributions under this regulation as if his remuneration had not been reduced, unless he gives notice in writing to the employing authority, within one month after the reduction, or such longer period as the Committee may in any particular case allow, that he does not wish this provision to apply to him.

(5) An officer who is on leave of absence from duty with reduced remuneration or without remuneration shall make contributions under this regulation on the remuneration on which he was making contributions immediately before he went on leave of absence :

Provided that where the absence from duty is by reason of illness or injury the provisions of this paragraph shall not apply, unless the officer's remuneration is reduced solely by reason of his having become entitled to benefit under the National Insurance Acts (Northern Ireland), 1946.

(6) The employing authority may deduct from the remuneration payable to an officer the contributions payable by him and, in so far as deductions are not so made, they may recover any such contributions as a simple contract debt in any court of competent jurisdiction.

(7) The employing authority's contributions, and the officer's contributions after they have been obtained from him by the employing authority, shall be paid by the authority to the Committee at such intervals as the Committee may determine.

(8) Notwithstanding any other provisions of these regulations, a person who after leaving employment under an employing authority became engaged in national service shall, as a condition of becoming entitled to reckon any of that service for the purposes of these regulations, make the like contributions under this regulation (if any) as he would have been liable to make if, during the period of his national service, he had continued to follow that employment and to have been entitled to the remuneration thereof and if he has made or makes such contributions the employing authority by whom he was formerly employed shall make the like contributions in respect of him as they would have been liable to make if he had so continued to follow his employment as aforesaid:

Provided that—

(a) nothing in this paragraph shall require the payment of contributions by a person after the date on which he has made a claim for the return of his contributions;

(b) nothing in this paragraph shall require the payment of contributions by a person in respect of any period of national service, if his national service pay in respect of that period, together with any sum which the employing authority by whom he was formerly employed may resolve to pay to or in respect of him in supplementation of that national service pay, is less than the remuneration to which he would have been entitled in respect of that period if he had continued in his former employment, after the deduction therefrom of an amount equivalent to the contributions which he would in that event have been liable to make thereon; or

(c) in the case of a person whose national service pay in respect of any period of national service, together with any such sum as aforesaid in respect of that period, is less than the remuneration to which he would have been entitled in respect of that period if he had continued in his former employment but is greater than such remuneration after the deduction therefrom of an amount equivalent to the contributions which he would in that event have been liable to make thereon, nothing in this paragraph shall require contributions to be made by that person in respect of that period exceeding the difference in respect of that period between his national service pay, together with any such sum as aforesaid, and the amount of such remuneration as aforesaid after such deduction as aforesaid.

(9) Where by virtue of proviso (b) or (c) to paragraph (8), a person is not required in respect of any period of national service to make the contributions, or to make the full amount of the contributions, which he would have been liable to make apart from the said proviso, the employing authority by whom he was formerly employed shall pay in respect of him to the superannuation fund a sum sufficient to make up any deficit of contributions to the full amount which the person would have been liable to contribute had he continued in his former employment and that employing authority shall also pay to the superannuation fund any contribution which in that event they would have been liable to pay thereto:

Provided that for the purposes of any provision of these regulations relating to the return of contributions on a person ceasing to be employed as an officer or dying, or to a benefit falling to be calculated by reference to the amount

of a person's contributions, any payments made under this paragraph shall be disregarded.

Officer's pension and retiring allowance

9. An officer of an employing authority shall be entitled, on ceasing to be employed by them, to receive from the Committee—

- (a) an annual pension, if either—
 - (i) he has completed ten years service and is incapable of discharging efficiently the duties of his employment by reason of permanent ill-health or infirmity of mind or body; or
 - (ii) he has attained the age of sixty years and completed ten years service; and
- (b) a lump sum retiring allowance, if he satisfies sub-paragraph (i) of paragraph (a), or has attained the age of sixty years and completed five years service.

Scales of pension and retiring allowance

10.—(1) The pension to be paid to an officer shall, subject to the provisions of these regulations, be on the following scale, that is to say:—

- (a) in respect of each year of contributing service, one-eightieth of his average remuneration; and
- (b) in respect of each year of non-contributing service, one one-hundred-and-sixtieth of his average remuneration:

Provided that the pension, apart from any reduction thereof under regulation 42, shall not exceed the smaller of three thousand pounds or forty-five eightieths of the officer's average remuneration, and shall not in the case of a pension payable under sub-paragraph (i) of paragraph (a) of regulation 9 be less than twenty eightieths of such remuneration; or one-eightieth of such remuneration in respect of each year of contributing service which he could have completed before attaining the age of sixty-five years, had he continued to be an officer, and one one-hundred-and-sixtieth of such remuneration in respect of each year of non-contributing service, whichever is the less.

(2) The retiring allowance to be paid to an officer shall, subject to the provisions of these regulations, be a sum equal to the aggregate of the following amounts, namely, three-eightieths of his average remuneration in respect of each year of contributing service, and three one-hundred-and-sixtieths of such remuneration in respect of each year of non-contributing service:

Provided that—

- (a) in the case of a married male officer in respect of whose service a widow's pension may become payable under these regulations, the amount of the allowance shall be a sum equal to the aggregate of the following amounts, namely, one-eightieth of his average remuneration in respect of each year of contributing service and one one-hundred-and-sixtieth of such remuneration in respect of each year of non-contributing service;
- (b) in the case of an officer entitled to a pension or injury allowance who is a widower or who is divorced or judicially separated from his wife and who satisfies the description contained in paragraph (4), the amount of the retiring allowance shall be a sum equal to the aggregate of the following amounts, namely:—
 - (i) three-eightieths of his average remuneration in respect of each year of contributing service since the date of his wife's death or the divorce or separation, as the case may be;

- (ii) one-eightieth of such remuneration in respect of each year of contributing service before that date;
 - (iii) three one-hundred-and-sixtieths of such remuneration in respect of each year of non-contributing service since that date; and
 - (iv) one one-hundred-and-sixtieth of such remuneration in respect of each year of non-contributing service before that date;
- (c) if the contributing service of an officer who becomes entitled to a retiring allowance, together with his non-contributing service (if any) reckoned at half its actual length, exceeds forty-five years, the sum to be calculated under the foregoing provisions of this paragraph by reference to contributing service and non-contributing service shall be calculated by reference to the last forty-five years actual service, any non-contributing service within that period being reckoned as contributing service; and
- (d) in the case of an officer to whom no pension is payable, if the amount of the allowance, calculated as aforesaid, is less than the amount of his contributions, together with compound interest thereon, the allowance shall be increased by the amount of the deficiency.

(3) Where an officer has become entitled to a retiring allowance, and the amount of such allowance, together with the capital value of any pension to which the officer may also have become entitled, is less than the amount of his average remuneration, then, if he requests the Committee in writing to apply this provision in his case, the Committee may either increase the amount of the retiring allowance by the amount of the capital value of the death gratuity and of any widow's pension which would, apart from this provision, become payable on his death or increase the amount of any such pension as aforesaid by an equivalent annual sum, and if the Committee exercise this discretion no death gratuity or widow's pension shall be payable in respect of him.

(4) An officer to whom proviso (b) to paragraph (2) refers is an officer (other than an officer who married in such circumstances that his wife could not become entitled to a widow's pension by reason of proviso (ii) to paragraph (1) of regulation 15 or the corresponding provisions of the proviso to paragraph (1) of regulation 13 of the 1950 regulations) whose wife died or was divorced or judicially separated from him—

- (a) on or after the date on which he first became an officer within the meaning of these regulations or the 1950 regulations; or
- (b) while he was subject to a superannuation scheme the service reckonable in which is reckonable by him for the purposes of these regulations and which provided a widow's pension as one of its benefits; or
- (c) during the period between his leaving employment in which he was subject to any such scheme as is mentioned in sub-paragraph (b) and his entry into employment in which he became an officer as aforesaid.

Injury allowance

11.—(1) Where an officer ceases to be employed in consequence of his being permanently incapacitated by an injury sustained by him in the actual discharge of his duty and specifically attributable to the nature of his duty or by a disease contracted by him to which he was exposed by the nature of his duty (not being an injury or disease wholly or mainly due to, or seriously aggravated by, his own serious and culpable negligence or misconduct) he shall be entitled to receive from the Committee, subject to the provisions of paragraph (4), an annual injury allowance of such amount, not exceeding two-

thirds of his average remuneration, as the Committee may from time to time consider reasonable, having regard to all the circumstances of the case, including any right to any other benefit under these regulations.

(2) An injury sustained while an officer is, with the express or implied permission of an employing authority, travelling as a passenger by any vehicle to or from his place of employment shall, notwithstanding that he is under no obligation to the employing authority to travel by that vehicle, be deemed to have been sustained in the actual discharge of his duty, if—

- (a) the injury would have been deemed so to have been sustained had he been under such an obligation; and
- (b) at the time of the injury, the vehicle—
 - (i) was being operated by or on behalf of the employing authority or some other person by whom it was provided in pursuance of arrangements made with the employing authority; and
 - (ii) was not being operated in the ordinary course of a public transport service.

(3) If a person to whom paragraph (1) applies dies as a direct result of the injury he sustained or the disease he contracted, the Committee may grant to his widow or to any dependant of his such gratuity or such annual allowance as the Committee may from time to time consider reasonable, having regard to all the circumstances of the case.

- (4) (a) There shall be taken into account against the allowances referred to in paragraphs (1) and (3) the following sums, that is to say—
 - (i) the amount or value of any benefit payable under the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946, and of any other statutory benefit or compensation in respect of the injury or disease, other than any such benefit payable under these regulations; and
 - (ii) such amount (if any) as the Committee consider reasonable of any damages which they are satisfied have been or will be recovered by any person, being damages in respect of the injury or disease or damages in respect of the death of the person to whom this regulation applies,

and the said allowances shall be withheld or reduced accordingly :

Provided that in the case of an allowance payable under paragraph (3) the amount of any benefit payable to the widow or dependant under the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946, shall only be taken into account for the purposes of this paragraph to such extent as the Committee may in any particular case determine.

- (b) For the purposes of sub-paragraph (a)(ii) a person shall be deemed to recover damages—
 - (i) whether they are paid in pursuance of a judgment or order of any court of competent jurisdiction or by way of settlement or compromise of his claim and whether or not proceedings are instituted to enforce the claim; or
 - (ii) if they are recovered for his benefit in respect of a claim under the Fatal Accidents Acts (Northern Ireland), 1846 to 1959.

(5) The employing authority by whom a person mentioned in paragraph (1) was last employed shall repay to the superannuation fund maintained under regulation 6 the amount of any benefit paid by the Committee under this regulation to or in respect of the person,

Short service gratuity

12. An officer who has completed five but less than ten years service, and who ceases to be employed through incapacity to discharge efficiently the duties of his employment by reason of permanent ill-health or infirmity of mind or body shall be entitled to receive from the Committee a short service gratuity of a sum equal to the amount of his average remuneration or a sum equal to the amount of his contributions, together with compound interest thereon, whichever is the greater:

Provided that if the officer is also entitled to a retiring allowance, the short service gratuity shall be reduced by the amount of the said allowance.

Allocation of part of pension or injury allowance to spouse or dependant

13.—(1) An officer who becomes entitled to a pension or injury allowance may thereupon notify his desire, subject to and in accordance with the provisions of the first schedule, to surrender part of the pension or allowance in consideration of the grant of a pension to the spouse or any dependant of the officer on his death of such value as, according to tables to be prepared from time to time by the Government Actuary, is actuarially equivalent at the date on which he ceased to be employed to the value of that part of the pension or allowance which is surrendered.

(2) If an officer not having reached—

(a) in the case of a woman who is a nurse, physiotherapist, midwife or health visitor, the age of sixty years; or

(b) in any other case, the age of sixty-five years,

would, if he ceased to be employed, be entitled to a pension, and he has completed forty years contributing service or forty years contributing service and non-contributing service, the non-contributing service being reckoned at half its actual length, or if an officer, having reached the said age, would, if he ceased to be employed, be entitled to a pension, he may, at any time before ceasing to be employed, notify his desire, subject to and in accordance with the provisions of the first schedule, to surrender part of the pension to which he may become entitled, in consideration of the grant of a pension to his spouse or any dependant of the person aforesaid on his death, of such value as, according to tables to be prepared from time to time by the Government Actuary, will be actuarially equivalent at the date on which he ceases to be employed to the value of that part of the pension which is surrendered; and if he dies before having become entitled to the pension but after having so notified his desire to surrender a part of the pension, he shall be deemed to have become entitled to the pension to which he would have become entitled had he retired on the day of his death.

Death gratuity

14. If—

(a) an officer dies, and at the date of his death he had completed five years service;

(b) a person who has ceased to be an officer after completing five years service dies within twelve months after so ceasing to be an officer or, if immediately after he ceased to be an officer he became engaged in national service, within six months after the termination of that service, without having received a return of contributions or become entitled to any other benefit under these regulations or the 1950 regulations, and without having again become entitled to participate in superannuation benefits; or

- (c) a person dies after having become entitled to a pension or retiring allowance or short service gratuity under these regulations or the 1950 regulations,

then the Committee shall pay to his personal representatives a death gratuity of a sum equal to three-eighetihs of his average remuneration in respect of each year of his contributing service and three one-hundred-and-sixtieths thereof in respect of each year of his non-contributing service, or the amount of his contributions, together with compound interest on such amount or, except in the case mentioned in paragraph (b), his average remuneration, whichever is the greatest:

Provided that—

- (i) in the case of a person in respect of whose death a widow's pension is payable under these regulations, the amount of the death gratuity shall be a sum equal to one-eightieth of his average remuneration in respect of each year of his contributing service and one one-hundred-and-sixtieth thereof in respect of each year of his non-contributing service or, if the capital value of the widow's pension is less than the amount of the death gratuity which would have been payable apart from this proviso, a sum equal to the difference between such capital value and such amount, whichever of the two sums is the greater;
- (ii) if in the case of any person the contributing service, together with the non-contributing service (if any) reckoned at half its actual length, exceeds forty-five years, the sum to be calculated by reference to contributing service and non-contributing service shall be calculated by reference to the last forty-five years actual service, any non-contributing service within that period being reckoned as contributing service; and
- (iii) in the case of a person who dies after having become entitled to a pension, retiring allowance, injury allowance or short service gratuity under these regulations or the 1950 regulations, there shall be deducted from the death gratuity a sum equal to the aggregate amount of any payments made on account of that benefit, and in addition, if the person was entitled to a pension or injury allowance and had surrendered a part thereof, any sum which would have been paid on account thereof but for the surrender.

Widow's pension

15.—(1) The widow of a person who dies and who—

- (a) was entitled at the time of his death to a pension or injury allowance under these regulations or the 1950 regulations; or
- (b) was at the time of his death employed in employment in which he was an officer and had completed not less than ten years service,

shall be entitled to receive from the Committee an annual widow's pension:

Provided that a widow shall not be entitled to receive a widow's pension—

- (i) by virtue of sub-paragraph (a), if the marriage took place on or after the date on which her husband became entitled to the pension or allowance;
- (ii) by virtue of sub-paragraph (a) or (b), if her husband, before ceasing to be employed, or, if he died while still an officer, before dying, had reached the age of sixty-five years or, not having reached the said age, would have been entitled to a pension on ceasing to be employed and had completed forty years contributing service, or forty years contributing service and non-contributing service, the non-contributing

service being reckoned at half its actual length, and the marriage took place on or after the date on which he reached the said age or would have been so entitled to a pension as aforesaid;

- (iii) if at the date on which her husband became entitled to a pension or injury allowance under these regulations or the 1950 regulations, or at the date of his death, the husband and wife were judicially separated.

(2) The widow of such a person as is mentioned in paragraph (b) of regulation 14 shall be entitled to the like benefit (if any) by way of widow's pension as would have been granted under these regulations or the 1950 regulations if her husband had died immediately before ceasing to be an officer.

(3) The amount of the widow's pension shall be as follows:—

- (a) in the case of the widow of an officer, one-third of the pension which would have been payable to the officer had he become entitled to a pension under sub-paragraph (a)(i) of regulation 9 on the day of his death; and
(b) in the case of the widow of a person who was entitled to a pension or injury allowance, one-third of such pension or allowance:

Provided that if any such pension as is mentioned in sub-paragraph (a) would have been reduced under the provisions of regulation 42, no account shall be taken of the reduction, and any such pension as is mentioned in sub-paragraph (b) shall be deemed to be the pension that would have been payable but for any reduction under the provisions of that regulation or regulation 29 of the 1950 regulations.

(4) 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; or
(b) in respect of any period during which she is cohabiting with a man as his wife.

(5) If on the re-marriage or death of a widow to whom a widow's pension has been payable under these regulations or the 1950 regulations, the aggregate amount of the payments made to her, her husband or her husband's personal representatives by way of pension, retiring allowance, injury allowance, short service gratuity or death gratuity under these regulations or the 1950 regulations, other than a pension under regulation 13, or under regulation 11 of the 1950 regulations, is less than the amount of the death gratuity which would have been payable under these regulations or the 1950 regulations in respect of the death of her husband had no widow's pension been payable in respect thereof, there shall be paid to her or to her personal representatives, as the case may require, a sum equal to the deficiency.

Power to compound small annual benefits

16. Where any benefit payable under these regulations or the 1950 regulations is an annual sum of an amount not exceeding twenty-six pounds, the Committee may discharge their liability in respect thereof by the payment of a lump sum representing the capital value of the annual sum.

Payment of transfer value in lieu of benefits in certain cases

17. Notwithstanding anything in the preceding provisions of these regulations, if, on or after ceasing to be employed by an employing authority and before receiving any payment on account of any benefit which apart from this regulation would be payable to him under these regulations, a person—

- (a) notifies the Committee in writing of his impending entry into further employment in circumstances in which (subject to his not having become or being entitled to any benefit under these regulations other than a return of contributions and to compliance with such other conditions as are prescribed) regulation 50 or regulation 52 would apply in relation to him, and in pursuance of that notice enters that employment in those circumstances; or
- (b) notifies the Committee in writing that he has entered such employment in the circumstances aforesaid,

then if he notifies the Committee that he wishes this regulation to apply in relation to him, the Committee may (in lieu of any benefit which would otherwise be payable on or after the person's ceasing to be employed by an employing authority) pay such sum as the Committee consider appropriate under paragraph (1) of regulation 50 or, as the case may be, a transfer value under paragraph (1) or (2) of regulation 52 and, if the Committee make any such payment, the person shall be deemed, for the purposes of these regulations, not to have become or to be entitled to a benefit under these regulations.

Reckoning as service of previous periods of employment, war service and national service

18.—(1) Subject to the provisions of these regulations, where a person, before entering the employment in which he is an officer, had been entitled by virtue of any such employment as is mentioned in paragraph (3) to participate in superannuation benefits, and on leaving that other employment any period of employment or any war service or national service would have been reckonable for the purpose of determining whether he was entitled to receive a superannuation benefit, that period of employment, war service or national service shall be reckonable as service in relation to the employment in which he is an officer, if he entered that employment within twelve months after leaving that other employment or, if he left that employment in order to undertake war service or immediately after leaving that employment became engaged in national service, within six months after the termination of that service:

Provided that—

- (a) this paragraph shall not apply to any officer who, unless he was excepted from a similar requirement by the 1950 regulations, has not, within three months after entering the employment in which he is an officer or, unless in his former employment he was an established civil servant, within such longer period as the Committee may in any particular case allow, given notice in writing of his previous period of employment and war service or national service (if any), or, if he is a person to whom rules made under section 2 of the Superannuation (Miscellaneous Provisions) Act, 1948, apply, the notice and particulars of his national service (if any) required by those rules, and paid or repaid to the Committee an amount equal to any sum paid to him by way of return of contributions on or after his ceasing to hold that other employment, together with an amount equal to any income tax which was deducted from his contributions in respect of such payment;
- (b) in the case of a person who, before entering the employment in which he is an officer, was employed in such employment as is mentioned in sub-paragraph (d) of paragraph (3)—
 - (i) for the purposes of the foregoing provisions of this paragraph, the term "period of employment" shall include any period treated as a period of employment in contributory service or as a period of

contributory service under the Teachers Act and any period reckonable as recognised service for the purposes of the said Act;

- (ii) any period of contributory service under any scheme made under section 42 of the Teachers Act and any period of approved external service within the meaning of that Act or any period of service which is treated under any scheme made under the said section 42 in the same manner as such approved external service shall not be reckonable as service under these regulations except for the sole purpose of determining whether he is entitled to any benefit thereunder;
 - (iii) any period of employment which was qualifying service within the meaning of the Teachers Act and any period of employment in respect of which the person received a return of contributions (not being a return of contributions after last ceasing to be employed in contributory or recognised service within the meaning of the said Act) which he has not subsequently repaid to the Ministry of Education under the proviso to sub-section (2) of section 10 of the said Act shall be disregarded;
 - (iv) any period treated as a period of contributory service under the Teachers Act which was reckonable only for the purpose of calculating the amount of any allowance or gratuity payable to or in respect of the person under the Teachers Act shall not be reckonable for the purpose of determining whether he is entitled to any benefit under these regulations; and
 - (v) if the person had been engaged in national service but the sum due in respect of contributions in respect of the whole or any part of that service payable in accordance with the Teachers Superannuation (Service in the Reserve and Auxiliary Forces) Rules (Northern Ireland), 1958, has not been paid to the Ministry of Education at the date on which the person becomes an officer then, unless there is paid to the Committee within three months after that date, or within such longer period as the Committee may in any particular case allow, an amount equivalent to the outstanding amount of the sum aforesaid, the service in respect of which such payment has not been made to the Ministry of Education as aforesaid shall not be reckonable as service for any of the purposes of these regulations;
- (c) in the case of such a person as is mentioned in proviso (b), if he was in employment prior to 1st July, 1936, reckonable as recognised service for the purposes of the Teachers Act and he elected in pursuance of any relevant provision of a 1936 scheme or a 1940 scheme not to pay the additional contributions required by that scheme then, notwithstanding any other provision of these regulations—
- (i) in the case of a person who made such an election as aforesaid under any provision of a 1936 scheme no period which is treated as a period of contributory service under the Teachers Act or as recognised service for the purposes of that Act shall be reckonable as service for the purpose of calculating the amount of a retiring allowance payable to him under these regulations; or
 - (ii) in the case of a person who made such an election as aforesaid under any provision of a 1940 scheme no period reckonable in respect of his service prior to 1st July, 1936, as recognised service for the purposes of the Teachers Act shall be reckonable for the purpose of calculating the amount of such retiring allowance as aforesaid;

- (d) in the case of a person who, before entering the employment in which he is an officer, was an established civil servant, this paragraph shall not apply unless the Committee have received a transfer value calculated in accordance with the rules for the time being in force under section 2 of the Superannuation (Miscellaneous Provisions) Act, 1948, or, as the case may be, under sections 6 and 10 of the Superannuation (Miscellaneous Provisions) Act (Northern Ireland), 1951, relating to a person who has left employment in which he was an established civil servant and has entered into employment under an employing authority, and if such a transfer value has been received, this paragraph shall apply as if for the reference to employment or war service or national service which would have been reckonable for the purpose of determining whether a person was entitled to receive a superannuation benefit there were substituted a reference to employment or war service or national service which would have been reckonable for the purpose of determining whether the officer had served for the minimum period prescribed by the Superannuation Acts as necessary for the grant of any retiring award to him, and any part of his established service which is attributable to service which previously to his becoming an established civil servant had been non-contributing service for the purposes of these regulations or the 1950 regulations or had been reckonable in the same or substantially the same manner as such non-contributing service by virtue of the provisions of any enactment or scheme (not being service which had become reckonable at its actual length for the purpose of calculating benefits under the Superannuation Acts) shall be treated as being double the length at which it was reckonable for the purposes of the Superannuation Acts;
- (e) in the case of a person who, before entering the employment in which he is an officer, was in employment in which he was subject to the Act of 1937 or a local Act scheme, there shall not be reckonable under this paragraph any period of employment, war service or national service, unless the Committee have received a transfer value calculated in accordance with the rules for the time being in force under section 2 of the Superannuation (Miscellaneous Provisions) Act, 1948, relating to the entry into employment under an employing authority of a person who has left employment in which he was a contributory employee or local Act contributor;
- (f) in the case of a person who, before entering the employment in which he is an officer, was a health service employee, there shall not be reckonable under this paragraph any period of employment, war service or national service, unless the Committee have received a transfer value calculated in accordance with one of the following provisions—
- (i) the eighth schedule to the Health Services (Superannuation) Regulations (Northern Ireland), 1954;
 - (ii) regulation 82 of the National Health Service (Superannuation) Regulations, 1961; or
 - (iii) regulation 80 of the National Health Service (Superannuation) (Scotland) Regulations, 1961;
- (g) in the case of a person who, before entering the employment in which he is an officer, was in contributory service under the Teachers Act or recognised service within the meaning of that Act, or was in employment in which he was subject to the Belfast Corporation Superannuation Scheme, there shall not be reckonable as service under this paragraph any period of employment, war service or national service, unless the Committee have received from the Ministry of Education

or from the Belfast Corporation, as the case may be, a transfer value calculated in accordance with a method approved by the Ministry;

- (h) in the case of a person who, before entering the employment in which he is an officer, was a contributor to a scheme approved by the Ministry under sub-paragraph (e)(iv) of paragraph (3), there shall not be reckonable as service under this paragraph any period of employment, war service or national service, unless the Committee have received from the body administering the scheme or any persons maintaining any fund for the purposes of the scheme or the successors in title of either that body or those persons, a transfer value calculated in accordance with a method approved by the Ministry;
 - (i) any period of employment which on a person's leaving such employment as is mentioned in sub-paragraph (a), (b), (c) or (e) of paragraph (3) would have been reckonable solely for the purpose of determining whether he was entitled to receive a superannuation benefit shall not be reckonable as service under these regulations except for the sole purpose of determining whether he is entitled to any benefit thereunder;
 - (j) where before entering employment as an officer a person was in employment in which he was a contributory employee, and by virtue of the provisions of a scheme modifying the Act of 1937 any period of employment was reckonable at a fraction of its actual length for the purpose of calculating the transfer value payable in respect of the officer, that period of employment shall be reckonable as service at its actual length solely for the purpose of determining whether any benefit is payable to or in respect of him and shall otherwise be reckonable as service at the aforesaid fraction of its actual length; and
 - (k) where before entering employment as an officer a person was in employment in which he was subject to the Act of 1937 or a local Act scheme there shall not be reckonable as service under these regulations except for the sole purpose of determining whether any benefit is payable to or in respect of the person thereunder—
 - (i) such service as is mentioned in sub-section (1) of section 17 of the Local Government Superannuation Act, 1937, not being such service as is mentioned in proviso (a) to that sub-section;
 - (ii) such service as is mentioned in section 15 of the Local Government Superannuation (Scotland) Act, 1937, not being such service as is mentioned in proviso (a) to that section; or
 - (iii) service, corresponding to the service referred to in paragraphs (i) and (ii), for the reckoning of which provision is made in a local Act scheme.
- (2) If an officer—
- (a) is a person who became an officer by virtue of sub-paragraph (c) or (f) of paragraph (1) of regulation 4 or sub-paragraph (c) or (f) of paragraph (1) of regulation 3 of the 1950 regulations; or
 - (b) was such a person as is mentioned in any of those sub-paragraphs and before completing the period of two years therein mentioned became an officer by virtue of sub-paragraph (a) or (d) of paragraph (1) of either of those regulations,

then any previous period of employment under any employing authority included in the said period of two years, and any period of national service undertaken by the person on his ceasing to hold employment under any employing authority which was included in that period of two years by virtue of proviso (i) to paragraph (1) of regulation 4 shall be reckonable as service:

Provided that no part of the said period of two years or of any such period of national service as aforesaid shall be reckonable as service unless, if the said period of two years had been reckonable as service at the time when it was completed, it would be reckonable as service in relation to the employment in which he is an officer.

(3) The other employment referred to in paragraph (1) is—

- (a) employment as an officer of an employing authority and any previous employment which was reckonable as service in relation to such officer by virtue of sub-paragraph (a) of paragraph (1) of regulation 15 of the 1950 regulations if that period of employment would have continued to be reckonable under the 1950 regulations had these regulations not been made;
- (b) employment as an established civil servant;
- (c) employment as a health service employee;
- (d) employment as a person in contributory service under the Teachers Act, or in recognised service within the meaning of that Act, other than employment in contributory service under any scheme made under section 42 of the said Act and other than employment which is treated as contributory service by virtue of its being approved external service within the meaning of the said Act or which is treated under any scheme made under section 42 of the said Act in the same manner as such approved external service;
- (e) employment subject to—
 - (i) the Belfast Corporation Superannuation Scheme;
 - (ii) the Act of 1937;
 - (iii) a local Act scheme;
 - (iv) any other scheme which the Ministry, with the consent of the body administering the scheme, may approve:

Provided that where a person has been in more than one such employment as is mentioned in this paragraph within a period of twelve months before the date on which he became an officer, the other employment referred to in paragraph (1) shall be the last of such employments.

Intervals in service due to illness or injury

19.—(1) Notwithstanding anything in these regulations, an officer whose remuneration is suspended owing to leave of absence from duty on account of illness or injury shall be deemed to have ceased his employment as an officer from the date on which his remuneration was so suspended except for the purposes of regulations 9, 11, 12, paragraph (1) of regulation 13, paragraph (b) of regulation 14, sub-paragraph (b) of paragraph (1) and sub-paragraph (a) of paragraph (3) of regulation 15.

(2) Where a person ceases or is deemed by virtue of paragraph (1) to have ceased his employment as an officer on account of illness or injury, no account shall be taken of any period during which he is incapable of resuming employment as an officer or a period of two years, whichever is the less, in determining whether—

- (a) he has entered employment as an officer within any such period as is referred to in regulation 18; or
- (b) for the purposes of regulation 39, sub-paragraphs (a), (b), (c) and (d) of paragraph (4) and paragraphs (9), (10) and (12) of regulation 42, he has had any such break in employment as is referred to therein:

Provided that—

- (i) the said period of two years may be extended to such longer period as the Committee may in any particular case allow; and
- (ii) in the case of a person mentioned in paragraph (1) who ceases to be employed whilst his remuneration is suspended and whilst he is incapable of resuming his employment, the period during which his remuneration is suspended and any further consecutive period during which he is incapable of resuming employment as an officer shall be aggregated for the purposes of this paragraph.

Special provisions with respect to breaks between employments

20. For the purpose of determining whether for the purpose of regulation 18 a person has entered employment as an officer within any such period as is referred to in that regulation—

- (a) where a person ceased to be employed as an officer of an employing authority but continued in the employment of that authority otherwise than as an officer he shall be deemed to have ceased to be an officer on the date on which he left his last-mentioned employment;
- (b) where a person left employment as an officer in order to enter an approved course of study or training no account shall be taken of any period spent by him on that course of study or training;
- (c) where a person left employment as an officer, immediately thereafter became engaged in national service and on the termination of that service entered an approved course of study or training, no account shall be taken of any period spent by him on that course of study or training;
- (d) where a person left employment as an officer in order to enter an approved course of study or training and on completion of that course became engaged in national service, he shall be deemed to have left that employment at the time when he completed that course of study or training;
- (e) where a person was in employment in which he was subject to the Belfast Corporation Superannuation Scheme or in which he was a health service employee or where a person was in such employment in contributory service under the Teachers Act as is referred to in subparagraph (d) of paragraph (3) of regulation 18, then, if he left his former employment in order to enter a course of study or training, no account shall be taken of any period spent by him on that course of study or training;
- (f) where a person left such employment as is mentioned in paragraph (e), immediately thereafter became engaged in national service and on the termination of that service entered a course of study or training, no account shall be taken of any period spent by him on that course of study or training;
- (g) where a person left such employment as is mentioned in paragraph (e), in order to enter a course of study or training, and on completion of that course became engaged in national service, the period spent by the person on that course of study or training shall be disregarded in determining whether he has become engaged in national service immediately after leaving his former employment:

Provided that paragraphs (e), (f) and (g) shall not apply—

- (i) unless, in the case of a person who in his former employment was subject to the Belfast Corporation Superannuation Scheme, the

Committee are satisfied that by reason of the person's having undertaken the course of training he is better fitted for the duties of his new employment;

- (ii) unless, in the case of a person who in his former employment was a health service employee, the person in his employment as an officer is a member of the medical, dental or nursing staff of a health authority and the Committee are satisfied that by reason of the person's having undertaken the course of study or training he is better fitted for the duties of his new employment;
- (iii) unless, in the case of a person who was in such employment in contributory service under the Teachers Act as aforesaid, he gave notice in writing to the Ministry of Education before leaving that employment of his intention to enter the course of study or training and the said course is in the opinion of the Committee likely to be of value to him in his employment as an officer.

Further provisions with respect to war service and national service

21.—(1) If under regulation 18 there is reckonable any previous employment in the case of a person who became an officer after having been engaged in war service or national service, and that service would have been reckonable as service under the enactment or scheme to which he was subject before he ceased to hold his former employment had he again become subject to that enactment or scheme on the termination of his war service or national service, the period thereof shall be regarded as a period of service under these regulations.

(2) Where a person—

- (a) immediately after ceasing to be an officer became engaged in national service; or
- (b) ceased to be an officer in order to enter an approved course of study or training and immediately after completing that course became engaged in national service,

then, if on the termination of that service or within six months thereafter (excluding any period spent by him on an approved course of study or training entered by him on the termination of his national service) the person became an officer, the period of his national service shall be reckonable as a period of service under these regulations:

Provided that if on or after ceasing to be an officer as aforesaid he received a return of contributions—

- (i) no part of such period after the date of the return shall be reckonable as service, and
- (ii) the part of such period before the date of the return shall be reckonable only if he has paid or repaid to the employing authority in whose employment he is an officer, within three months after becoming an officer, or within such longer period as the Committee may in any particular case allow, an amount equal to the sum returned to him together with an amount equal to any income tax which was deducted from his contributions in respect of such return.

(3) Where an officer who has become engaged in national service in the circumstances mentioned in paragraph (2)—

- (a) dies during his period of national service; or
- (b) is prevented, in consequence of being permanently incapacitated by injury or disease received or contracted during that period, from resuming employment under any employing authority,

he shall be deemed to have returned as an officer to the employment of an employing authority immediately before his death or on the termination of that period of service, as the case may be.

(4) Where a person in the employment of an employing authority is a person who—

- (a) has previously been in the employment of any employing authority otherwise than as an officer;
- (b) immediately after ceasing to be so employed became engaged in national service; and
- (c) on the termination of that service or within six months thereafter became an employee of the employing authority in whose employment he is,

the period of his national service shall be taken into account for the purposes of these regulations in the same manner and to the same extent as it would have fallen to be taken into account if he had continued to follow his former employment throughout the period of his national service.

Reckoning of certain periods of employment, etc., as service on payment of additional contributory payments

22.—(1) If after ceasing to be an officer a person (other than a person in respect of whom a transfer value or a payment under paragraph (1) of regulation 50 or paragraph (1) of regulation 32 of the 1950 regulations has been paid and has not been refunded) has entered employment in which under regulations 18 to 21 he is not entitled to reckon any period of employment, war service or national service which was reckonable as service at the date on which he ceased to be an officer, except for the purpose of determining whether any benefit was payable under these regulations, he shall be entitled, if he has given notice in writing to his employing authority within three months after entering their employment, or within such longer period as the Committee may allow, that he intends so to do, to make payments in accordance with the provisions of the second schedule, as if any such period were non-contributing service, and any such period in respect of which payments are made or are in the course of being made shall be reckonable as service.

(2) If a person—

- (a) immediately after ceasing to be an officer became engaged in national service; or
- (b) ceased to be an officer in order to enter an approved course of study or training and immediately after completing that course became engaged in national service,

and has become an officer to whom paragraph (1) applies, that paragraph shall also apply in respect of the period of that national service other than any part thereof after the date on which contributions may have been returned to him:

Provided that this paragraph shall not apply to a person in respect of whose national service no payment has been made under paragraph (8) or (9) of regulation 8, or under paragraph (8) of regulation 5 of the 1950 regulations or paragraph (3) of regulation 6 of those regulations.

(3) Where at the date of coming into operation of these regulations—

- (a) an officer has completed or was in the course of making payments under paragraph (8) or (9) of regulation 15 of the 1950 regulations in accordance with the provisions of the second schedule to those regulations; or

- (b) an existing officer has completed or was in the course of making payments in accordance with the provisions of the proviso to paragraph (8) of regulation 15 of the 1950 regulations,

then, any period of employment, war service or national service in respect of which such payments were made or were being made shall be reckonable as service, and in the case of payments which were being made the outstanding instalments of the sum payable shall be deemed to be instalments of a sum payable under the second schedule.

Special provisions for the reckoning by existing officers as service of certain kinds of employment prior to 1st April, 1950

23. Where an existing officer was entitled—

- (a) by virtue of paragraph (6) of regulation 5 of the 1950 regulations to reckon as service any period of employment between the 1st day of April, 1939, and the 4th day of February, 1948, during which he was subject to the Act of 1937 or any other scheme approved for the purposes of paragraph (6) of regulation 5 of the 1950 regulations;
- (b) by virtue of sub-paragraph (a) of paragraph (1) of regulation 15 of the 1950 regulations to reckon as service any period of employment prior to the appointed day which was reckonable at that date for the purpose of calculating superannuation benefits under the Act of 1865, the Act of 1869, the Act of 1875, the Act of 1919 or any local Act; or
- (c) by virtue of the proviso to paragraph (8) of regulation 15 of the 1950 regulations to reckon as service any period of employment prior to the appointed day under an employing authority or the Belfast Corporation, and that period of employment would have continued to be reckonable under the 1950 regulations had these regulations not been made then any such period of employment as aforesaid shall be reckonable as service in relation to the employment in which he is an officer.

Limitation on service reckonable at age 60 (or in certain cases at age 55)

24. Notwithstanding the provisions of regulations 18 to 23, where an officer other than an existing officer to whom proviso (ii) to paragraph (1) of regulation 8 applies has not attained the age of sixty years or, if the officer is a woman who is a nurse, physiotherapist, midwife or health visitor, the age of fifty-five years, and has completed forty years service, any non-contributing service being reckoned at half its actual length, the period of his employment between the date on which he completed that service and the date on which he attains the age of sixty years or, if the officer is a woman who is a nurse, physiotherapist, midwife or health visitor, the age of fifty-five years, shall not be reckonable as service for any purpose of these regulations.

Reckoning of contributing service and non-contributing service.

25.—(1) There shall be reckonable as contributing service in relation to the employment of an officer by an employing authority—

- (a) service in respect of which he has made or is or was deemed to have made the contributions required by these regulations or the 1950 regulations and any previous employment which was reckonable by him as service by virtue of sub-paragraph (a) of paragraph (1) of regulation 15 of the 1950 regulations and which is reckonable by him as service for the purposes of these regulations;
- (b) service reckonable by virtue of paragraph (a) of regulation 23 in respect of which the officer made a payment in accordance with the provisions of paragraph (6) of regulation 5 of the 1950 regulations;
- (c) service reckonable by virtue of paragraph (b) of regulation 23;

- (d) any previous employment reckonable as service which was—
- (i) reckonable as established service under the Superannuation Acts;
 - (ii) contributory service under the Teachers Act or recognised service within the meaning of that Act;
 - (iii) contributing service for the purposes of the Health Services regulations;
 - (iv) contributing service for the purposes of the Belfast Corporation Superannuation Scheme;
 - (v) contributing service under the Act of 1937;
 - (vi) service (other than non-contributing service) or a period of contribution for the purposes of a local Act scheme;
 - (vii) employment under any other scheme approved by the Ministry under sub-paragraph (e)(iv) of paragraph (3) of regulation 18:

Provided that—

- (i) any period of established service which by virtue of proviso (d) to paragraph (1) of regulation 18 is being treated as double the length at which it was reckonable for the purposes of the Superannuation Acts shall be reckonable as non-contributing service;
- (ii) if in the opinion of the Ministry any such employment as is mentioned in sub-paragraph (d)(vii) is not equivalent to contributing service under these regulations, account shall be taken of that employment to such extent (whether greater or less than its actual length) as the Ministry may direct;
- (iii) if at the time when he ceased to be employed in employment mentioned in sub-paragraph (d)(iii), (d)(iv) or (d)(v) an officer was in the course of making additional contributory payments under the second schedule to the Health Services regulations, the second schedule to the Belfast Corporation Superannuation Scheme or the second schedule to the English or Scottish Local Government regulations the service in respect of which those payments were being made shall not be reckonable as contributing service except in accordance with regulation 27;
- (iv) if at the time when he ceased to be employed in employment mentioned in sub-paragraph (d)(vi) an officer was in the course of making payments in respect of any period of service as a condition of being entitled to reckon that period as service or as a period of contribution for the purposes of the local Act scheme, that period shall not be reckonable as contributing service except in accordance with regulation 28;
- (v) if at the time when he ceased to be employed in employment mentioned in sub-paragraph (d)(vi) an officer was in the course of making payments in respect of any period of service or period of contribution under the local Act scheme as a condition of increasing the length at which that period would be reckonable for the purpose of calculating the benefits under the local Act scheme, that period shall be reckonable as contributing service at the length at which it would have been reckonable if no such payments as aforesaid had been made and shall not otherwise be reckonable as contributing service except in accordance with regulation 28;
- (vi) if at the time when he left any such employment as is mentioned in sub-paragraph (d)(iii), (d)(iv), (d)(v) or (d)(vi) an officer was in

the course of making payments in respect of added years, those years shall not be reckonable as contributing service except in accordance with regulation 29;

- (vii) if at the time when he left any such employment as is mentioned in sub-paragraph (d)(i) or (d)(ii) an officer was in the course of making such voluntary contributions as are referred to in regulation 30 as a condition of being entitled to reckon any period as established service or as contributory service, as the case may be, that period shall be reckonable as contributing service at the length at which it would have been reckonable if no such voluntary contributions as aforesaid had been made and shall not otherwise be reckonable as contributing service except in accordance with regulation 30;
- (viii) if at the time when he ceased to be employed in employment mentioned in sub-paragraph (d)(iii) an officer was entitled by virtue of any provision of the Health Services regulations relating to a person employed at a hospital used wholly or partly for the treatment of persons suffering from mental disorder to reckon any year of contributing service as if it were two years, any such year of contributing service shall, if in the employment which he has entered as an officer the person is a member of the medical, dental or nursing staff of a health authority, be treated for the purpose of this paragraph, but not for the purpose of determining whether any benefit is payable under these regulations, as if it were two years;
- (e) any period of employment, war service or national service which, under these regulations, is reckonable as service by reason of the fact that the officer is in the course of making or has completed payments in respect thereof under regulation 22, or paragraph (8) or (9) of regulation 15 of the 1950 regulations; and
- (f) any other service which by virtue of these regulations is to be reckoned as contributing service.

(2) Any war service or national service which is reckonable as a period of service under regulation 21 in relation to an officer shall be reckonable as a period of contributing service if his service immediately before such war service or national service is so reckonable.

(3) Any service in respect of which an officer completed payments in accordance with the provisions of the second schedule to the 1950 regulations shall be reckonable as contributing service and any outstanding instalments of a sum payable or deemed to be payable under the second schedule to the 1950 regulations shall be deemed to be instalments of a sum payable under the second schedule to these regulations.

(4) An officer may, within three months of becoming such officer or within such longer period as the Committee may allow, elect to make payments in accordance with and subject to the provisions of the second schedule in order to convert any years of non-contributing service reckonable by him to contributing service.

(5) There shall be reckonable as non-contributing service in relation to the employment of an officer by an employing authority any service which is not reckonable as contributing service and which is not reckonable solely for the purpose of determining whether any benefit is payable under these regulations.

(6) Notwithstanding the provisions of paragraph (5), any period of non-contributing service in respect of which an officer has made or is in the course of making payments under the second schedule shall be reckonable as contributing service.

(7) In the case of a person to whom regulation 18 applies who was in his former employment a contributory employee or local Act contributor, if a discretionary power has been exercised in his favour under rules made under section 2 of the Superannuation (Miscellaneous Provisions) Act, 1948, any addition deemed under those rules to have been made to the service reckonable by him at the time when he left the employment in which he was a contributory employee or local Act contributor shall, if a transfer value has been paid in respect thereof under the said rules, be reckonable under these regulations as contributing service:

Provided that no period shall be reckonable as contributing service under this paragraph unless, had that period been reckonable immediately before he left his former employment as contributing service under the Act of 1937 or as service or as a period of contribution under the local Act scheme to which he was a contributor, it would have been reckonable in the employment in which the person is an officer.

Added years in certain cases

26.—(1) Where for the efficient discharge of his duties an officer of an employing authority other than a designated body is required to possess professional or other qualifications and possesses such qualifications which he has not acquired during employment with a local authority, then, if an application for the purpose has been made in accordance with paragraph (2) or paragraph (2) of regulation 26 of the 1950 regulations, the employing authority may, not later than six months after the receipt by the authority of such application or three months after the date of coming into operation of these regulations, whichever is the later, consent to the adding of a number of years to his service:

Provided that—

- (a) this paragraph shall not apply to a person—
 - (i) unless at the time of his becoming an officer he had reached the age of twenty-seven years but was not over the age of thirty-five years;
 - (ii) if, on becoming an officer, he was entitled to reckon as a period of contributing or non-contributing service any period in which he had been employed before reaching the age of twenty-seven years;
- (b) the number of years added shall not exceed ten years or the number of years by which the age of the person at the time of his becoming an officer exceeds the age of twenty years, whichever is the less.

(2) An application by an officer for the purposes of paragraph (1) shall be made in writing to the employing authority by whom he is employed within six months after the date on which he became an officer in their employment.

(3) Where a consent has been given under paragraph (1) or paragraph (1) of regulation 26 of the 1950 regulations in respect of an officer, the officer shall be liable to pay to the superannuation fund, at such intervals as the

Committee may determine; by way of additional contributions in respect of each year added to his service—

- (a) an amount in respect of all service as an officer of any employing authority after the date of the giving of the consent up to the age of sixty years equal to such percentage of his remuneration for the time being as is shown in column (2) of the table set out in the sixth schedule opposite the age shown in column (1) thereof which corresponds to his age at the date of the giving of the consent; or
- (b) in the case of an officer in respect of whom a consent has been given under paragraph (1) of regulation 26 of the 1950 regulations and who had reached the age of fifty-five years at the date of the giving of the consent, an amount in respect of all service after that date up to such age and equal to such percentage of his remuneration for the time being as may be actuarially determined :

Provided that—

- (i) if the officer ceases to hold his employment on the ground that he is incapable of discharging efficiently the duties of the employment by reason of permanent ill-health or infirmity of mind or body, or ceases to be an officer without having become entitled to any benefit under these regulations other than a return of contributions and does not subsequently become an officer in circumstances in which paragraph (1) of regulation 18 applies in relation to the added years in respect of which the consent was given, or dies before reaching the age of sixty years, no further sum shall be payable under this paragraph;
- (ii) the employing authority may if they think fit reduce by not more than one third the percentage applicable in the case of the officer, and if they do so or, in the case of an officer in respect of whom a consent was given under paragraph (1) of regulation 26 of the 1950 regulations, if the employing authority in pursuance of proviso (ii) to paragraph (3) of that regulation reduced the amounts payable by him under that paragraph, the reduction shall operate so long as the officer remains liable to make payments under this paragraph.

(4) If the aggregate of the amount payable by the officer under paragraph (3) by way of additional contributions and the amount payable by him by way of contributions under regulation 8 exceeds fifteen per cent. of his remuneration, he shall satisfy his liability in respect of the excess over fifteen per cent. by payment (either in a lump sum or by way of such instalments payable at such times as may be agreed between him and the employing authority giving the consent) of a sum certified by the Government Actuary to represent the capital value of the excess.

(5) Any amount payable by an officer under paragraph (3) shall be recoverable, either by deduction from his remuneration or otherwise, in like manner and shall be returnable in the like circumstances as if any amounts so payable were contributions to which regulation 8 applies, and during any period during which by virtue of paragraph (5) of regulation 8 an officer whose remuneration has been reduced or suspended continues to contribute to the superannuation fund the like amount as if it had not been reduced or suspended, the amount payable by the officer under paragraph (3) shall be the amount which would have been so payable if his remuneration had not been reduced or suspended.

(6) An employing authority who give a consent under paragraph (1) or who have given a consent under paragraph (1) of regulation 26 of

the 1950 regulations shall pay into the superannuation fund over a period extending from a date three months after the date of coming into operation of these regulations or three months after the date of the giving of the consent, whichever is the later, to the date on which the officer would attain the age of sixty years, such equal annual sums as shall, taken in the aggregate, be determined actuarially as representing the difference between the amount of the additional liability falling on the fund by virtue of the giving of the consent and the capital value of the contributions prospectively payable by the officer as at the date of the giving of the consent:

Provided that—

- (a) account shall be taken in determining the equal annual sums to be paid by the employing authority under this paragraph of—
- (i) any payments made by the employing authority under paragraph (6) of regulation 26 of the 1950 regulations; and
 - (ii) any reduction made by the employing authority in pursuance of proviso (ii) to paragraph (3), or proviso (ii) to paragraph (3) of regulation 26 of the 1950 regulations in the amounts payable by the officer under either of those paragraphs;
- (b) where either the years added to the officer's service have ceased to be reckonable by virtue of proviso (a) to paragraph (7) or the person in respect of whom the consent was given has ceased to be an officer without having become entitled to any benefit under these regulations other than a return of contributions and has not subsequently entered employment in relation to which he is entitled to reckon as pensionable service any years added to his service as an officer by virtue of the giving of the consent, then the employing authority shall be under no further liability under this paragraph and any such sums as are referred to in this paragraph which have been paid after the date on which the person ceased to be an officer of an employing authority or, if the added years ceased to be reckonable by virtue of proviso (a)(i) to paragraph (7), after the date on which that proviso became applicable in relation to the officer, shall be retained by the Committee and shall be applied by them towards the reduction of any liability to which the employing authority are or shall become subject under paragraph (1) of regulation 8.

(7) An officer shall be entitled, if he complies with the requirements of this regulation, to reckon years added to his service by a consent under paragraph (1) or paragraph (1) of regulation 26 of the 1950 regulations as years of contributing service but any years so added shall not be reckonable as service for the purpose of determining whether any benefit is payable to or in respect of the officer under these regulations:

Provided that—

- (a) any years so added shall not be reckonable as service—
- (i) if the officer fails to pay any amount payable by him under paragraph (3) or paragraph (4), or under paragraph (3) or paragraph (4) of regulation 26 of the 1950 regulations; or
 - (ii) if the officer leaves the employment of the employing authority by whom the consent was given before the expiration of a period, beginning with the giving of the consent, equal to one half of the period specified in the consent and the said authority, before a transfer value is paid under regulation 52 or a payment is made under

paragraph (1) of regulation 50, in respect of the officer, resolve that the years so added shall not be so reckonable and the Committee return to him a sum equal to the aggregate of the amounts paid by him under this regulation;

- (b) where a person in respect of whom a consent has been given under paragraph (1) or under paragraph (1) of regulation 26 of the 1950 regulations leaves the employment of the employing authority by whom the consent was given and subsequently becomes an officer of that or any other employing authority, then paragraph (1) of regulation 18 shall not apply in relation to added years in respect of which the consent was given unless, in addition to any payment made in accordance with proviso (a) to paragraph (1) of regulation 18, the person also pays to the employing authority by whom he is employed an amount equal to any sum which, on his ceasing to hold his former employment, was paid to him by way of return of contributions made by him under paragraph (3) or under paragraph (3) of regulation 26 of the 1950 regulations together with an amount equal to any income tax which was deducted from such contributions in respect of such return.

(8) Where an existing officer to whom paragraph (1) of regulation 43 applies possessing technical, professional or other special qualifications was appointed when above thirty years of age to an office under an employing authority for the due and efficient discharge of the duties of which such qualifications were required, the employing authority may, upon the resignation, retirement or death of such officer, direct that there shall be added to the length of his service as such officer such number of years not exceeding ten as the employing authority may fix and any such years so added shall be reckonable as years of contributing service:

Provided that a direction shall not be made under this paragraph in respect of an officer if a consent has been given in respect of him under paragraph (1) or under paragraph (1) of regulation 26 of the 1950 regulations.

(9) There shall be paid into the superannuation fund by an officer in respect of whom a direction is made under paragraph (8) or by his personal representatives for each of the years added to his service by virtue of the direction, a contribution equal to five per cent. of the amount of the annual remuneration payable to him during the year which commenced on the appointed day, together with compound interest thereon as from the 1st day of January, 1952, up to the day preceding the date of the coming into operation of these regulations, at the rate of two and one half per cent. per annum and as from the date of the coming into operation of these regulations, at the rate of three and one quarter per cent. per annum.

(10) There shall be paid into the superannuation fund by the employing authority in respect of an officer in respect of whom a direction is made under paragraph (8) such amount as may be actuarially determined as representing the difference between the amount of the contributions required to be made by the officer in accordance with paragraph (9) and the capital value of the additional liability falling upon the superannuation fund by virtue of the direction having been made.

(11) Any service reckonable by virtue of a direction made under paragraph (8) in relation to a person who has ceased to be an officer shall be deemed to have been reckonable by him immediately before he ceased to be such officer.

Continuation of additional contributory payments previously made under the Belfast Corporation Superannuation Scheme, the Health Services regulations or the English or Scottish Local Government regulations

27. Where a person to whom regulation 18 applies—

- (a) has become an officer after leaving employment in which he was subject to the Belfast Corporation Superannuation Scheme or in which he was a health service employee or a contributory employee; and
- (b) at the time when he left that employment was, or was treated as if he was, in the course of making additional contributory payments under the second schedule to the Belfast Corporation Superannuation Scheme, the second schedule to the Health Services regulations or the second schedule to the English or Scottish Local Government regulations,

he shall be entitled to make the outstanding payments as if they were instalments of a sum payable under the second schedule to these regulations and, if he completes the payments in the manner provided in the second schedule to these regulations to have the service in respect of which they were made reckoned as contributing service:

Provided that this regulation shall not apply to any officer who has not within three months after entering their employment, given notice in writing to the employing authority of his election to continue payments under this regulation and paid to that authority within that period or within such longer period as the Committee may in any particular case allow an amount equal to any sum paid to him by way of return of such additional contributory payments as aforesaid on or after ceasing to hold the employment in which he was subject to the Belfast Corporation Superannuation Scheme or in which he was a health service employee or a contributory employee together with an amount equal to any income tax which was deducted from his additional contributory payments in respect of such return.

Continuation of additional contributory payments previously made under a local Act scheme

28.—(1) The following provisions of this regulation shall apply where a person to whom regulation 18 applies—

- (a) has become an officer after leaving employment in which he was a local Act contributor; and
- (b) at the time when he left that employment was in the course of making payments (otherwise than in respect of added years) by way of—
 - (i) instalments in discharge of a fixed sum; or
 - (ii) contributions of a fraction or percentage of emoluments additional to the percentage payable in respect of current service,

as a condition of being entitled to reckon any period of employment in relation to which those payments were being made as a period of service or a period of contribution for the purposes of the local Act scheme, or as a condition of increasing the length at which the said period of employment would be reckonable as a period of service or a period of contribution for the purpose of calculating a benefit under the local Act scheme.

(2) If the officer notifies the employing authority in writing within three months after entering their employment that he elects to make payments in pursuance of this regulation and pays to that authority within that period or within such longer period as the Committee may in any particular case allow an amount equal to any sum paid to him by way of a return of any such payments as are referred to in paragraph (1), then—

- (a) in a case to which sub-paragraph (b)(i) of paragraph (1) applies the amount which, if paid as a single payment, would discharge the outstanding liability; and
- (b) in a case to which sub-paragraph (b)(ii) of paragraph (1) applies the capital value of the outstanding liabilities as certified by an actuary appointed by the local Act authority,

shall be deemed to be a sum payable under the second schedule and if payment is made in accordance with the provisions of that schedule the period of employment in respect of which the payments were being made shall be reckonable as a period of contributing service in the manner in which it would have been reckonable under these regulations if the payments had been completed before the officer left the employment in which he was a local Act contributor.

Continuation of payments for added years previously made under the Belfast Corporation Superannuation Scheme, the Health Services regulations, the English or Scottish Local Government regulations or a local Act scheme

29.—(1) Subject as hereinafter provided, where a person to whom regulation 18 applies—

- (a) has become an officer after leaving employment in which he was subject to the Belfast Corporation Superannuation Scheme or in which he was a health service employee, a contributory employee or a local Act contributor; and
- (b) at the time when he left that employment was in the course of making payments in respect of added years,

then, if he complies with such of the conditions set out in paragraph (2) as are applicable in his case, he shall be entitled to continue to make the like payments to the superannuation fund in respect of the added years as he would have been liable to make if in his former employment he had been an officer of an employing authority and if the added years in respect of which he was in the course of making payments had been reckonable by virtue of a consent given under paragraph (1) of regulation 26; and if he makes the said payments to the superannuation fund he shall, if he remains an officer of any employing authority without a break of twelve months or more and without having become during any break in employment of less than twelve months an established civil servant, such a person in contributory service under the Teachers Act as is mentioned in sub-paragraph (d) of paragraph (3) of regulation 18, a person subject to the Belfast Corporation Superannuation Scheme, a health service employee, a contributory employee or local Act contributor, enjoy the same rights and be subject to the same liabilities as if the aforesaid added years were reckonable by virtue of a consent given under paragraph (1) of regulation 26.

(2) The conditions to which paragraph (1) refers are that within three months after entering employment in which he is an officer he gives notice in writing to the Committee of his election to continue payments in respect of the said added years and pays to the Committee an amount equal to any sum paid to him by way of return of contributions paid in respect of the said added years on or after his ceasing to hold the employment in which he was subject to the Belfast Corporation Superannuation Scheme or in which he was a health service employee, a contributory employee or a local Act contributor together with an amount equal to any income tax which was deducted from his contributions in respect of such return.

(3) Notwithstanding anything in paragraphs (1) and (2), an officer who in his former employment was subject to the Belfast Corporation Super-

annuation Scheme or was a contributory employee or local Act contributor shall not be entitled to make payments in respect of added years under paragraph (1) if he left that employment in such circumstances that in consequence of a resolution of the authority by whose consent the added years first became reckonable he ceased to be entitled to reckon the said added years.

Continuation of voluntary contributions previously made by an established civil servant or a person in teaching service

30.—(1) The following provisions of this regulation shall apply where a person to whom regulation 18 applies—

- (a) has become an officer after leaving employment in which he was an established civil servant or such a person in contributory service under the Teachers Act as is mentioned in sub-paragraph (d) of paragraph (3) of regulation 18; and
- (b) at the time when he left that employment was in the course of making voluntary contributions as a condition of being entitled to reckon any period as established service or as contributory service under the Teachers Act, as the case may be.

(2) If the officer notifies the Committee in writing within three months after becoming an officer that he elects to make payments in pursuance of this regulation and pays to the Committee an amount equal to any sum paid to him by way of a return of any such voluntary contributions as are referred to in paragraph (1) together with an amount equal to any income tax which was deducted from the voluntary contributions in respect of such return, then—

- (a) if the voluntary contributions were in respect of additional contributory payments which previously to his becoming an established civil servant or a person in contributory service under the Teachers Act or recognised service within the meaning of that Act were being made by him under the second schedule to these regulations or the second schedule to the 1950 regulations, the second schedule to the Belfast Corporation Superannuation Scheme, the second schedule to the Health Services regulations or the second schedule to the English or Scottish Local Government regulations, he shall be entitled to make the outstanding payments as if they were instalments of a sum payable under the second schedule to these regulations and, if he completes the payments in the manner provided in the second schedule to these regulations, he shall be entitled to have the service in respect of which they were made reckoned as contributing service;
- (b) if the voluntary contributions were in respect of payments (otherwise than in respect of added years) which previously to his becoming an established civil servant or a person in contributory service under the Teachers Act or recognised service within the meaning of that Act were being made by him by way of—

- (i) instalments in discharge of a fixed sum; or
- (ii) contributions of a fraction or percentage of emoluments additional to the percentage payable in respect of current service,

as a condition of being entitled to reckon any period of employment in relation to which those payments were being made as a period of service or as a period of contribution for the purposes of a local Act scheme, or as a condition of increasing the length at which the said period of employment would be reckonable as a period of service or a period of contribution for the purpose of calculating a benefit under the local Act scheme, the amount—

- (i) which, in a case to which item (i) applies, if paid as a single payment, would discharge the outstanding liability; or
- (ii) which, in a case to which item (ii) applies, corresponds to the capital value of the outstanding liabilities, as certified by the Government Actuary,

shall be deemed to be a sum payable under the second schedule and if payment is made in accordance with the provisions of that schedule the period of employment in respect of which the payments were being made shall be reckonable as a period of contributing service in the manner in which it would have been reckonable under these regulations if the payments had been completed before the officer ceased to be an established civil servant or such a person in contributory service under the Teachers Act as is mentioned in sub-paragraph (d) of paragraph (3) of regulation 18;

- (c) if the voluntary contributions were in respect of payments which previously to his becoming an established civil servant or a person in contributory service under the Teachers Act or recognised service within the meaning of that Act were being made by him under the Belfast Corporation Superannuation Scheme, the Health Services regulations, the English or Scottish Local Government regulations or a local Act scheme in respect of added years, he shall be entitled to make the like payments to the superannuation fund as he would have been liable to make if in his former employment he had been an officer of an employing authority and as if in that employment he had been in the course of making payments in respect of added years reckonable by virtue of a consent given under paragraph (1) of regulation 26; and if he makes the said payments to the superannuation fund he shall, if he remains an officer of any employing authority without a break of twelve months or more and without having become during any break in employment of less than twelve months an established civil servant, such a person in contributory service under the Teachers Act as is mentioned in sub-paragraph (d) of paragraph (3) of regulation 18, a person subject to the Belfast Corporation Superannuation Scheme, a health service employee, a contributory employee or local Act contributor, enjoy the same rights and be subject to the same liabilities as if the aforesaid added years were reckonable by virtue of a consent given under paragraph (1) of regulation 26;
- (d) if the voluntary contributions which the person was in the course of making do not fall within any of the descriptions contained in sub-paragraphs (a), (b) or (c) then he shall be liable to pay the outstanding voluntary contributions to the Committee in the manner in which they would have been payable if he had not ceased to be an established civil servant or such a person in contributory service under the Teachers Act as is mentioned in sub-paragraph (d) of paragraph (3) of regulation 18 and the period in respect of which such payments are made shall be reckonable as a period of contributing service.

Method of calculating service, contributing service and non-contributing service

31. For the purpose of making any calculation under these regulations (except a calculation under the second schedule, the third schedule or the fourth schedule) in respect of an officer's service—

- (a) all periods of his service shall be aggregated;
- (b) all periods of his contributing service shall be aggregated;

- (c) his non-contributing service shall be calculated by deducting all completed years of his contributing service from his service, and if his non-contributing service as so calculated includes a fraction of a year, that fraction shall, if it amounts to or exceeds six months be treated as a year, and in any other case be disregarded:

Provided that for the purpose of calculating the amount of any benefit payable to or in respect of an officer employed whole-time in a single employment who had formerly been employed in a part-time capacity, the period of part-time service shall be treated as though it were whole-time service for a proportionately reduced period.

Meaning of average remuneration

32. For the purposes of these regulations, the average remuneration of a person in relation to his employment as an officer of an employing authority means the annual average of the remuneration of his employment by that authority, and of any other employment, war service or national service reckonable by him as contributing service or non-contributing service in relation to that employment, for an aggregate period of three years during which he was so employed or engaged in war service or national service as aforesaid, ending on—

- (a) the date on which he ceased to hold his employment as an officer; or
- (b) in the case of an existing officer not being a woman who is a nurse, physiotherapist, midwife or health visitor, who before attaining the age of sixty-five years has completed forty-five years service, counting contributing service at its full length and non-contributing service at half its actual length, the day preceding the date on which he attained the said age; or
- (c) in the case of an officer other than such an officer as is mentioned in paragraph (b), the day preceding the date on which he became an officer mentioned in paragraph (2) of regulation 8,

whichever is the earlier:

Provided that—

- (i) in the case of an officer who, on a reduction in his remuneration, made contributions in accordance with paragraph (4) of regulation 8, or paragraph (2) of regulation 5 of the 1950 regulations, the remuneration on which he so made contributions in respect of the period during which his remuneration was reduced shall be deemed to have been the remuneration of his employment during that period;
- (ii) in the case of an officer who made contributions in accordance with paragraph (5) of regulation 8, or paragraph (3) of regulation 5 of the 1950 regulations, the remuneration on which he so made contributions shall be deemed to have been the remuneration of his employment;
- (iii) in the case of an officer whose remuneration was reduced or suspended by reason of his absence from duty owing to illness or injury, no account shall be taken of the reduction or suspension;
- (iv) the remuneration of an officer in respect of any period of war service or national service which is reckonable as service under these regulations shall be deemed to have been the remuneration of the last employment in which he was engaged before undertaking that service;
- (v) if the officer, having been previously engaged in any other employment, is engaged in the part-time employment of each of two or more authorities, the remuneration of that other employment shall be treated

as attributable to those part-time employments and shall be apportioned between them; and

- (vi) the average remuneration of an officer whose contributing service and non-contributing service is less in the aggregate than three years shall be deemed to be the annual average of his remuneration for such shorter period.

Return of contributions

- 33.**—(1) (a) The provisions of paragraph (2) shall apply in relation to a person who is an excepted officer, the provisions of paragraphs (3) to (5) shall apply in relation to a person who is not an excepted officer and the provisions of paragraphs (6) and (7) shall apply in relation to any person whether or not he is an excepted officer.
- (b) In this regulation, the word “contributions” has the meaning assigned to it by paragraph (6) of regulation 2, but only in so far as any sums included in that definition have not been returned to and retained by the person, and are attributable to service which might have been reckoned under these regulations in relation to the employment he has ceased to hold, or in which he has ceased to be an officer or has died.
- (c) In this regulation, references to cessation of employment by reason of resignation or dismissal in consequence of an offence of a fraudulent character or of grave misconduct, shall be deemed to include references to cessation of employment when such an offence or such misconduct is committed after notice to terminate that employment has been given.
- (d) For the purposes of this regulation a person shall not be regarded as entitled to an injury allowance if by reason of the provisions of paragraph (4) of regulation 11 no sum is for the time being receivable by him on account thereof.
- (2) An officer who on ceasing to be employed is not entitled to a pension, retiring allowance, injury allowance or short service gratuity and a person who, though not ceasing to be employed, ceases to be an officer to whom these regulations apply shall be entitled to receive from the Committee a return of his contributions, together with compound interest thereon:

Provided that—

- (a) if an officer ceases to be employed by reason of his resignation or dismissal in consequence of an offence of a fraudulent character or of grave misconduct, being such an offence or such misconduct committed by him in connection with the performance of the duties of his employment or otherwise in relation to his employment there shall be no right to a return of contributions, but the Committee may, if they think fit, return to him or pay to his spouse or any dependant of his a sum equal to the whole or a part of his contributions, with interest; and
- (b) if any of the contributions were made under an enactment or scheme in the benefits of which the person participated before becoming an officer, and the officer has ceased to be employed in circumstances in which under that enactment or scheme those contributions would not have been returnable, or would have been returnable or might have been returned without interest, no interest shall be calculated on the contributions so made up to the date on which he became an officer.
- (3) The following persons shall be entitled to receive from the Committee a sum equal to the amount of their contributions together with compound interest thereon—

- (a) an officer who, before becoming entitled to a pension, retiring allowance, injury allowance or short service gratuity, ceases to be employed by an employing authority for any reason other than his voluntary resignation or his resignation or dismissal in consequence of inefficiency or an offence of a fraudulent character or misconduct; and
- (b) a person who though not ceasing to be employed, ceases (otherwise than at his own request) to be an officer:

Provided that if any of the contributions were made under an enactment or scheme in the benefits of which the person participated before becoming an officer, and the officer has ceased to be employed in circumstances in which under that enactment or scheme those contributions would not have been returnable, or would have been returnable or might have been returned without interest, no interest shall be calculated on the contributions so made up to the date on which he became an officer.

(4) The following persons shall be entitled to receive from the Committee a sum equal to the amount of their contributions—

- (a) an officer who, before becoming entitled to a pension, retiring allowance, injury allowance or short service gratuity, ceases to be employed by an employing authority by reason of his voluntary resignation or his resignation or dismissal in consequence of inefficiency or an offence of a fraudulent character or misconduct, not being such an offence or grave misconduct in connection with the duties of, or otherwise in relation to, his employment; and
- (b) a person who, though not ceasing to be employed, ceases at his own request to be an officer to whom these regulations apply.

(5) If an officer ceases to be employed by an employing authority by reason of his resignation or dismissal in consequence of an offence of a fraudulent character or of grave misconduct, being such an offence or such misconduct in connection with the performance of the duties of, or otherwise in relation to, his employment and is not entitled to a pension, retiring allowance, injury allowance or short service gratuity, the Committee may, if they think fit, return to him or pay to his spouse or any dependant a sum equal to the whole or a part of his contributions.

(6) If an officer dies, and no death gratuity is payable in respect of his death, then, unless the Committee grant a gratuity or annual allowance to that person's widow or a dependant in accordance with paragraph (3) of regulation 11, his personal representatives shall be entitled to receive from the Committee the amount of his contributions, together with compound interest thereon.

(7) If a person dies who, at the time of his death, was entitled to an injury allowance but to no other benefit under these regulations, then, unless the Committee grant a gratuity or annual allowance to that person's widow or dependant in accordance with paragraph (3) of regulation 11 or a benefit becomes payable in respect of him under the provisions of regulation 15, his personal representatives shall be entitled to receive from the Committee the amount of his contributions, together with compound interest thereon, less the amount which that person has received in respect of the said allowance.

Calculation of interest on contributions

34. Where under any of these regulations provision is made for the calculation of compound interest on the contributions of an officer, that

calculation, unless otherwise provided, shall be made at the rate of two and one-half per cent. per annum, with yearly rests, up to the date of his death, or if he ceased to be an officer before he died, the date on which he ceased to be an officer, and shall begin to run from the first day of the year commencing on the 1st day of April following the year in which the contributions were made:

Provided that—

- (a) if any of the contributions were made under an enactment or scheme in the benefits of which the officer participated before becoming an officer, and that enactment or scheme made provision for the calculation of interest on contributions returned thereunder in a different manner from that provided by this regulation, interest on the contributions so made shall be calculated in the manner provided by the enactment or scheme in the benefits of which the officer last participated before becoming an officer up to the date on which he became an officer or, if he received a return of those contributions before that date, up to the date of such return; and
- (b) where an officer, having received a return of contributions on or after ceasing to hold some former employment, has paid or repaid those contributions to the employing authority, then—
 - (i) if those contributions were returned without interest, the interest thereon shall not begin to run until the 1st day of April in the year following that in which those contributions were so paid or repaid as aforesaid; and
 - (ii) if those contributions were returned with interest, no interest shall be calculated thereon between the date on which they were returned and the 1st day of April in the year following that in which they were so paid or repaid as aforesaid.

Reduction of pension or injury allowance in certain cases

35.—(1) Where a person who has become entitled to a pension or injury allowance under these regulations or the 1950 regulations has, since becoming entitled to the said pension or injury allowance, entered employment the remuneration of which is payable out of public funds, then the rate of pension or allowance payable to him at any time during the period during which he holds that employment shall not exceed the amount (if any) by which the annual rate of emoluments of that employment falls short of the annual rate of remuneration or the annual rate of the average remuneration, whichever is the greater, of the employment in relation to which he became entitled to the pension or allowance.

(2) Where a person who has become entitled to a pension or injury allowance under these regulations or the 1950 regulations proposes to accept further employment the remuneration of which will be payable out of public funds, he shall inform his prospective employer that he is so entitled and, if he enters that employment, shall forthwith give notice in writing to the Committee that he is so employed.

(3) For the purposes of this regulation a person's annual rate of remuneration shall be computed, in so far as it consisted of or comprised salary, wages or other emoluments, whether in money or in kind, receivable by the person in the employment in relation to which he became entitled to the pension or allowance at a fixed rate, at the rate at which it was payable immediately before he ceased to hold the said employment; and in so far as it consisted of or comprised fees and other emoluments not of a fixed nature, at the average

rate at which he received those fees and other emoluments during the three years immediately before he ceased to hold the said employment or, if he was not entitled during the whole of that period to receive those fees and other emoluments, at the average rate for the period during which, within the said period of three years, he was entitled to receive them.

Combined benefits in the case of certain re-employed pensioners

36.—(1) Where a person who has become entitled to a pension, retiring allowance or injury allowance under these regulations or the 1950 regulations has again become an officer, he may, unless the provisions of regulation 37 have been applied in respect of his previous service as an officer, if he so elects, as from the date on which he ceases to be an officer, be entitled to benefits in accordance with the following provisions of this regulation in lieu of any pension or injury allowance to which he has become entitled as aforesaid and of any benefits to which he might otherwise be entitled under these regulations in respect of his service as such officer.

(2) A person to whom paragraph (1) applies shall be entitled on ceasing to be an officer to receive the like benefits as he would be entitled to receive if the service in respect of which he previously became entitled to a pension, retiring allowance or injury allowance were reckonable in addition to his service as such officer:

Provided that if the person had previously been entitled to a retiring allowance under these regulations or the 1950 regulations then—

(a) if the amount of the said retiring allowance (hereinafter in this paragraph called “the first allowance”) equals or exceeds the amount of the retiring allowance to which, apart from this sub-paragraph, he would be entitled under this paragraph (hereinafter called “the second allowance”)—

- (i) a retiring allowance shall not be payable under this paragraph; and
- (ii) any other benefits payable to or in respect of the person under this paragraph shall be reduced in such manner as the Committee may determine to be necessary for the purpose of recovering the amount (if any) by which the first allowance exceeds the second allowance;

(b) if the amount of the second allowance exceeds the amount of the first allowance the second allowance shall be reduced by the amount of the first allowance.

(3) Where a person who has become entitled to benefits under this regulation dies, regard shall be had for the purposes of the application of proviso (iii) to regulation 14 to any payments made on account of any pension, retiring allowance or injury allowance to which he had previously been entitled.

(4) If a person to whom paragraph (1) applies had taken advantage of the provisions of regulation 13 of these regulations or regulation 11 of the 1950 regulations, in relation to any pension or injury allowance to which he had previously become entitled as aforesaid, no title to any pension shall accrue by reason thereof.

(5) If a person who has become entitled to benefits under this regulation again enters employment as an officer, paragraph (1) shall not apply on his ceasing to hold that employment unless he so elects.

Separate benefits in the case of certain re-employed pensioners

37.—(1) Where a person who is entitled to a pension or injury allowance payable out of public funds, whether under these regulations or otherwise, has become an officer and his pension or allowance is on that account liable to be reduced or suspended, then on ceasing to be employed, unless he is a person to whom regulation 36 applies, the service in respect of which that pension or allowance was granted shall be reckonable for the purpose of determining whether the person is entitled to receive any benefit under these regulations and for the purposes of regulation 24, but for no other purpose.

(2) In the calculation of any benefit payable to or in respect of such a person under these regulations, whether by virtue of paragraph (1) or otherwise, account shall not be taken of any number of years of service under these regulations by which those years, together with the years of service in respect of which the pension aforesaid was granted, exceed forty-five years :

Provided that—

- (a) where, under sub-paragraph (a) of paragraph (3) of regulation 24 of the 1950 regulations or under paragraph (1) of regulation 26 of those regulations, or under paragraph (1) or paragraph (8) of regulation 26 of these regulations, or under a similar provision contained in any other enactment or scheme, a number of years were added to the person's service in calculating the amount of the said pension, the number of years so added shall be taken into account for the purposes of this paragraph;
- (b) where, under the proviso to paragraph (1) of regulation 10, or under a similar provision contained in or authorised by any other enactment or scheme, the said pension was calculated by reference to a minimum fraction of remuneration, it shall be deemed to have been granted in respect of years of service equal in number to the numerator of that fraction;
- (c) where the said pension was granted to an established officer or servant of the first class under the Asylums Officers' Superannuation Act, 1909, or under the Health Services regulations to a person having, by virtue of an option exercised under those regulations, rights corresponding with the rights of a first class officer or servant under that Act, the number of years in respect of which the pension was granted shall be multiplied by six-fifths, and any fraction of a year shall be disregarded;
- (d) where the said pension was granted under the Health Services regulations to a person who was a mental health officer within the meaning of those regulations or to a person having, in respect of years of service over twenty, rights corresponding with those of such a mental health officer, each year of which account was taken as if it were two years in calculating the amount of the said pension shall be reckoned as two years for the purposes of this paragraph; and
- (e) any other notional increase or extension of service shall be similarly taken into account for the purposes of this paragraph.

(3) Where a benefit, other than a short service gratuity, becomes payable to or in respect of a person to whom this regulation applies, any provision of these regulations prescribing a minimum benefit or a method of calculating the benefit otherwise than by reference to the amount of the person's contributions or the service reckonable by him or the amount of the pension which was or would in certain circumstances have become payable to him shall be disregarded.

(4) Where a short service gratuity becomes payable to a person to whom this regulation applies, and the service which he is entitled to reckon for the purpose of calculating any benefit under these regulations is less than five years, the short service gratuity shall be either the amount which bears the same proportion to the sum otherwise payable as the period of service so reckonable bears to the period of five years or a sum equal to the amount of his contributions together with compound interest thereon, whichever is the greater.

(5) Where a person who has become entitled to benefits under this regulation dies, no regard shall be had for the purposes of the application of proviso (iii) to regulation 14 to any payments made on account of any pension, retiring allowance or injury allowance to which he became entitled before last becoming an officer.

(6) Notwithstanding anything in this regulation, the benefits payable under these regulations to or in respect of a person shall not be less than the benefits which would have been payable under these regulations had this regulation other than paragraph (2) thereof not been made.

Calculation of benefits on death of re-employed pensioner

38. Where such a person as is mentioned in regulation 36 dies while still an officer the benefits payable in respect of him shall be calculated as if immediately before his death he had become entitled to a benefit under regulation 36 or a benefit under regulation 37, whichever method of calculation gives the greater benefit:

Provided that the method of calculation under regulation 37 shall not apply in respect of any officer to whom that regulation could not have applied if he had ceased to be employed immediately before his death.

Persons subject to non-statutory schemes and arrangements

39.—(1) Where a person, within twelve months before entering the employment in which he is an officer of an employing authority, was employed in employment in which he was a participant in the pension scheme operated under the Federated Superannuation System for Universities or the Federated Superannuation Scheme for Nurses and Hospital Officers or any other similar pension scheme approved by the Ministry, then, if the person so requests the Committee in writing, within three months after becoming an officer of the employing authority, the Committee may, where the terms of the relevant scheme so provide or permit, pay the contributions authorised or required by the scheme to be paid by the employer, and in any other case, subject to the policies held in respect of the person under the relevant scheme being assigned to the Committee, may make suitable arrangements to be approved by the Ministry for carrying out the relevant scheme with such modifications as may be appropriate and if the Committee pay the aforesaid contributions or make the aforesaid arrangements the provisions of this regulation shall apply to the person but no other provisions of these regulations shall apply to him:

Provided that this paragraph shall apply only if the person remains without a break of more than one month at any one time an officer in the employment of any employing authority.

(2) Where before the date of coming into operation of these regulations an employing authority had with the approval of the Committee exercised in respect of a person their powers under paragraph (1) of regulation 25 of the 1950 regulations to pay the contributions authorised or required to be made by the employer under a pension scheme such as is mentioned in paragraph (1)

then if the person has remained and continues to remain without a break of more than one month at any one time an officer of an employing authority the Committee shall pay the contributions authorised or required by the said pension scheme to be paid by the employer, and in that event the officer shall not be subject to any provisions of these regulations except those contained in this regulation.

(3) Where contributions are paid by the Committee under either paragraph (1) or (2) in respect of any person, the employing authority shall deduct from that person's remuneration the amount of the contributions required by the scheme to be paid by the employee, and shall pay the same to the Committee, together with the like contributions which they would have paid in respect of that person under regulation 8 but for the provisions of this regulation:

Provided that where the amount of contributions paid by the employing authority in accordance with this paragraph in respect of any period is less than the amount of contributions authorised or required by the scheme to be paid by the employer in respect of that period the employing authority shall pay to the Committee a further sum representing the difference between those amounts.

Holders of joint appointments

40. Where one of the holders of a joint appointment under an employing authority ceases to hold his appointment, and the appointment of the other is thereby determined, then that other, if he is an officer to whom this part applies, and has attained the age of fifty-five years and completed ten years service, shall be entitled to receive a pension and retiring allowance calculated in accordance with the provisions of regulation 10:

Provided that this regulation shall not apply in any case where a joint appointment is determined in consequence of the misconduct of one of the holders thereof.

Female nurses, physiotherapists, midwives and health visitors

41. These regulations, in their application to women who are nurses, physiotherapists, midwives or health visitors, shall have effect subject to the modification that in regulation 9 fifty-five years shall be substituted for sixty years.

Modification of benefits and obligations under these regulations in connection with the National Insurance Act (Northern Ireland), 1946

42.—(1) (a) The provisions of paragraph (2) shall apply in relation to every officer unless he is a person in relation to whom paragraph (6), (8) or (9) or sub-paragraph (a) of paragraph (12) applies or a person in relation to whom paragraph (10) applies who did not give the notice referred to in that paragraph, and, if he is a person in relation to whom paragraph (7) applies, only to the extent indicated in that paragraph; and

(b) the provisions of paragraph (4) shall apply in relation to every person in receipt of a pension under these regulations who in the employment in relation to which he became entitled to that pension was an officer to whom paragraph (2) applied, but, if he is a person in relation to whom paragraph (5) applies or paragraph (8) applied, only to the extent indicated in whichever of those paragraphs applies or applied in his case.

(2) The amount of the contributions to be paid under regulation 8 by such an officer as is mentioned in sub-paragraph (a) of paragraph (1) shall be reduced at the rate of three pounds and eight pence per annum in the case of a man and of a woman who is a nurse, physiotherapist, midwife or health visitor, and at the rate of three pounds and five shillings per annum in the case of any other woman, and the amount of contributions to be paid in respect of the officer by the employing authority shall be reduced at the like rate.

(3) Any amount payable by an officer to whom the provisions of paragraph (2) apply by way of additional contributions in respect of years added under regulation 26 or regulation 26 of the 1950 regulations shall be reduced by the annual amount obtained by—

- (a) ascertaining the sum by which, in respect of the years so added, any pension to which the officer may become entitled under these regulations is liable to be reduced under paragraph (4); and
- (b) taking for each one pound of the sum so ascertained (and proportionately for any fraction of a pound) the sum shown in the appropriate column of the table set out in the eighth schedule in relation to an age which corresponds with that of the officer on the date on which the consent was given under regulation 26 or, as the case may be, regulation 26 of the 1950 regulations:

Provided that where before the date of coming into operation of these regulations an officer to whom this paragraph applies has paid additional contributions in respect of years added to his service by virtue of a consent given under paragraph (1) of regulation 26 of the 1950 regulations there shall be applied to the reduction of the additional contributions payable by him under regulation 26 of these regulations a further sum equal to the amount by which the additional contributions paid by him under regulation 26 of the 1950 regulations would have been reduced had this paragraph applied for the reduction of those contributions.

(4) As from the date on which such an officer as is mentioned in sub-paragraph (b) of paragraph (1) becomes entitled to a pension under these regulations, or, if on becoming entitled to such pension he has not reached pensionable age within the meaning of the National Insurance Act (Northern Ireland), 1946, as from the date on which he reaches that age, the pension shall be reduced—

- (a) if he became an officer of an employing authority within twelve months after leaving employment in relation to which he was subject to the Belfast Corporation Superannuation Scheme or the Health Services regulations, or if he left that employment in order to undertake war service or if immediately after leaving that employment he became engaged in national service, within six months after the termination of that service, and remained an officer of an employing authority until becoming entitled to a pension, without any break of twelve months or more during no part of which he was an established civil servant, such a person in contributory service under the Teachers Act or in recognised service within the meaning of that Act as is mentioned in sub-paragraph (d) of paragraph (3) of regulation 18, a person subject to the Belfast Corporation Superannuation Scheme, a health service employee, a contributory employee or a local Act contributor, and if by virtue of the Belfast Corporation Superannuation Scheme or the Health Services regulations, any superannuation allowance to which he might have become entitled under the enactment to which he was subject as aforesaid would have been reduced by reference to his age at the date on which

the Belfast Corporation Superannuation Scheme or the Health Services regulations became applicable in relation to him—

- (i) by the annual sum shown in the appropriate column of the relative table set out in the fifth schedule in relation to an age which corresponds with his age at the date on which the Belfast Corporation Superannuation Scheme or the Health Services regulations became applicable in relation to him, for each year of contributing service on and after that date; and
 - (ii) by one half of the said annual sum for each year of non-contributing service on and after the said date;
- (b) if he became an officer of an employing authority within twelve months after leaving employment in relation to which he was subject to the Act of 1937 or a local Act scheme, as modified by regulations made under sub-section (4) of section 69 of the National Insurance Act, 1946 (which relates to the modification of pension schemes in consequence of the passing of that Act), or if he left that employment in order to undertake war service or if immediately after leaving that employment he became engaged in national service, within six months after the termination of that service, and remained an officer until becoming entitled to a pension, without any break of twelve months or more during no part of which he was an established civil servant, such a person in contributory service under the Teachers Act or in recognised service within the meaning of that Act as aforesaid, a person subject to the Belfast Corporation Superannuation Scheme, a health service employee, a contributory employee or a local Act contributor, and if by virtue of the said regulations or regulations made under section 1 of the Act of 1953 (which authorises regulations to be made as to superannuation benefits for persons who are or have been contributory employees) or a local Act scheme any superannuation allowance to which he might have become entitled under the enactment or scheme to which he was subject as aforesaid would have been reduced by reference to his age at the material date—
- (i) by the annual sum shown in the appropriate column of the relative table set out in the fifth schedule in relation to an age which corresponds with his age at the material date, for each year of contributing service on and after that date or in respect of which he paid reduced contributions in pursuance of a scheme (hereinafter called a "pre-existing scheme") made under sub-section (3) of section 28 of the Widows', Orphans' and Old Age Contributory Pensions Act, 1936 (which conferred a power to modify existing superannuation schemes), or the corresponding provisions of any Act repealed by that Act; and
 - (ii) by one half of the said annual sum for each year of non-contributing service on and after the said date;
- (c) if he became an officer of an employing authority within twelve months after leaving employment in which he was such a person in contributory service under the Teachers Act or in recognised service within the meaning of that Act as aforesaid, or if he left that employment in order to undertake war service or if immediately after leaving that employment he became engaged in national service, within six months after the termination of that service, and remained an officer until becoming entitled to a pension, without any break of twelve months or more during no part of which he was an established civil servant, such a person in contributory service under the Teachers Act or in recognised service

within the meaning of that Act as aforesaid, a person subject to the Belfast Corporation Superannuation Scheme, a health service employee, a contributory employee or a local Act contributor, and if by virtue of regulations made under sub-section (4) of section 66 of the National Insurance Act (Northern Ireland), 1946, modifying the Teachers Act or a 1923 Act scheme any superannuation allowance to which he might have become entitled under the Teachers Act or a 1923 Act scheme would have been reduced by reference to his age at a given date—

- (i) by the annual sum shown in the appropriate column of the relative table set out in the fifth schedule in relation to an age which corresponds with his age at the date which was relevant for the purposes of the aforesaid regulations modifying the Teachers Act or a 1923 Act scheme for each year of contributing service on and after that date; and
 - (ii) by one half of the said annual sum for each year of non-contributing service on and after the said date;
- (d) if, not being such a person as aforesaid, he was such a person as is mentioned in paragraph (10), and remained an officer without any break of twelve months or more during no part of which he was an established civil servant, such a person in contributory service under the Teachers Act or in recognised service within the meaning of that Act as aforesaid, a person subject to the Belfast Corporation Superannuation Scheme, a health service employee, a contributory employee or a local Act contributor—
- (i) by the annual sum shown in the appropriate column of the relative table set out in the fifth schedule in relation to an age which corresponds with his age at the appointed day or at the date on which he became an officer, whichever was the later, for each year of contributing service on and after the appointed day, or on and after the date on which he became an officer, whichever was the later; and
 - (ii) by one half of the said annual sum for each year of non-contributing service on and after the said date; and
- (e) in any other case by the sum of one pound and fourteen shillings for each year of contributing service on and after the appointed day and by the sum of seventeen shillings for each year of non-contributing service on and after that day:

Provided that—

- (i) any years added to an officer's service by virtue of a consent given under paragraph (1) of regulation 26 or paragraph (1) of regulation 26 of the 1950 regulations, shall be deemed to be contributing service rendered after the appointed day;
- (ii) for the purpose of calculating the amount of any reduction under this paragraph, where a pension is by virtue of the proviso to paragraph (1) of regulation 10 at the rate of twenty eightieths of an officer's average remuneration, he shall be treated as having reckonable as contributing service in calculating the amount of the pension, and as having paid reduced contributions in respect of, an additional period equal to the difference between the aggregate period of his contributing service and non-contributing service (non-contributing service being reckoned in calculating that period at half its actual length) and twenty years; and where the pension is by virtue of the proviso to paragraph (1) of regulation 10 increased by reference to service which the officer could

have completed, that service shall be reckonable as contributing service after the relevant date;

- (iii) if a person, having paid reduced contributions for any period in pursuance of a pre-existing scheme has, in pursuance of that scheme, paid a sum representing the difference between those reduced contributions and the sum he would have contributed had his contributions not been reduced, his service during that period shall not for the purposes of sub-paragraph (b) be treated as service in respect of which reduced contributions were paid;
- (iv) if by virtue of regulation 18, as extended by paragraph (a) of regulation 20, paragraph (3) or (4) of regulation 50 or sub-paragraph (d) of paragraph (2) of regulation 51, a person is entitled to reckon any prior period of employment or any period of war service or national service for the purpose of calculating the pension to which he has become entitled, then, if the period so reckonable was a period during which he paid contributions at an unreduced rate, his pension, in so far as it falls to be calculated by reference to that service, shall not be reduced under the provisions of this regulation;
- (v) in the case of an officer who before becoming an officer was in such employment as is mentioned in sub-paragraph (e)(i) of paragraph (3) of regulation 18 and who immediately before the appointed day was subject to the provisions of the Belfast Corporation Act (Northern Ireland), 1943, sub-paragraph (e) shall have effect as if the references therein to "service on and after the appointed day" and "service on and after that day" were references respectively to "service before, on and after the appointed day" and "service before, on and after that day"; and
- (vi) the total amount of the reduction shall in no case exceed sixty-seven pounds and fifteen shillings per annum.

(5) In the case of an officer who on completing forty-five years service, or forty-five years contributing service and non-contributing service, the non-contributing service being reckoned at half its actual length, would, if he then ceased to be employed, be entitled to a pension, any further service shall be disregarded for the purposes of paragraph (4), if that paragraph subsequently becomes applicable in relation to him.

(6) Paragraph (2) shall not apply in the case of any person who in pursuance of paragraph (a) of sub-section (3) of section 68 of the National Insurance Act (Northern Ireland), 1946, is deemed to attain pensionable age on the expiration of ten years from the appointed day for the purposes of that section.

(7) Where a person is an officer in the part-time employment of two or more employing authorities, paragraph (2) shall only apply in relation to him in his employment under that employing authority which is treated as his employer for the purposes of the National Insurance Act (Northern Ireland), 1946.

(8) Where an officer in the part-time employment of one or more employing authorities is also employed in other employment in which he is not entitled to participate in superannuation benefits provided by these regulations, and his employer in that other employment is treated as his employer for the purposes of the National Insurance Act (Northern Ireland), 1946, paragraph (2) shall not apply, and whether or not he subsequently becomes an officer to whom that paragraph applies, no account shall be taken for the purposes of paragraph (4) of his service during the period in which this paragraph applied to him.

(9) Where a person has become an officer within twelve months after leaving employment in relation to which he was an established civil servant, such a person in contributory service under the Teachers Act or in recognised service within the meaning of that Act as aforesaid, a person subject to the Belfast Corporation Superannuation Scheme, a health service employee, a contributory employee or a local Act contributor, or if he left that employment in order to undertake war service or if immediately after leaving that employment he became engaged in national service, within six months after the termination of that service, and, having been in that employment either—

- (a) insured or deemed to have been insured under the National Health Insurance Acts (Northern Ireland), 1936 to 1938, as amended by the National Health Insurance and Contributory Pensions Act (Northern Ireland), 1941, or the Widows', Orphans' and Old Age Contributory Pensions Act (Northern Ireland), 1936, or an insured person for the purposes of the National Insurance Act (Northern Ireland), 1946, and also having been excepted from the provisions of any regulations made under sub-section (4) of section 66 of the National Insurance Act (Northern Ireland), 1946, or from the operation of any provision of the enactment to which he was subject in that employment, modifying the benefits provided by the enactment in relation to any such insured person as aforesaid; or
- (b) insured or deemed to have been insured under the National Health Insurance Acts, 1936 to 1938, as amended by the National Health Insurance Contributory Pensions and Workmen's Compensation Act, 1941, or the Widows', Orphans' and Old Age Contributory Pensions Act, 1936, or an insured person for the purposes of the National Insurance Act, 1946, and also having been excepted from the provisions of any regulations made under sub-section (4) of section 69 of the National Insurance Act, 1946, or from the operation of any provision of the enactment to which he was subject in that employment, modifying the benefits provided by the enactment in relation to any such insured person as aforesaid,

paragraph (2) shall not apply in relation to him if, since he first became an officer, there has been no period of twelve months or more throughout which he was not an officer of an employing authority, an established civil servant, such a person in contributory service under the Teachers Act or in recognised service within the meaning of that Act as aforesaid, a person subject to the Belfast Corporation Superannuation Scheme, a health service employee, a contributory employee or a local Act contributor.

(10) Where a person was an officer of an employing authority on the appointed day, or where a person was on war service or national service on the appointed day and became an officer within six months after the termination of that service, then, unless he gave notice in accordance with paragraph (7) of regulation 29 of the 1950 regulations that he wished paragraph (1) of that regulation to apply in his case, paragraph (2) of this regulation shall not apply in relation to him, if he has remained and continues to remain an officer without any break of twelve months or more during no part of which he was an established civil servant, such a person in contributory service under the Teachers Act or in recognised service within the meaning of that Act as aforesaid, a person subject to the Belfast Corporation Superannuation Scheme, a health service employee, a contributory employee or a local Act contributor.

(11) If during any period an officer has not paid contributions under these regulations by virtue of the fact that the amount of the reduction in his

contributions provided for by this regulation equalled or exceeded the amount of his contributions, he shall nevertheless be deemed for the purpose of sub-paragraph (a) of paragraph (1) of regulation 25 to have made the contributions required by these regulations in respect of that period.

(12) Where a person has become an officer within twelve months after leaving such employment as is mentioned in sub-paragraph (e)(iv) of paragraph (3) of regulation 18, or, if he left that employment in order to undertake war service or if immediately after leaving that employment he became engaged in national service, within six months after the termination of that service, and in that employment he was an insured person within the meaning of the National Insurance Act (Northern Ireland), 1946, or any corresponding enactment in force in the part of Her Majesty's dominions in which he was employed, then—

- (a) if he had been excepted from the operation of any provision (hereinafter called "the modification provision") of the scheme to which he was subject modifying the benefits provided by the scheme in relation to any such insured person as aforesaid, paragraph (2) shall not apply in relation to him so long as he is an officer without a break of twelve months or more at any one time, reckoned from the time when he left the employment of an employing authority (no account being taken of any period spent on an approved course of study or training which he entered after leaving that employment); and
- (b) if he had not been so excepted—
 - (i) the provisions of this regulation shall apply to him as if any service which he is entitled to reckon under these regulations, being service of which account would have been taken under the modification provision for the purpose of reducing any benefit to which the person might have become entitled under the said scheme had he continued to be subject thereto, were contributing service rendered on or after the appointed day; and
 - (ii) if the modification provision modified any benefit to which he might have become entitled under the said scheme by reference to a table and to his age at a given date, this regulation shall have effect as if he were a person to whom sub-paragraph (d) of paragraph (4) applied, except that the reference therein to his age at a given date shall be construed as a reference to his age at the date which was relevant for the purposes of the modification provision:

Provided that sub-paragraph (b)(ii) shall not apply to any person unless the modification provision, or any corresponding provision modifying the benefits provided by any superannuation scheme to which he was formerly subject in employment which was reckonable as service for the purposes of the scheme applicable to him in such employment as is mentioned in sub-paragraph (e)(iv) of paragraph (3) of regulation 18, applied to him on or before the appointed day.

(13) For the purposes of sub-paragraphs (a), (b), (c) and (d) of paragraph (4) and of paragraphs (9) and (10) a person shall not be treated as having had such a break as is therein mentioned if—

- (a) he ceased at any time to be an officer, an established civil servant, such a person in contributory service under the Teachers Act or in recognised service within the meaning of that Act as aforesaid, a person subject to the Belfast Corporation Superannuation Scheme, a health service employee, a contributory employee or a local Act contributor, in order

to undertake war service and re-entered employment in one of those capacities within six months after the termination of that service;

- (b) he ceased at any time to be an officer, an established civil servant, such a person in contributory service under the Teachers Act or in recognised service within the meaning of that Act as aforesaid, a person subject to the Belfast Corporation Superannuation Scheme, a health service employee, a contributory employee or a local Act contributor, immediately after so ceasing became engaged in national service, and re-entered employment in one of those capacities within six months after the termination of that service;
- (c) he ceased at any time to be an officer in order to enter an approved course of study or training and re-entered employment as an officer without having had a break of twelve months or more since leaving his previous employment (no account being taken of the period of the said course of study or training), or within six months after the termination of national service in which he became engaged on completion of that course; or
- (d) he ceased at any time to be an officer and—
 - (i) immediately thereafter became engaged in national service;
 - (ii) on the termination of that service entered an approved course of study or training; and
 - (iii) re-entered employment as an officer within six months after the termination of his national service (no account being taken of the period of the said course of study or training).

(14) In this regulation—

(a) “the material date” means—

- (i) in relation to a person to whom sub-paragraph (b) of paragraph (4) applies (other than a person who was subject to the provisions relating to modification of retirement benefits contained in the English or Scottish Local Government regulations, or who was subject to corresponding provisions contained in a local Act scheme), the date on which regulations made under sub-section (4) of section 69 of the National Insurance Act, 1946, first applied to him; and
- (ii) in relation to a person to whom sub-paragraph (b) of paragraph (4) applies and who was subject to the said provisions in the English or Scottish Local Government regulations or corresponding provisions contained in a local Act scheme, the material date as defined in sub-paragraph (1) of paragraph 1 of the third schedule to the English or Scottish Local Government regulations, or, as the case may be, the corresponding date prescribed by the relevant local Act scheme; and

(b) “superannuation allowance” includes a retirement benefit as defined in regulation 24 of the English or Scottish Local Government regulations and any corresponding benefit under a local Act scheme.

Benefits of existing officers who exercised the option to come within the 1950 regulations

43.—(1) The provisions of this regulation shall apply in the case of—

- (a) any officer who exercised the option conferred by regulation 23 of the 1950 regulations to avail himself of the benefits of those regulations;
- (b) any officer to whom regulation 18 applies or to whom paragraph (3) of regulation 15 of the 1950 regulations applied who in his former

employment was subject to the Belfast Corporation Superannuation Scheme and who became subject to that scheme by virtue of a provision of that scheme corresponding to regulation 23 of the 1950 regulations; and

- (c) any officer who became an officer on the 1st day of April, 1959, by virtue of section 2 of the Health Services Act (Northern Ireland), 1958, having immediately before that date been an employee of the Northern Ireland Tuberculosis Authority to whom the provisions of regulation 26 of the Health Services (Superannuation) Regulations (Northern Ireland), 1954, applied.

(2) The amount of any retiring allowance payable to any officer to whom paragraph (1) applies shall be increased by one half per cent. in respect of each year of contributing service, and one quarter per cent. in respect of each year of non-contributing service, reckonable in respect of any period prior to the appointed day:

Provided that—

- (a) where the whole of the retiring allowance payable to the officer in respect of any such period as is mentioned in this paragraph falls to be calculated, in the case of any year of contributing service by reference to one eightieth of the officer's average remuneration, and in the case of any year of non-contributing service by reference to one one-hundred-and-sixtieth of such remuneration, one and one half per cent. shall be substituted for one half per cent. in respect of each such year of contributing service, and three quarters per cent. shall be substituted for one quarter per cent. in respect of each such year of non-contributing service;
- (b) where part only of the retiring allowance falls to be calculated in the manner referred to in proviso (a), the amount of the retiring allowance shall be increased by a sum equal to the sum by which the retiring allowance would have been increased if the whole of that allowance had been calculated in the manner referred to in proviso (a); and
- (c) in the case of such an officer as is referred to in sub-paragraph (c) of paragraph (1) the reference to "the appointed day" shall be construed as a reference to "the 5th day of July, 1948".

Avoidance of duplicate benefits

44. If the Committee are of opinion that any service in respect of which a benefit is payable under these regulations has been or will be taken into account for the purpose of any other benefit which has or may become payable out of public funds, the Committee may make such deduction from the benefit under these regulations as may appear to them to be equitable, in order to secure that there may not be payable in respect of the same service a benefit under these regulations as well as such other benefit as aforesaid.

Benefits not assignable

45. Subject to the provisions of regulation 47, a pension or other benefit to which an officer, or the spouse or dependant of an officer, becomes entitled under these regulations shall be payable to, or in trust for, the person who is entitled to receive it, and shall not be assignable or chargeable with his debts or other liabilities.

Payment without formal proof of title in certain cases

46. Where any sum not exceeding one hundred pounds is payable under these regulations to any person or to his personal representatives in respect

of superannuation benefits or by way of the return of contributions, probate or other formal proof of title of the personal representatives may be dispensed with, and the sum may be paid to or distributed among the persons appearing to the Committee to be beneficially entitled to the personal estate of such person, or to or among one or more of those persons, or in the case of the illegitimacy of such person or of his children, to or among such persons as the Committee may think fit.

Disposal of sum payable to a person mentally or physically disabled

47.—(1) Subject to the provisions of paragraph (3), where any sum is payable under these regulations to any person (in this regulation referred to as “the beneficiary”) who is receiving treatment for mental disorder in a hospital within the meaning of the Mental Health Act (Northern Ireland), 1961, the Committee may pay so much of the said sum as they think fit to that hospital to be applied for his benefit, and may pay the residue, if any, or such part thereof as the Committee think fit for or towards the maintenance and benefit of the spouse and relatives of the beneficiary.

(2) Where a beneficiary who is not receiving treatment for mental disorder in a hospital as aforesaid is certified by a justice of the peace or minister of religion and by a registered medical practitioner to be unable by reason of mental or physical disability to manage his affairs, the Committee may pay to the person having the care of the beneficiary so much of the sum payable to the beneficiary as they think fit, and may pay the residue, if any, or such part thereof as the Committee think fit, for or towards the maintenance and benefit of the spouse and relatives of the beneficiary.

(3) The Committee shall not make any payment—

- (a) under paragraph (1) or (2) if a committee, receiver or guardian has been appointed to manage the beneficiary’s estate pursuant to the Lunacy Regulation (Ireland) Act, 1871; or
- (b) under paragraph (1) to any hospital towards the cost of treatment which, under any enactment, is to be provided free of charge.

Forfeiture of rights

48. An officer who is dismissed, resigns or otherwise ceases to hold his employment in consequence of an offence of a fraudulent character or of grave misconduct, being such an offence or such misconduct committed by him in connection with the performance of the duties of his employment or otherwise in relation to his employment, or who commits such an offence or such misconduct after notice to terminate his employment has been given, shall, if the Committee so direct, forfeit all claim in respect of his previous service to any superannuation benefits under these regulations.

PART III

MISCELLANEOUS

Definition of “the prescribed time limit”

49. In this part “the prescribed time limit” means a period of twelve months after leaving employment as an officer or, in the case of a person who immediately after leaving such employment became engaged in national service, a period of six months after the termination of that service:

Provided that—

- (a) in the case of a person who after leaving employment as an officer has become a person subject to the Belfast Corporation Superannuation

Scheme or in the case of a person who in his employment as an officer was a member of the medical, dental or nursing staff of a health authority and who after leaving employment as an officer has become a health service employee, there shall be excluded in reckoning the aforesaid period of twelve months or, as the case may be, the aforesaid period of six months, any period spent on a course of study or training and any period of national service in which he became engaged on completion of that course shall be deemed to have begun immediately after he left employment as an officer; and

- (b) in the case of a person who after leaving employment as an officer has entered such employment in contributory service under the Teachers Act as is referred to in sub-paragraph (d) of paragraph (3) of regulation 18, there shall be excluded in reckoning the aforesaid period of twelve months or, as the case may be, the aforesaid period of six months, any period spent on a course of study or training if, under rules made under section 12A of the Teachers Act, the period of that course is excluded in determining for the purpose of those rules whether his previous service is reckonable in his new employment, and if, under those rules, in determining whether his previous service is reckonable in his new employment, he is deemed to have left employment as an officer on completion of a course of study or training, any period of national service in which he became engaged on completion of that course shall be deemed to have begun immediately after he left employment as an officer.

Rights on transfer to other employment

50.—(1) Where a person after ceasing to be employed as an officer and, within the prescribed time limit and without having become entitled to any benefit under these regulations other than a return of contributions, enters employment in which he is a participant in the superannuation scheme operated under the Federated Superannuation System for Universities or the Federated Superannuation Scheme for Nurses and Hospital Officers or any other similar pension scheme approved for the purposes of this paragraph by the Ministry, he may, within three months thereafter, notify the Committee that he desires the provisions of this paragraph to apply to him, and in that event the Committee may, if the body administering or, as the case may be, the institution participating in the pension scheme in which he is a participant (hereinafter called “the relevant scheme”) undertakes, or by the terms of the relevant scheme is obliged—

- (a) to invest or secure the investment of such sum as is hereinafter mentioned for his benefit under the relevant scheme in the purchase of a policy of insurance on his life providing for the payment on his retirement at or after a specified age or on earlier retirement through incapacity of an annuity to him or of such joint annuity to him and another as he may be entitled to select in accordance with the terms of the relevant scheme (such annuity or joint annuity not to be capable of assignment and, except on such conditions as the Ministry may approve, not to be capable of commutation); and
- (b) to comply with the provisions of paragraph (2),

pay out of the superannuation fund to that body or institution a sum not exceeding at their discretion the amount of a transfer value calculated in accordance with the provisions of the fourth schedule:

Provided that a person who has received a return of contributions on or after ceasing to be employed as an officer shall not be entitled to the benefit

of the foregoing provisions of this paragraph unless, on entering such further employment as aforesaid, he repays to the Committee an amount equal to the sum paid to him by way of return of contributions together with an amount equal to any income tax which was deducted from his contributions in respect of such payment.

(2) If a person to whom the provisions of paragraph (1) or paragraph (1) of regulation 32 of the 1950 regulations have been applied ceases to participate in the relevant scheme in circumstances in which he becomes entitled to a benefit based solely on his contributions thereunder, the said body or institution shall pay to the Committee a sum equal to the sum received by the body or institution pursuant to the provisions of paragraph (1) or paragraph (1) of regulation 32 of the 1950 regulations in respect of the person, and the Committee shall pay to him a sum equal to any amount which would have been paid to him by way of a return of contributions on his ceasing to be employed as an officer or on the termination of his national service, as the case may be, if no payment had been made in respect of him under paragraph (1) or paragraph (1) of regulation 32 of the 1950 regulations.

(3) If such a person as is mentioned in paragraph (2), within twelve months after so ceasing to participate in the relevant scheme and within five years after ceasing to be an officer of an employing authority, again becomes an officer of an employing authority, he shall be entitled, if he pays or repays to the Committee any sum paid to him by the Committee under paragraph (2), together with an amount equal to the amount of any income tax which was deducted in respect of such payment, to reckon as service, contributing service and non-contributing service, respectively, all periods of employment, war service or national service which he was entitled so to reckon in relation to his employment under the former employing authority immediately before the date on which he ceased to be employed by them, and as contributing service any period of national service after so ceasing to be employed.

(4) If a person to whom the provisions of paragraph (1) or paragraph (1) of regulation 32 of the 1950 regulations had been applied—

- (a) leaves the employment in which he is a participant in the relevant scheme in circumstances other than those in which paragraph (2) applies;
- (b) within twelve months after leaving that employment and within five years after ceasing to be employed as an officer again enters employment in which he is an officer; and
- (c) within three months after entering the last-mentioned employment notifies the Committee that he desires the provisions of this paragraph to apply to him,

then if the body administering or, as the case may be, the institution participating in the relevant scheme pays to the Committee a sum equal to the sum received by it pursuant to the provisions of paragraph (1) or paragraph (1) of regulation 32 of the 1950 regulations in respect of the person, he shall be entitled to reckon such service as he would have been entitled to reckon had there been no break between his ceasing to be an officer and his again becoming an officer as aforesaid.

(5) A person to whom paragraph (1) or paragraph (1) of regulation 32 of the 1950 regulations has been applied shall not be entitled to receive any payment by way of return of contributions under these regulations in respect of his ceasing to be employed in the employment in which, before either of the said paragraphs was applied to him, he was an officer of an employing authority.

Provisions relating to approved employment

51.—(1) Where a person, having left employment in which he was an officer or employment to which this regulation applies without having become entitled to any benefit under these regulations other than a return of contributions, has entered within the prescribed time limit employment in which he is not entitled to reckon his service under these regulations for the purpose of participating in any superannuation benefits, otherwise than for the sole purpose of determining whether any such benefits are payable, he may, (unless he is a person to whom paragraph (1) of regulation 50, or paragraph (1) of regulation 32 of the 1950 regulations has been applied) apply to the Committee within three months after entering that employment, or within such longer period as the Committee may in any particular case allow, to approve the employment for the purposes of this paragraph, and if the employment is so approved the provisions of paragraph (2) shall apply in relation to the person by whom the application under this paragraph was made:

Provided that this paragraph shall not apply in relation to any person who has not within the said period of three months, or within such longer period as the Committee may in any particular case allow, repaid to the Committee an amount equal to any sum paid to him by way of return of contributions on or after leaving the employment in which he was an officer together with an amount equal to any income tax which was deducted from his contributions in respect of such payment.

(2) Where under paragraph (1) a person's employment has been approved in pursuance of an application made, or having effect as if made, by him under that paragraph and that person has not given notice under paragraph (4) of this regulation, then—

- (a) if he ceases to hold that employment, or any subsequent employment approved (on his application) by the Committee for the purposes of this paragraph, in such circumstances, including that of his age, as, had they obtained when he left the employment in which he was an officer, would have entitled him to any benefit under these regulations, the Committee may grant him that benefit, as from the date on which he ceases to hold the approved employment, calculated as if he had become entitled to that benefit at the date on which he left the employment in which he was an officer;
- (b) if he ceases to hold that employment or any subsequent employment approved (on his application) by the Committee for the purposes of this paragraph and by reason of his age he does not qualify for a benefit under the provisions of sub-paragraph (a) but becomes entitled to a pension under any pension scheme applicable to him in that employment, the Committee may grant to him, as from the date on which he ceased to hold that employment, a benefit equal to the benefit to which he would have become entitled under these regulations on ceasing to hold the employment in which he was an officer, if at the date on which he ceased to hold the employment in which he was an officer he had attained the age of sixty years and had been entitled for the purpose of determining whether any such benefit was payable to him to aggregate with his service for the purposes thereof a period of service equal in length to the period of his approved employment;
- (c) if he dies while in approved employment, the Committee may grant the like benefits (if any) by way of widow's pension and death gratuity as would have been granted under these regulations if he had died

immediately before he ceased to hold the employment in which he was an officer; or

- (d) if within twelve months after ceasing to hold approved employment he again becomes an officer to whom part II applies he shall, if he repays to the Committee a sum equal to the amount (if any) paid to him by way of return of contributions on or after ceasing to hold the approved employment, together with an amount equal to any income tax which was deducted from his contributions in respect of such payment, be entitled to reckon as service, contributing service and non-contributing service respectively, all periods of employment, war service or national service, which he was entitled so to reckon immediately before he left the employment in which he was formerly an officer, and he shall be entitled to reckon the period of his approved employment for the purpose of determining whether any benefit is payable to him under these regulations, but not for any other purpose:

Provided that—

- (i) where a benefit is granted by the Committee under sub-paragraph (b), that benefit shall either be reduced, according to the age of the person to whom it is payable, by the percentage shown in the appropriate column of the table set out in the seventh schedule, or shall not become payable until the person attains such an age as would have entitled him to a similar benefit under sub-paragraph (a), but any such reduction shall be disregarded in the calculation of any widow's pension which may become payable in respect of the person;
- (ii) in the calculation of any benefit granted by the Committee to or in respect of any person by virtue of sub-paragraph (a) or (c), any provision of these regulations prescribing a minimum benefit or a method of calculating the benefit, otherwise than by reference to the amount of the person's contributions or the service reckonable by him or the amount of the pension which was or would in certain circumstances have become payable to him, shall be disregarded; and
- (iii) where a benefit becomes payable to or in respect of a person to whom sub-paragraph (d) has become applicable, and the amount of that benefit falls to be calculated by reference to any provision of these regulations prescribing a minimum benefit or a method of calculating the benefit otherwise than by reference to the amount of the person's contributions or the service reckonable by him or the amount of the pension which was or would in certain circumstances have become payable to him, then, if the number of years reckonable by the person is less than any minimum number of years of qualifying service prescribed for the receipt of the said benefit, the amount of the said benefit, in so far as it is obtained by reference to the said provision, shall be the amount which bears the same proportion to the sum otherwise payable as the number of years of service so reckonable bears to the minimum number of years of qualifying service.

(3) The provisions of paragraph (2) shall apply in relation to a person who, after leaving employment in which he was an officer, entered employment which was approved on his application under paragraph (5) of regulation 32 of the 1950 regulations as they apply in relation to a person whose employment has been approved under paragraph (1):

Provided that in relation to a person who, at the time when he left the employment in which he was an officer, was subject to the 1950 regulations, references in paragraph (2) to these regulations shall be construed as references to the 1950 regulations.

(4) No payment shall be made by way of return of contributions to any person who has entered employment in which paragraph (2) has become applicable to him unless and until he either—

- (a) ceases to hold that employment in circumstances in which he does not become entitled to any benefit under these regulations; or
- (b) gives notice to the Committee that he wishes this regulation to cease to apply in respect of him from the date of that notice.

Transfer values payable by the Committee

52.—(1) Where a person has left employment as an officer and within the prescribed time limit and without having become entitled to any benefit under these regulations other than a return of contributions, has become a person subject to the Belfast Corporation Superannuation Scheme, an established civil servant, a person in such employment in contributory service under the Teachers Act as is referred to in sub-paragraph (d) of paragraph (3) of regulation 18, a health service employee, a contributory employee or a local Act contributor there shall be payable by the Committee to the Belfast Corporation, the Ministry of Finance, the Treasury, the Ministry of Education, the Ministry, the Minister of Health, the Secretary of State for Scotland, or the authority maintaining the fund in relation to which the person has become a contributory employee or local Act contributor, as the case may be, a transfer value calculated in accordance with the provisions of the third schedule, less an amount equal to any sum which the Committee may become liable to pay by way of income tax in respect of the amount transferred by way of transfer value:

Provided that this paragraph shall not apply in relation to any person unless within such period as may be specified in the Belfast Corporation Superannuation Scheme, rules made under section 5 of the Superannuation (Miscellaneous Provisions) Act (Northern Ireland), 1951, rules made under section 12A of the Teachers Act, the Health Services regulations or rules made under section 2 of the Superannuation (Miscellaneous Provisions) Act, 1948, as the case may be, he has given such notice as may be required for the purposes of that scheme or those regulations or any of those rules as a condition of his being entitled to reckon any of the service which he was entitled to reckon immediately before ceasing to be an officer of an employing authority, and in the case of a person who, on or after leaving the employment in which he was an officer, received a return of contributions (not being contributions which were or were deemed to be additional contributory payments made in accordance with the provisions of the second schedule, contributions which were or were deemed to be payments in respect of added years or such voluntary contributions as are referred to in regulation 30), unless—

- (a) in the case of a person who has become an established civil servant, a contributory employee or local Act contributor and to whom rules made under section 2 of the Superannuation (Miscellaneous Provisions) Act, 1948, apply, he has made a payment to the Treasury, or to the authority maintaining the fund to which he has become a contributor, as the case may be, in accordance with the provisions of those rules; or
- (b) in the case of any other person, he has paid to the authority or body by whom he has become employed, to the authority administering the superannuation scheme to which he has become subject or to the authority maintaining the fund to which he has become a contributor, as the case may be, an amount equal to any sum paid to him by way of such return of contributions as aforesaid, together with an amount equal to any income tax which was deducted from his contributions in respect of such return.

(2) Where a person has left employment as an officer and within the prescribed time limit and without having become entitled to any benefit under these regulations other than a return of contributions, has become a participant in any scheme approved by the Ministry under sub-paragraph (e)(iv) of paragraph (3) of regulation 18, there shall be payable by the Committee to the body administering such scheme a transfer value calculated either in accordance with the third schedule or in accordance with the fourth schedule, as may be determined by the Ministry in relation to any particular scheme, less an amount equal to any sum which the Committee may become liable to pay by way of income tax in respect of the amount transferred by way of transfer value:

Provided that this paragraph shall not apply in relation to any person unless within three months after becoming a participant in such scheme as aforesaid, or within such longer period as the Committee may in any particular case allow, he has notified the Committee that he desires the provisions of this paragraph to apply to him, and in the case of a person, who on or after leaving the employment in which he was an officer, received a return of contributions (not being contributions which were or were deemed to be additional contributory payments made in accordance with the provisions of the second schedule, contributions which were or were deemed to be payments in respect of added years or such voluntary contributions as are referred to in regulation 30), unless he has paid to the body administering the scheme in which he has become a participant an amount equal to any sum paid to him by way of such return of contributions as aforesaid, together with an amount equal to any income tax which was deducted from his contributions in respect of such return.

(3) Notwithstanding this regulation, the Committee may withhold the payment of a transfer value in respect of a person who, on or after leaving the employment of an employing authority, forfeits all claim in respect of his previous service to any superannuation benefits by virtue of a direction of the Committee in that behalf under regulation 48.

Determination of questions

53. Any question arising under these regulations concerning the rights or liabilities of an officer or former officer or of a person claiming to be treated as such, or the rights of the widow, dependants or personal representatives of such an officer or person shall be determined by the county court having jurisdiction in the county in which the aforesaid officer or person is employed or was last employed, or where the officer or person is employed or was last employed in two or more counties, in one of those counties.

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland this 21st day of November, nineteen hundred and sixty-two.

(L.S.)

Wm. J. Morgan,
Minister of Health and
Local Government.

FIRST SCHEDULE

Allocation of part of Pension or Injury Allowance

Regulation 13

1. A person shall not surrender—

(a) more than one third of the injury allowance to which he is entitled or of the pension to which he is entitled (or, in the case of a person to whom

paragraph (2) of regulation 13 applies, of the pension to which he would be entitled if he ceased to be employed) or, in a case in which regulation 42 applies, the pension to which he would be entitled apart from the provisions of that regulation;

- (b) any such part as would make the amount of the reduced pension or allowance which is or may become payable to him less than the amount of the pension which might become payable to the person in whose favour the allocation is made (hereinafter referred to as "the beneficiary");
- (c) a smaller part than would secure for the beneficiary a pension of twenty-six pounds per annum;
- (d) any part which is not an exact number of pounds.

2. The amount of pension payable in return for each one pound of a pension or injury allowance surrendered by a person shall be the amount shown in the tables in force at the date on which the person becomes or is deemed to have become entitled to the pension or allowance which is appropriate to the age and sex of the beneficiary.

3.—(1) Upon a person's becoming eligible to notify his desire to surrender part of his pension or injury allowance, the employing authority shall furnish him with a copy of regulation 13 and of this schedule, and of the tables for the time being in force, together with two copies of a form of notification of surrender of pension or injury allowance, and, in the case of a person to whom paragraph (2) of regulation 13 applies, a provisional estimate of the value of the pension that may become payable to him.

(2) A person to whom paragraph (1) of regulation 13 applies, and who desires to surrender a part of his pension or injury allowance, shall notify the employing authority accordingly not later than one month after the date on which he ceases to be employed.

4. For the purpose of notifying his desire to surrender a part of his pension or injury allowance, a person shall complete the form provided for the purpose, and send it, together with a copy thereof, to the employing authority whose officer he is or was, and they shall transmit the original to the Committee.

5. On receipt by the Committee of a notification given by a person under paragraph 4—

- (a) the Committee shall arrange for the person to be examined by a registered medical practitioner nominated by the Committee, with a view to obtaining from such practitioner a report stating whether, in his opinion, the person is in good health, regard being had to his age; and if the opinion stated in such report is that he is not in good health, the Committee shall notify him accordingly, and offer him an opportunity of a further examination by some other registered medical practitioner nominated by the Committee;
- (b) the Committee shall require the person to furnish at his own expense—
 - (i) a certified copy of his birth certificate, except where the date of birth has been duly recorded by the Committee and is not disputed; and
 - (ii) with respect to the beneficiary, a birth certificate, a marriage certificate (in the case of a spouse) and any other information or evidence which the Committee may consider necessary:

Provided that if for any reason a birth certificate or a marriage certificate cannot be supplied, the Committee may accept such other evidence of age or marriage as they may think fit.

6. Any fee payable to a practitioner in respect of an examination and report under paragraph 5 shall be paid by the person examined at the time of the examination

7.—(1) Subject to the provisions of these regulations, unless the Committee are of opinion, on consideration of a report obtained by them under paragraph 5, that the person to whom the report relates is not in good health, or unless they are of opinion that the evidence produced in regard to age or marriage is not

satisfactory, they shall accept the surrender of such part of the pension or injury allowance as is specified in the person's notification and as is in conformity with this schedule, and shall grant to the beneficiary named in the notification a pension in accordance with the provisions of paragraph 2.

(2) As soon as practicable after coming to a decision in regard to a notification given by a person, the Committee shall inform him whether or not the notification has been accepted, and if it has been accepted, shall furnish him with a statement as to the amount of the pension to which the beneficiary may become entitled after his death, and the amount of the reduced pension or injury allowance that is or may become payable to him, and, if the notification has not been accepted, shall inform him of the reason.

8.—(1) A person who has given a notification of his desire to surrender part of his pension or injury allowance under these regulations may cancel or amend the notification by a notice in writing given to the employing authority at any time before he has been informed by the Committee that his surrender has been accepted.

(2) An amendment of a notification shall be disregarded if the notification as so amended does not comply with this schedule.

9.—(1) A notification given by a person under this schedule shall become null and void if—

- (a) the beneficiary dies before the person has been informed by the Committee that his surrender has been accepted; or
- (b) the person dies at any time before midnight on the day on which the Committee decide to accept the surrender.

(2) Subject as aforesaid, a surrender of part of a pension or injury allowance accepted in pursuance of a notification shall have effect as from the date on which the pension or allowance becomes payable.

10. A notice in writing sent by an employee to his employing authority under paragraph 4 or 8, and information given by the Committee to an employee under paragraph 7 of acceptance or non-acceptance of the employee's notification of his desire to surrender part of his pension or injury allowance shall, if posted in a properly addressed prepaid envelope, be deemed to have been received by the person to whom it was addressed at the time at which a letter would have been delivered in the ordinary course of post.

SECOND SCHEDULE

Additional Contributory Payments

Regulation 22, regulation 25(3) and (4), and regulations 27 and 28

1. The sum payable by an officer who desires to reckon any period of non-contributing service as contributing service shall be calculated in accordance with paragraph 6, and may be paid upon the officer's notifying the employing authority in writing in accordance with the regulation applicable in his case that he intends to make a payment under this paragraph (the date of such notification being hereinafter referred to as "the material date"):

- (a) in a lump sum accompanying such notification;
- (b) partly in a lump sum, of not less than one tenth of the sum payable, accompanying such notification, and as to the remainder, and subject as hereinafter provided, by such instalments as within three months after the material date may be agreed between the officer and the employing authority; or
- (c) wholly, subject as hereinafter provided, by such instalments as aforesaid.

2. The instalments of any sum payable under paragraph 1 shall be of equal amounts spread over a period of not more than ten years after the material date, the first instalment to be paid within four months after the material date:

Provided that the whole of the instalments shall be payable before the date on which the officer will attain the age at which he may become eligible for a pension on ceasing to be employed.

3. While any instalment of any sum payable under this schedule remains to be paid, the following provisions shall have effect—

- (a) compound interest shall be payable as from the material date upon the amount for the time being unpaid, and shall be calculated at the rate of three and one quarter per cent. per annum with yearly rests;
- (b) if the officer becomes entitled to a pension, retiring allowance or short service gratuity or if a widow's pension or death gratuity becomes payable in respect of him, a deduction in respect of any amount due may be made from any payments on account of such pension, retiring allowance, short service gratuity, widow's pension or death gratuity;
- (c) if the officer becomes entitled to an injury allowance without having become entitled to a short service gratuity or dies without having become entitled to a pension or retiring allowance and without leaving a widow entitled to a widow's pension, and no death gratuity is payable in respect of him, all liability in respect of the balance of the debt shall cease;
- (d) if the officer ceases to hold his employment without having become entitled to any benefit under these regulations, other than a return of contributions, then, at the expiration of twelve months or, if immediately after ceasing to hold his employment the officer became engaged in national service, at the expiration of six months after the termination of that service, the officer shall cease to be entitled to any rights in respect of payments made by him on account of the debt, except any right to a return of the amount of such payments, and his liability in respect of the balance of the debt shall cease, unless within that period the officer, without in the meantime having become an established civil servant, a person in such employment in contributory service under the Teachers Act as is referred to in sub-paragraph (d) of paragraph (3) of regulation 18, a health service employee, a contributory employee or a local Act contributor, enters employment in which he is an officer of an employing authority, in which event, subject as hereinafter provided, his liability in respect of the balance of the debt shall continue, and the officer shall pay or repay an amount equal to any sum which may have been returned to him in respect of payments made by him on account of the debt, together with an amount equal to any income tax which was deducted from such payments in respect of such return:

Provided that where a person—

- (i) ceased at any time to be an officer, immediately thereafter became engaged in national service and returned to employment as an officer within six months after the termination of that service; or
- (ii) ceased at any time to be an officer in order to enter an approved course of study or training and re-entered employment as an officer within twelve months (no account being taken of the period of the said course of study or training), or within six months after the termination of national service in which he became engaged on completion of that course; or
- (iii) ceased at any time to be an officer, immediately thereafter became engaged in national service, on the termination of that service entered an approved course of study or training and re-entered employment as an officer within six months after the termination of his national service (no account being taken of the period of the said course of study or training); or
- (iv) ceased at any time to be an officer by virtue of paragraph (1) of regulation 19 and re-entered employment as an officer within twelve months (no account being taken of any period mentioned in paragraph (2) of that regulation),

he shall not be treated as having ceased to be entitled to any right in respect of payments made by him on account of the debt and, subject as hereinafter provided, his liability in respect of the balance of the debt shall continue and he shall pay or repay an amount equal to any sum which may have been returned to him in respect of payments made by him on account of the debt, together with an amount equal to any income tax which was deducted from such payments in respect of such return;

- (e) if the officer ceases to hold any employment by virtue of his entry into which his liability in respect of the balance of the debt has been continued in accordance with the provisions of sub-paragraph (d), that sub-paragraph shall apply, and shall continue so to apply, whenever the officer ceases to hold employment during which he has been making, but has not completed making, payments on account of the debt; and
- (f) sub-paragraphs (b) and (c) shall apply whenever the officer is employed in circumstances in which his liability in respect of the balance of the debt is continued under the provisions of sub-paragraph (d) or (e).

4. Where paragraph 3 applies in relation to a person who at any time enters two or more employments, or who simultaneously becomes a part-time officer under the authority in whose employment he is and enters the employment of another authority, the right to receive the balance of the debt shall be apportioned between the authorities concerned in such manner as the Committee shall direct.

5. Any sum payable under this schedule by an officer of an employing authority shall be paid to the employing authority for transmission to the Committee.

6.—(1) For the purpose of calculating the sum to be paid by an officer under this schedule the relative table shall be used in accordance with the provisions of this paragraph.

(2) The age and remuneration of an officer means his age at the material date and the annual remuneration on which he is paying contributions on that date:

Provided that—

- (a) if account is required to be taken of any fees payable to an officer in respect of any service, the amount thereof shall be taken to be the annual average of the fees payable to him in respect of that service during the three years immediately preceding the material date or, if that service was of shorter duration, such shorter period; and
- (b) references to contributions payable by any person shall include references to contributions which would have been payable by him but for any reduction in or suspension of his remuneration by reason of his absence from duty owing to ill health or injury.

(3) The amount shown in table I(a), I(b), II, III(a) or III(b), as the case may require, in relation to an age which corresponds with that of the officer is an amount appropriate in respect of one hundred pounds of remuneration. A total amount is to be calculated proportionately by reference to the remuneration of the officer. Such total amount is the sum payable by the officer in order to reckon as contributing service one year of the non-contributing service which he is entitled to reckon on the material date.

(4) The sum payable by an officer in order to reckon as contributing service more than one year of the non-contributing service which he is entitled to reckon at the material date is the amount calculated in accordance with sub-paragraph (3), multiplied by the number of years of the said service which the officer desires so to reckon.

(5) Any sum payable by a person to whom paragraph (2) of regulation 42 applies, in respect of any period of non-contributing service of which account would be taken under paragraph (4) of regulation 42 in calculating the amount of the reduction of any pension to which the person might become entitled under these regulations, shall be reduced by the sum shown in the appropriate column of table IV in relation to an age which corresponds with that of the person at the material date, in respect of each one pound of the amount of the reduction of the pension as aforesaid in respect of that period of service, and by a proportionate sum in respect of any fraction of a pound included in the said amount.

7. Notwithstanding any other provisions of this schedule, where before the coming into operation of these regulations an officer has notified the employing authority of his intention to make a payment under the second schedule to the 1950 regulations, the payment shall be made or, if it has been made in part, shall be completed as if these regulations had not been made.

TABLE I

(a). Service of a Male Officer, not being an Officer mentioned in Table III(a)

<i>Age</i>	<i>Amount appropriate in respect of each £100 of remuneration</i>	<i>Age</i>	<i>Amount appropriate in respect of each £100 of remuneration</i>
	£ s.		£ s.
Under 35	5 6	55 and under 56 ..	8 4
35 and under 36 ..	5 6	56 " " 57 ..	8 11
36 " " 37 ..	5 7	57 " " 58 ..	8 19
37 " " 38 ..	5 7	58 " " 59 ..	9 8
38 " " 39 ..	5 8	59 " " 60 ..	9 19
39 " " 40 ..	5 9	60 and over ..	10 1 less
40 " " 41 ..	5 10		five shillings for
41 " " 42 ..	5 12		each completed
42 " " 43 ..	5 14		year by which the
43 " " 44 ..	5 16		officer's age exceeds
44 " " 45 ..	5 18		sixty years.
45 " " 46 ..	6 1		
46 " " 47 ..	6 4		
47 " " 48 ..	6 7		
48 " " 49 ..	6 10		
49 " " 50 ..	6 14		
50 " " 51 ..	6 18		
51 " " 52 ..	7 3		
52 " " 53 ..	7 8		
53 " " 54 ..	7 13		
54 " " 55 ..	7 18		

TABLE I

(b) Service of a Female Officer, not being a Female Officer mentioned in Table II or III(b)

<i>Age</i>	<i>Amount appropriate in respect of each £100 of remuneration</i>	<i>Age</i>	<i>Amount appropriate in respect of each £100 of remuneration</i>
	£ s.		£ s.
Under 20	4 6	45 and under 46 ..	7 9
20 and under 21 ..	4 6	46 " " 47 ..	7 13
21 " " 22 ..	4 9	47 " " 48 ..	7 17
22 " " 23 ..	4 12	48 " " 49 ..	8 1
23 " " 24 ..	4 15	49 " " 50 ..	8 5
24 " " 25 ..	4 18	50 " " 51 ..	8 9
25 " " 26 ..	5 0	51 " " 52 ..	8 14
26 " " 27 ..	5 3	52 " " 53 ..	8 19
27 " " 28 ..	5 6	53 " " 54 ..	9 4
28 " " 29 ..	5 8	54 " " 55 ..	9 10
29 " " 30 ..	5 10	55 " " 56 ..	9 17
30 " " 31 ..	5 13	56 " " 57 ..	10 4
31 " " 32 ..	5 15	57 " " 58 ..	10 11
32 " " 33 ..	5 17	58 " " 59 ..	10 18
33 " " 34 ..	5 19	59 " " 60 ..	11 5
34 " " 35 ..	6 1	60 and over ..	11 11 less four shillings for each completed year by which the officer's age exceeds sixty years.
35 " " 36 ..	6 3		
36 " " 37 ..	6 5		
37 " " 38 ..	6 7		
38 " " 39 ..	6 9		
39 " " 40 ..	6 11		
40 " " 41 ..	6 14		
41 " " 42 ..	6 17		
42 " " 43 ..	7 0		
43 " " 44 ..	7 3		
44 " " 45 ..	7 6		

TABLE II

Service of a Woman who is a Nurse, Physiotherapist, Midwife or Health Visitor

Age	<i>Amount appropriate in respect of each £100 of remuneration</i>	Age	<i>Amount appropriate in respect of each £100 of remuneration</i>
Under 20	£ s. 6 0	40 and under 41 ..	£ s. 8 17
20 and under 21 ..	6 0	41 " " 42 ..	9 0
21 " " 22 ..	6 1	42 " " 43 ..	9 2
22 " " 23 ..	6 2	43 " " 44 ..	9 5
23 " " 24 ..	6 4	44 " " 45 ..	9 8
24 " " 25 ..	6 7	45 " " 46 ..	9 12
25 " " 26 ..	6 11	46 " " 47 ..	9 16
26 " " 27 ..	6 16	47 " " 48 ..	10 1
27 " " 28 ..	7 2	48 " " 49 ..	10 6
28 " " 29 ..	7 8	49 " " 50 ..	10 12
29 " " 30 ..	7 14	50 " " 51 ..	10 19
30 " " 31 ..	7 17	51 " " 52 ..	11 6
31 " " 32 ..	7 18	52 " " 53 ..	11 13
32 " " 33 ..	7 19	53 " " 54 ..	12 0
33 " " 34 ..	8 0	54 " " 55 ..	12 8
34 " " 35 ..	8 2	55 and over ..	12 12 less five shillings for each completed year by which the officer's age exceeds fifty-five years.
35 " " 36 ..	8 4		
36 " " 37 ..	8 6		
37 " " 38 ..	8 8		
38 " " 39 ..	8 11		
39 " " 40 ..	8 14		

TABLE III

(a) Service of a Male Officer whose employment is by way of Manual Labour

Age	Amount appropriate in respect of each £100 of remuneration	Age	Amount appropriate in respect of each £100 of remuneration
Under 27	£ s. 3 6	50 and under 51 ..	£ s. 6 10
27 and under 28 ..	3 6	51 " " 52 ..	6 15
28 " " 29 ..	3 7	52 " " 53 ..	7 1
29 " " 30 ..	3 8	53 " " 54 ..	7 7
30 " " 31 ..	3 10	54 " " 55 ..	7 14
31 " " 32 ..	3 12	55 " " 56 ..	8 2
32 " " 33 ..	3 14	56 " " 57 ..	8 10
33 " " 34 ..	3 16	57 " " 58 ..	8 19
34 " " 35 ..	3 18	58 " " 59 ..	9 8
35 " " 36 ..	4 1	59 " " 60 ..	9 18
36 " " 37 ..	4 4	60 and over ..	10 1 less
37 " " 38 ..	4 6		five shillings for
38 " " 39 ..	4 9		each completed
39 " " 40 ..	4 12		year by which the
40 " " 41 ..	4 15		officer's age exceeds
41 " " 42 ..	4 18		sixty years.
42 " " 43 ..	5 1		
43 " " 44 ..	5 4		
44 " " 45 ..	5 7		
45 " " 46 ..	5 10		
46 " " 47 ..	5 13		
47 " " 48 ..	5 17		
48 " " 49 ..	6 1		
49 " " 50 ..	6 5		

TABLE III

(b) Service of a Female Officer whose employment is by way of Manual Labour

<i>Age</i>	<i>Amount appropriate in respect of each £100 of remuneration</i>	<i>Age</i>	<i>Amount appropriate in respect of each £100 of remuneration</i>
	£ s.		£ s.
Under 20	2 4	40 and under 41 ..	6 1
20 and under 21 ..	2 4	41 " " 42 ..	6 5
21 " " 22 ..	2 7	42 " " 43 ..	6 9
22 " " 23 ..	2 11	43 " " 44 ..	6 13
23 " " 24 ..	2 15	44 " " 45 ..	6 17
24 " " 25 ..	2 19	45 " " 46 ..	7 1
25 " " 26 ..	3 3	46 " " 47 ..	7 5
26 " " 27 ..	3 7	47 " " 48 ..	7 10
27 " " 28 ..	3 11	48 " " 49 ..	7 15
28 " " 29 ..	3 15	49 " " 50 ..	8 0
29 " " 30 ..	3 19	50 " " 51 ..	8 5
30 " " 31 ..	4 3	51 " " 52 ..	8 11
31 " " 32 ..	4 7	52 " " 53 ..	8 17
32 " " 33 ..	4 10	53 " " 54 ..	9 3
33 " " 34 ..	4 14	54 " " 55 ..	9 10
34 " " 35 ..	4 17	55 " " 56 ..	9 17
35 " " 36 ..	5 1	56 " " 57 ..	10 4
36 " " 37 ..	5 5	57 " " 58 ..	10 11
37 " " 38 ..	5 9	58 " " 59 ..	10 18
38 " " 39 ..	5 13	59 " " 60 ..	11 5
39 " " 40 ..	5 17	60 and over ..	11 11 less four shillings for each completed year by which the officer's age exceeds sixty years.

TABLE IV

Reduction of sum payable by a person to whom Regulation 42(2) applies

Age	Service of a Male Officer		Service of a Female Officer	
	£	s.	£	s.
Under 20	1	15		12
20 and under 21	1	17		13
21 " " 22	1	19		14
22 " " 23	2	1		16
23 " " 24	2	3		19
24 " " 25	2	5	1	3
25 " " 26	2	7	1	8
26 " " 27	2	9	1	14
27 " " 28	2	11	2	0
28 " " 29	2	13	2	7
29 " " 30	2	15	2	15
30 " " 31	2	18	3	4
31 " " 32	3	0	3	14
32 " " 33	3	2	4	4
33 " " 34	3	4	4	14
34 " " 35	3	7	5	3
35 " " 36	3	9	5	11
36 " " 37	3	12	5	18
37 " " 38	3	14	6	4
38 " " 39	3	17	6	10
39 " " 40	3	19	6	15
40 " " 41	4	2	7	0
41 " " 42	4	5	7	5
42 " " 43	4	8	7	10
43 " " 44	4	11	7	15
44 " " 45	4	14	8	1
45 " " 46	4	18	8	7
46 " " 47	5	2	8	13
47 " " 48	5	6	8	19
48 " " 49	5	10	9	5
49 " " 50	5	14	9	12
50 " " 51	5	19	9	19
51 " " 52	6	4	10	7
52 " " 53	6	9	10	15
53 " " 54	6	14	11	3
54 " " 55	7	0	11	12
55 " " 56	7	6	12	1
56 " " 57	7	13	12	11
57 " " 58	8	0	13	1
58 " " 59	8	8	13	12
59 " " 60	8	16	14	3
60 " " 61	9	5	14	3
61 " " 62	9	14	14	3
62 " " 63	10	4	14	3
63 " " 64	10	14	14	3
64 " " 65	11	3	14	3

THIRD SCHEDULE

Provisions for the calculation of Transfer Values payable by the Committee under Regulation 52, and Directions for the use of the sub-joined Tables in connection therewith

Regulation 52

PART I

Transfer value payable in respect of a person who has ceased to hold one employment as an officer of an employing authority and has entered one other employment

1. In this part the following expressions, unless the context otherwise requires, have the respective meanings hereby assigned to them:—

“the material date”, in relation to any person in respect of whom a transfer value is being calculated, means the date on which he ceased to hold his employment as an officer under the employing authority or, if on ceasing to hold that employment he became engaged in national service and the contributions required by regulation 8 continued to be paid by or in respect of him during the whole or part of that service, the last date in respect of which those contributions were made;

“age”, in relation to a person to whom proviso (a) or (b) to regulation 49 applies, means his age at the date on which he became a health service employee, a person subject to the Belfast Corporation Superannuation Scheme or a person in such employment in contributory service under the Teachers Act as is referred to in sub-paragraph (d) of paragraph (3) of regulation 18, as the case may be; and in relation to any other person means his age at the material date;

“remuneration”, in relation to any person, means the annual remuneration of his employment under the employing authority on which contributions were payable by him at the date on which he ceased to be an officer in their employment:

Provided that—

(a) if, for the purposes of this definition, account is required to be taken of any fees payable to a person, in respect of any employment, the amount thereof shall be taken to be the annual average of the fees payable to him in respect of that employment during the three years immediately preceding the material date or, if that employment was of shorter duration, such shorter period; and

(b) references in this definition to contributions payable by a person shall include references to contributions which would have been payable by him but for any reduction in or suspension of his remuneration by reason of his absence from duty owing to ill-health or injury;

“service”, in relation to a person who in the employment he has ceased to hold was in the whole-time employment of a single employing authority means, in respect of any period of previous part-time employment, whole-time service for a proportionately reduced period.

2. Subject as hereinafter provided, the transfer value payable in respect of any person shall be the aggregate of the sums respectively calculated in accordance with the following provisions by reference to his contributing service, if any, and by reference to his non-contributing service, if any:

Provided that the transfer value shall be reduced—

(a) by an amount equal to any sum together with any interest on any sum which, when the person ceased to hold the employment in relation to which the transfer value is payable, was paid to him by way of a return of contributions, and by a further amount equal to any income tax which was deducted from his contributions in respect of such return;

(b) by an amount equal to any sum together with any interest on any sum which, when the person ceased to hold the employment in relation to

which the transfer value is payable, was paid to him by way of a return of payments which were or were deemed to be additional contributory payments or such voluntary contributions as are referred to in sub-paragraph (a), (b) or (d) of paragraph (2) of regulation 30, and by a further amount equal to any income tax which was deducted from such payments or such contributions in respect of such return, and by a further amount actuarially determined to be equal to any amount which, when the person ceased to hold the employment in relation to which the transfer value is payable, remained to be paid by him as a condition of reckoning any period of non-contributing service as contributing service, reckoning any period as contributing service or reckoning any period of employment as service or increasing the length at which the said period of employment would otherwise have been reckonable as service, as the case may be; and

- (c) unless any added years in respect of which the person was, at the date on which he ceased to hold the employment in relation to which the transfer value is payable, in the course of making payments under regulation 26 or regulation 29 or such voluntary contributions as are referred to in sub-paragraph (c) of paragraph (2) of regulation 30, are by virtue of sub-paragraph (7) of paragraph 4 not reckonable as contributing service, by an amount equal to any sum together with any interest on any sum which, when the person ceased to hold the employment in relation to which the transfer value is payable, was paid to him by way of a return of such payments or such contributions, and by a further amount equal to any income tax which was deducted from such payments or such contributions in respect of such return, and by a further amount actuarially determined to be the capital value of the person's outstanding liability in respect of added years.

3.—(1) If after a transfer value has been paid relating to the former employment of a person in respect of his entry into one other employment being a part-time employment, that person, within the prescribed time limit (as defined in regulation 49), and without having ceased to hold any other employment which he may have held at the material date as an officer of an employing authority, enters one or more other part-time employments in which he is an officer of an employing authority, a health service employee, a contributory employee or a local Act contributor, the transfer value payable shall be calculated under the provisions of part I as if the person had simultaneously entered all the employments he has entered on or after the material date and as if his remuneration in relation to each part-time employment he has entered were such proportion of his remuneration (as defined in paragraph 1) as the annual remuneration of that part-time employment bears to the aggregate amount of the annual remuneration of the part-time employments, and the transfer value already paid shall be adjusted accordingly.

(2) References in sub-paragraph (1) to the annual remuneration of a part-time employment shall be construed as references to the annual remuneration of that employment on which superannuation contributions are payable.

Contributing Service

4.—(1) The sum to be calculated by reference to a person's contributing service shall be ascertained in accordance with the provisions of this paragraph.

(2) The amounts shown under the heading "contributing service" in the appropriate column of the relative table in relation to an age which corresponds with that of the person are to be multiplied respectively by the number of years, and of months aggregating less than one year, of contributing service reckonable at the material date.

(3) The sum of the two products aforesaid is an amount appropriate in respect of one hundred pounds of remuneration.

(4) A total amount is to be calculated proportionately by reference to the remuneration of the person,

(5) Where a person's service has not been continuous and each of two or more periods thereof consists of or includes a period of contributing service of less than one month, then, if a sum falls to be calculated under sub-paragraph (2) the periods of contributing service of less than one month shall be aggregated and, of the aggregate, each period of thirty days shall be counted as one month and any number of days smaller than thirty shall be disregarded.

(6) Where a person has less than one month's contributing service the transfer value payable in respect of that service shall be the aggregate of the contributions paid or payable by him and by the employing authority by whom he was employed in respect of that service after deduction of an amount equivalent to any sum paid to the person by way of a return of contributions and of any sum which may have been deducted from his contributions on account of income tax in respect of such payment.

(7) In calculating contributing service for the purposes of this paragraph—

- (a) there shall be excluded any added years in respect of which the person was, at the date on which he ceased to hold the employment in relation to which the transfer value is payable, in the course of making payments under regulation 26, under regulation 29 or under sub-paragraph (c) of paragraph (2) of regulation 30 and in respect of which he does not elect to continue the payments in accordance with the provisions of the Belfast Corporation Superannuation Scheme, rules made under section 5 of the Superannuation (Miscellaneous Provisions) Act (Northern Ireland), 1951, rules made under section 12A of the Teachers Act, the Health Services regulations or rules made under section 2 of the Superannuation (Miscellaneous Provisions) Act, 1948, as the case may be, or which are otherwise not reckonable in his new employment; and
- (b) any period of contributing service which would have been reckonable at a length other than its actual length for the purpose of calculating a superannuation benefit if, on the material date, the person had been entitled to such a benefit, shall be reckoned at that other length.

Non-contributing Service

5.—(1) The sum to be calculated by reference to a person's non-contributing service shall be ascertained in accordance with this paragraph.

(2) The amount shown in the column under the heading "non-contributing service" in the relative table in relation to an age which corresponds with that of the person is to be multiplied by the number of years of non-contributing service reckonable at the material date. For this purpose a period of six months or more of an uncompleted year shall be treated as a completed year, and any shorter period shall be disregarded.

(3) The product aforesaid is an amount appropriate in respect of one hundred pounds of remuneration.

(4) A total amount is to be calculated proportionately by reference to the remuneration of the person.

(5) Where a person's service has not been continuous and each of two or more periods thereof consists of or includes a period of non-contributing service of less than one month, the periods of non-contributing service of less than one month shall be aggregated and, of the aggregate, each period of thirty days shall be counted as one month, and any number of days smaller than thirty shall be disregarded.

6. In the case of a person to whom paragraph (2) of regulation 42, or paragraph (2) of regulation 29 of the 1950 regulations, applied immediately before the material date, any sum calculated under paragraphs 4 and 5 in respect of any period of service of which account would have been taken under paragraph (4) of regulation 42, or paragraph (3) of regulation 29 of the 1950 regulations, in calculating the amount of the reduction of any pension to which the person might have become entitled under these regulations or the 1950 regulations shall be reduced by the

sum shown in the appropriate column of the relative table in relation to the person's age, in respect of each one pound of the amount of the reduction of the pension as aforesaid in respect of that period of service, and by a proportionate sum in respect of any fraction of a pound included in the said amount.

PART II

Transfer value payable in respect of a person who has ceased to hold one employment as an officer of an employing authority and has entered two or more other part-time employments

1. The transfer value payable in any case to which this part applies shall be calculated in accordance with the provisions of part I, except paragraph 3 thereof, and those provisions shall apply subject to this part:

Provided that the provisions of paragraph 6 of part I shall apply only in relation to a part-time employment in which the person has become subject to provisions of an enactment or scheme which are substantially to the same effect as the provisions of paragraph (4) of regulation 42 and by virtue of which any benefit by way of annual amounts to which the person may become entitled may be reduced with reference to any service of which account is taken in the calculation of the transfer value.

2.—(1) For the purposes of paragraphs 4 and 5 of part I the expression "remuneration" shall, in relation to each of the part-time employments which a person has entered, be construed as meaning such proportion of his remuneration (as defined in paragraph 1 of part I) as the annual remuneration of that part-time employment bears to the aggregate amount of the annual remuneration of the part-time employments.

(2) Reference in sub-paragraph (1) to the annual remuneration of a part-time employment shall be construed as references to the annual remuneration of that employment on which superannuation contributions are payable.

3. If after a transfer value has been paid relating to the former employment of a person in respect of his entry into two or more part-time employments, that person, within the prescribed time limit (as defined in regulation 49), while retaining those part-time employments and without having ceased to hold any other employment which he may have held at the material date as an officer of an employing authority, enters one or more other part-time employments in which he is an officer of an employing authority, a health service employee, a contributory employee or local Act contributor, the transfer value payable shall be calculated under paragraphs 1 and 2 as if the person had simultaneously entered all the employments he has entered on or after the material date, and the transfer value already paid shall be adjusted accordingly.

PART III

Transfer value payable in respect of a person who has ceased to hold a whole-time employment as an officer of an employing authority but has remained in the employment of that or any other employing authority as a part-time officer and has entered one or more other part-time employments

1. The transfer value payable in any case to which this part applies shall be calculated in accordance with the provisions of part I, except paragraph 3 thereof, and those provisions shall apply subject to this part:

Provided that the provisions of paragraph 6 of part I shall apply only in relation to a part-time employment in which the person has become subject to provisions of an enactment or scheme which are substantially to the same effect as the provisions of paragraph (4) of regulation 42 and by virtue of which any benefits by way of annual amounts to which the person may become entitled may be reduced with reference to any service of which account is taken in the calculation of the transfer value.

2.—(1) For the purposes of paragraphs 4 and 5 of part I the expression “remuneration” shall, in relation to each part-time employment (not being an employment as an officer of an employing authority) which the person has entered, be construed as meaning such proportion of his remuneration (as defined in paragraph 1 of part I) in the whole-time employment of an employing authority as the annual remuneration of that part-time employment bears to the aggregate amount of the annual remuneration of all the part-time employments including any employment as an officer of an employing authority.

(2) References in sub-paragraph (1) to the annual remuneration of a part-time employment shall be construed as references to the annual remuneration of that employment on which superannuation contributions are payable.

3. If after a transfer value has been paid relating to the former whole-time employment as an officer of an employing authority of a person in respect of his entry into a part-time employment (not being an employment as an officer of an employing authority), that person, within the prescribed time limit (as defined in regulation 49), while retaining the part-time employments (including any part-time employment as an officer of an employing authority) he has entered, enters one or more other part-time employments in which he is an officer of an employing authority, a health service employee, a contributory employee or local Act contributor, the transfer value payable shall be calculated under the provisions of part II, except paragraph 3 thereof, as if the person had simultaneously entered all the employments he has entered on or after the material date, and the transfer value already paid shall be adjusted accordingly.

TABLE I

Service of an Officer, not being an Officer mentioned in Table II or III

Age (1)	Transfer value per £100 of remuneration in respect of each completed period of		
	Contributing Service		Non-Contributing Service
	Year (2)	Month (3)	Year (4)
Under 35	£ s. 9 0	£ s. 15	£ s. 4 10
35 and under 36	9 0	15	4 10
36 " " 37	9 1	15	4 10
37 " " 38	9 2	15	4 10
38 " " 39	9 3	15	4 10
39 " " 40	9 6	15	4 11
40 " " 41	9 9	16	4 12
41 " " 42	9 12	16	4 13
42 " " 43	9 16	16	4 14
43 " " 44	10 0	17	4 15
44 " " 45	10 4	17	4 17
45 " " 46	10 9	17	4 19
46 " " 47	10 13	18	5 0
47 " " 48	10 17	18	5 2
48 " " 49	11 2	18	5 3
49 " " 50	11 7	19	5 5
50 " " 51	11 12	19	5 7
51 " " 52	11 17	1 0	5 10
52 " " 53	12 3	1 0	5 12
53 " " 54	12 9	1 1	5 15
54 " " 55	12 16	1 1	5 18
55 " " 56	13 4	1 2	6 2
56 " " 57	13 13	1 3	6 6
57 " " 58	14 2	1 3	6 10
58 " " 59	14 11	1 4	6 15
59 " " 60	15 1	1 5	7 0
60 " " 61	15 11	1 6	7 6
61 " " 62	16 2	1 7	7 12
62 " " 63	16 13	1 8	7 18
63 " " 64	17 5	1 9	8 5
64 " " 65	17 17	1 10	8 12
65 and over	18 0	1 10	8 14

TABLE II

Service of a Woman who is a Nurse, Physiotherapist, Midwife or Health Visitor

Age (1)	Transfer value per £100 of remuneration in respect of each completed period of		
	Contributing Service		Non-Contributing Service
	Year (2)	Month (3)	Year (4)
Under 25	£ s. 8 0	£ s. 13	£ s. 1 15
25 and under 26	8 7	14	2 2
26 " " 27	8 14	15	2 12
27 " " 28	9 6	16	3 2
28 " " 29	9 19	17	3 12
29 " " 30	10 14	18	4 2
30 " " 31	11 12	19	4 14
31 " " 32	12 8	1 1	5 6
32 " " 33	13 4	1 2	5 17
33 " " 34	13 16	1 3	6 6
34 " " 35	14 7	1 4	6 14
35 " " 36	14 14	1 4	7 0
36 " " 37	14 19	1 5	7 3
37 " " 38	15 4	1 5	7 6
38 " " 39	15 9	1 6	7 9
39 " " 40	15 16	1 6	7 12
40 " " 41	16 3	1 7	7 16
41 " " 42	16 11	1 8	8 0
42 " " 43	16 19	1 8	8 4
43 " " 44	17 8	1 9	8 8
44 " " 45	17 17	1 10	8 12
45 " " 46	18 7	1 11	8 17
46 " " 47	18 18	1 12	9 2
47 " " 48	19 9	1 13	9 7
48 " " 49	20 1	1 14	9 13
49 " " 50	20 13	1 15	9 19
50 " " 51	21 6	1 16	10 5
51 " " 52	21 19	1 17	10 11
52 " " 53	22 12	1 18	10 18
53 " " 54	23 6	1 19	11 5
54 " " 55	24 0	2 0	11 12
55 and over	24 10	2 1	11 17

TABLE III
Service of an Officer whose employment is by way of Manual Labour

Age (1)	Transfer value per £100 of remuneration in respect of each completed period of		
	Contributing Service		Non-Contributing Service
	Year (2)	Month (3)	Year (4)
Under 28	£ s. 6 0	£ s. 10	£ s. 3 0
28 and under 29	6 1	10	3 0
29 " " 30	6 3	10	3 1
30 " " 31	6 6	10	3 3
31 " " 32	6 8	11	3 4
32 " " 33	6 11	11	3 5
33 " " 34	6 13	11	3 6
34 " " 35	6 15	11	3 7
35 " " 36	6 18	11	3 9
36 " " 37	7 1	12	3 10
37 " " 38	7 6	12	3 12
38 " " 39	7 11	13	3 13
39 " " 40	7 16	13	3 15
40 " " 41	8 1	13	3 17
41 " " 42	8 6	14	4 0
42 " " 43	8 11	14	4 2
43 " " 44	8 17	15	4 4
44 " " 45	9 2	15	4 6
45 " " 46	9 8	16	4 9
46 " " 47	9 14	16	4 11
47 " " 48	10 0	17	4 13
48 " " 49	10 6	17	4 15
49 " " 50	10 12	18	4 18
50 " " 51	10 19	18	5 1
51 " " 52	11 6	19	5 4
52 " " 53	11 13	19	5 7
53 " " 54	12 0	1 0	5 10
54 " " 55	12 7	1 1	5 13
55 " " 56	12 14	1 1	5 17
56 " " 57	13 1	1 2	6 1
57 " " 58	13 8	1 3	6 4
58 " " 59	13 15	1 3	6 8
59 " " 60	14 2	1 4	6 11
60 " " 61	14 9	1 4	6 15
61 " " 62	14 16	1 5	6 19
62 " " 63	15 3	1 5	7 4
63 " " 64	15 13	1 6	7 10
64 " " 65	16 3	1 7	7 16
65 and over	16 6	1 7	7 18

TABLE IV

Age (1)	Service of a Male Officer (2)	Service of a Female Officer (other than those mentioned in Column (4)) (3)	Service of a woman who is a Nurse, Physiotherapist, Midwife or Health Visitor (4)
	£ s.	£ s.	£ s.
Under 20	2 0	1 0	15
20 and under 21 ..	2 1	1 2	17
21 " " 22 ..	2 3	1 4	19
22 " " 23 ..	2 5	1 7	1 2
23 " " 24 ..	2 6	1 10	1 5
24 " " 25 ..	2 8	1 13	1 9
25 " " 26 ..	2 10	1 17	1 14
26 " " 27 ..	2 12	2 2	2 1
27 " " 28 ..	2 14	2 8	2 9
28 " " 29 ..	2 16	2 15	2 17
29 " " 30 ..	2 18	3 2	3 6
30 " " 31 ..	3 0	3 9	3 17
31 " " 32 ..	3 2	3 17	4 8
32 " " 33 ..	3 4	4 5	4 19
33 " " 34 ..	3 6	4 12	5 9
34 " " 35 ..	3 9	5 0	5 19
35 " " 36 ..	3 11	5 8	6 8
36 " " 37 ..	3 13	5 15	6 15
37 " " 38 ..	3 15	6 3	7 1
38 " " 39 ..	3 17	6 11	7 7
39 " " 40 ..	4 0	6 18	7 12
40 " " 41 ..	4 2	7 5	7 17
41 " " 42 ..	4 4	7 13	8 2
42 " " 43 ..	4 7	8 0	8 6
43 " " 44 ..	4 10	8 7	8 11
44 " " 45 ..	4 13	8 13	8 16
45 " " 46 ..	4 16	8 19	9 1
46 " " 47 ..	4 19	9 5	9 6
47 " " 48 ..	5 2	9 11	9 12
48 " " 49 ..	5 5	9 17	9 18
49 " " 50 ..	5 9	10 4	10 4
50 " " 51 ..	5 13	10 11	10 10
51 " " 52 ..	5 17	10 18	10 16
52 " " 53 ..	6 1	11 5	11 2
53 " " 54 ..	6 5	11 12	11 9
54 " " 55 ..	6 10	12 0	11 16
55 " " 56 ..	6 15	12 8	12 4
56 " " 57 ..	7 0	12 16	12 13
57 " " 58 ..	7 6	13 5	13 2
58 " " 59 ..	7 12	13 14	13 12
59 " " 60 ..	7 18	14 3	14 2
60 " " 61 ..	8 4	—	—
61 " " 62 ..	8 11	—	—
62 " " 63 ..	8 19	—	—
63 " " 64 ..	9 8	—	—
64 " " 65 ..	9 17	—	—

FOURTH SCHEDULE

Provisions which may be used for the calculation of certain Transfer Values payable by the Committee, and Directions for the use of the sub-joined Tables in connection therewith

Regulation 50(1) and regulation 52(2)

1. In this schedule, the following expressions, unless the context otherwise requires, have the meanings hereby assigned to them—

“the material date”, in relation to any person in respect of whom a transfer value is being calculated, means the date upon which he ceased to hold his employment as an officer under the employing authority or, if on ceasing to hold that employment he became engaged in national service and the contributions required by regulation 8 continued to be paid by or in respect of him during the whole or part of that service, the last date in respect of which those contributions were made;

“remuneration”, in relation to any person, means the annual remuneration of his employment under the employing authority on which contributions were payable by him at the date on which he ceased to be an officer in their employment:

Provided that—

(a) if, for the purposes of this definition, account is required to be taken of any fees payable to a person, in respect of any employment, the amount thereof shall be taken to be the annual average of the fees payable to him in respect of that employment during the three years immediately preceding the material date or, if that employment was of shorter duration, such shorter period; and

(b) references in this definition to contributions payable by any person shall include references to contributions which would have been payable by him but for any reduction in or suspension of his remuneration by reason of his absence from duty owing to ill-health or injury;

“service”, in relation to a person who in the employment he has ceased to hold was in the whole-time employment of a single employing authority means, in respect of any period of previous part-time employment, whole-time service for a proportionately reduced period; and

“contributing service” in relation to any period of service in respect of which a person was in the course of making but had not completed making additional contributory payments shall, if that period would, apart from the making of such payments, be reckonable as non-contributing service, be construed as meaning service of one half the actual length of that period of service, and if that period would not, apart from the making of such payments, be reckonable as a period of service, be disregarded.

2. The transfer value payable in respect of any person shall be the aggregate of the sums respectively calculated in accordance with the provisions of paragraphs 3, 4 and 5:

Provided that—

(a) in the case of a transfer value payable in accordance with this schedule by virtue of a determination by the Ministry under paragraph (2) of regulation 52, the transfer value shall be reduced by an amount equal to any sum which, when the person ceased to hold the employment in relation to which the transfer value is payable, was paid to him by way of a return of contributions (not being contributions which were or were deemed to be additional contributory payments made in accordance with the second schedule, contributions which were or were deemed to be payments in respect of added years or such voluntary contributions as are referred to in regulation 30), and by a further amount equal to any income tax which was deducted from his contributions in respect of such return; and

(b) if in relation to the employment which the person has ceased to hold he

was in the course of making but had not completed making payments which were or were deemed to be—

- (i) additional contributory payments in accordance with the second schedule;
- (ii) payments in respect of added years; or
- (iii) such voluntary contributions as are referred to in regulation 30,

the transfer value shall be increased by an amount equal to the aggregate amount of any payments so made, except to the extent that such amount may have been returned to the person or any sum may have been deducted on account of income tax from such amount in respect of such return.

3.—(1) The sum to be calculated by reference to a person's contributing service shall be ascertained in accordance with this paragraph.

(2) The amounts shown under the heading "contributing service" in the appropriate column of the relative table in relation to an age which corresponds with that of the person at the material date are to be multiplied respectively by the number of years, and of months aggregating less than one year, of contributing service reckonable at the material date.

(3) The sum of the two products aforesaid is an amount appropriate in respect of one hundred pounds of remuneration.

(4) A total amount is to be calculated proportionately by reference to the remuneration of the person.

(5) Where a person's service has not been continuous and each of two or more periods thereof consists of or includes a period of contributing service of less than one month, then, if a sum falls to be calculated under sub-paragraph (2) the periods of contributing service of less than one month shall be aggregated and, of the aggregate, each period of thirty days shall be counted as one month and any number of days smaller than thirty shall be disregarded.

(6) Where a person has less than one month's contributing service the transfer value payable in respect of that service shall be the aggregate of the contributions paid or payable by him and by the employing authority in respect of that service after deduction, in the case of a transfer value payable in accordance with this schedule by virtue of a determination by the Ministry under paragraph (2) of regulation 52, of any sum paid to the person by way of a return of contributions (not being contributions which were or were deemed to be additional contributory payments made in accordance with the second schedule, contributions which were or were deemed to be payments in respect of added years or such voluntary contributions as are referred to in regulation 30) and by a further amount equal to any income tax which was deducted from his contributions in respect of such return.

4.—(1) The sum to be calculated by reference to a person's non-contributing service shall be ascertained in accordance with this paragraph.

(2) The amount shown in the column under the heading "non-contributing service" in the relative table in relation to an age which corresponds with that of the person at the material date is to be multiplied by the number of years of non-contributing service reckonable at the material date. For this purpose a period of six months or more of an uncompleted year shall be treated as a completed year, and any shorter period shall be disregarded.

(3) The product aforesaid is an amount appropriate in respect of one hundred pounds of remuneration.

(4) A total amount is to be calculated proportionately by reference to the remuneration of the person.

(5) Where a person's service has not been continuous and each of two or more periods thereof consists of or includes a period of non-contributing service of less than one month, the periods of non-contributing service of less than one

month shall be aggregated and, of the aggregate, each period of thirty days shall be counted as one month, and any number of days smaller than thirty shall be disregarded.

5. In the case of a person to whom paragraph (2) of regulation 29 of the 1950 regulations or paragraph (2) of regulation 42 applied immediately before the material date, any sum calculated under paragraph 3 or 4 in respect of any period of service of which account would have been taken under paragraph (3) of regulation 29 of the 1950 regulations or paragraph (4) of regulation 42 in calculating the amount of the reduction of any pension to which the person might have become entitled under these regulations shall be reduced by the sum shown in the appropriate column of table IV set out in the second schedule in relation to an age which corresponds with that of the person at the material date, in respect of each one pound of the amount of the reduction of the pension as aforesaid in respect of that period of service, and by a proportionate sum in respect of any fraction of a pound included in the said amount.

TABLE I

(a) Service of a Male Officer not being an Officer mentioned in Table III(a)

Age (1)	Amount of transfer value appropriate in respect of each £100 of remuneration in relation to each completed period of service namely:—		
	Contributing Service		Non-Contributing Service
	Year (2)	Month (3)	Year (4)
Under 35	£ s. 10 10	£ s. 18	£ s. 5 5
35 and under 36	10 10	18	5 5
36 " " 37	10 11	18	5 6
37 " " 38	10 12	18	5 6
38 " " 39	10 14	18	5 7
39 " " 40	10 16	18	5 8
40 " " 41	10 19	18	5 9
41 " " 42	11 2	19	5 11
42 " " 43	11 6	19	5 13
43 " " 44	11 10	19	5 15
44 " " 45	11 15	1 0	5 17
45 " " 46	12 0	1 0	6 0
46 " " 47	12 5	1 0	6 3
47 " " 48	12 11	1 1	6 6
48 " " 49	12 17	1 1	6 9
49 " " 50	13 4	1 2	6 12
50 " " 51	13 11	1 3	6 15
51 " " 52	13 18	1 3	6 19
52 " " 53	14 5	1 4	7 3
53 " " 54	14 13	1 4	7 7
54 " " 55	15 1	1 5	7 10
55 " " 56	15 9	1 6	7 14
56 " " 57	15 17	1 6	7 18
57 " " 58	16 4	1 7	8 2
58 " " 59	16 11	1 8	8 6
59 " " 60	16 18	1 8	8 9
60 " " 61	17 4	1 8	8 12
61 " " 62	17 9	1 9	8 15
62 " " 63	17 13	1 9	8 17
63 " " 64	17 16	1 10	8 18
64 and over	17 18	1 10	8 19

TABLE I

(b) Service of a Female Officer, not being a Female Officer mentioned in Table II or III(b)

Age (1)	Amount of transfer value appropriate in respect of each £100 of remuneration in relation to each completed period of service namely:—		
	Contributing Service		Non-Contributing Service
	Year (2)	Month (3)	Year (4)
Under 20	£ s. 6 12	£ s. 11	£ s. 1 5
20 and under 21	6 12	11	1 5
21 " " 22	6 14	11	1 8
22 " " 23	6 17	12	1 11
23 " " 24	6 19	12	1 15
24 " " 25	7 2	12	1 18
25 " " 26	7 6	12	2 2
26 " " 27	7 11	13	2 7
27 " " 28	7 18	13	2 13
28 " " 29	8 6	14	3 1
29 " " 30	8 16	15	3 9
30 " " 31	9 8	16	3 18
31 " " 32	10 0	17	4 7
32 " " 33	10 12	18	4 16
33 " " 34	11 2	19	5 4
34 " " 35	11 10	19	5 10
35 " " 36	11 17	1 0	5 16
36 " " 37	12 3	1 0	6 1
37 " " 38	12 8	1 1	6 4
38 " " 39	12 12	1 1	6 6
39 " " 40	12 17	1 1	6 8
40 " " 41	13 2	1 2	6 11
41 " " 42	13 8	1 2	6 14
42 " " 43	13 14	1 3	6 17
43 " " 44	14 1	1 3	7 0
44 " " 45	14 8	1 4	7 4
45 " " 46	14 15	1 5	7 7
46 " " 47	15 2	1 5	7 11
47 " " 48	15 9	1 6	7 14
48 " " 49	15 16	1 6	7 18
49 " " 50	16 3	1 7	8 2
50 " " 51	16 11	1 8	8 6
51 " " 52	16 19	1 8	8 10
52 " " 53	17 7	1 9	8 14
53 " " 54	17 16	1 10	8 18
54 " " 55	18 6	1 11	9 3
55 " " 56	18 17	1 11	9 8
56 " " 57	19 9	1 12	9 14
57 " " 58	20 1	1 13	10 0
58 " " 59	20 13	1 14	10 6
59 and over	21 5	1 15	10 12

TABLE II

Service of a Woman who is a Nurse, Physiotherapist, Midwife or Health Visitor

Age (1)	Amount of transfer value appropriate in respect of each £100 of remuneration in relation to each completed period of service namely:—		
	Contributing Service		Non-Contributing Service
	Year (2)	Month (3)	Year (4)
Under 23	£ s. 8 0	£ s. 13	£ s. 2 3
23 and under 24	8 0	13	2 3
24 " " 25	8 4	14	2 7
25 " " 26	8 12	14	2 13
26 " " 27	9 3	15	3 1
27 " " 28	9 17	16	3 11
28 " " 29	10 12	18	4 2
29 " " 30	11 8	19	4 13
30 " " 31	12 4	1 0	5 4
31 " " 32	13 0	1 2	5 16
32 " " 33	13 15	1 3	6 7
33 " " 34	14 10	1 4	6 18
34 " " 35	15 3	1 5	7 8
35 " " 36	15 14	1 6	7 17
36 " " 37	16 3	1 7	8 2
37 " " 38	16 11	1 8	8 6
38 " " 39	16 18	1 8	8 9
39 " " 40	17 4	1 9	8 12
40 " " 41	17 9	1 9	8 15
41 " " 42	17 14	1 10	8 17
42 " " 43	17 19	1 10	9 0
43 " " 44	18 5	1 10	9 3
44 " " 45	18 11	1 11	9 6
45 " " 46	18 17	1 11	9 9
46 " " 47	19 4	1 12	9 12
47 " " 48	19 12	1 13	9 16
48 " " 49	20 1	1 13	10 1
49 " " 50	20 11	1 14	10 6
50 " " 51	21 2	1 15	10 11
51 " " 52	21 13	1 16	10 17
52 " " 53	22 4	1 17	11 2
53 " " 54	22 15	1 18	11 7
54 and over	23 0	1 18	11 10

TABLE III

(a) Service of a Male Officer whose employment is by way of Manual Labour

Age (1)	Amount of transfer value appropriate in respect of each £100 of remuneration in relation to each completed period of service namely:—		
	Contributing Service		Non-Contributing Service
	Year (2)	Month (3)	Year (4)
Under 25	£ s. 6 5	£ s. 10	£ s. 2 16
25 and under 26	6 5	10	2 16
26 " " 27	6 7	11	2 18
27 " " 28	6 9	11	3 0
28 " " 29	6 12	11	3 3
29 " " 30	6 15	11	3 6
30 " " 31	6 19	12	3 9
31 " " 32	7 3	12	3 12
32 " " 33	7 7	12	3 14
33 " " 34	7 11	13	3 16
34 " " 35	7 16	13	3 18
35 " " 36	8 1	13	4 0
36 " " 37	8 6	14	4 3
37 " " 38	8 11	14	4 5
38 " " 39	8 16	15	4 8
39 " " 40	9 2	15	4 11
40 " " 41	9 8	16	4 14
41 " " 42	9 15	16	4 17
42 " " 43	10 1	17	5 0
43 " " 44	10 7	17	5 3
44 " " 45	10 14	18	5 7
45 " " 46	11 0	18	5 10
46 " " 47	11 6	19	5 13
47 " " 48	11 13	19	5 16
48 " " 49	12 0	1 0	6 0
49 " " 50	12 8	1 1	6 4
50 " " 51	12 16	1 1	6 8
51 " " 52	13 5	1 2	6 12
52 " " 53	13 14	1 3	6 17
53 " " 54	14 3	1 4	7 2
54 " " 55	14 13	1 4	7 7
55 " " 56	15 3	1 5	7 12
56 " " 57	15 14	1 6	7 17
57 " " 58	16 5	1 7	8 2
58 " " 59	16 13	1 8	8 6
59 " " 60	16 18	1 8	8 9
60 " " 61	17 2	1 9	8 11
61 " " 62	17 5	1 9	8 13
62 " " 63	17 7	1 9	8 14
63 " " 64	17 9	1 9	8 15
64 and over	17 11	1 9	8 16

TABLE III

(b) Service of a Female Officer whose employment is by way of Manual Labour

Age (1)	Amount of transfer value appropriate in respect of each £100 of remuneration in relation to each completed period of service namely:—		
	Contributing Service		Non-Contributing Service
	Year (2)	Month (3)	Year (4)
Under 20	£ s. 4 17	£ s. 8	£ s. 12
20 and under 21	4 17	8	12
21 " " 22	5 0	8	15
22 " " 23	5 4	9	18
23 " " 24	5 8	9	1 1
24 " " 25	5 12	9	1 5
25 " " 26	5 17	10	1 9
26 " " 27	6 3	10	1 14
27 " " 28	6 9	11	2 0
28 " " 29	6 16	11	2 6
29 " " 30	7 3	12	2 12
30 " " 31	7 11	13	2 19
31 " " 32	8 0	13	3 6
32 " " 33	8 10	14	3 14
33 " " 34	9 0	15	4 3
34 " " 35	9 11	16	4 11
35 " " 36	10 1	17	4 19
36 " " 37	10 10	18	5 5
37 " " 38	10 18	18	5 9
38 " " 39	11 6	19	5 13
39 " " 40	11 14	1 0	5 17
40 " " 41	12 2	1 0	6 1
41 " " 42	12 8	1 1	6 4
42 " " 43	12 16	1 1	6 8
43 " " 44	13 4	1 2	6 12
44 " " 45	13 12	1 3	6 16
45 " " 46	14 0	1 3	7 0
46 " " 47	14 8	1 4	7 4
47 " " 48	14 16	1 5	7 8
48 " " 49	15 5	1 5	7 12
49 " " 50	15 14	1 6	7 17
50 " " 51	16 3	1 7	8 1
51 " " 52	16 12	1 8	8 6
52 " " 53	17 1	1 8	8 11
53 " " 54	17 11	1 9	8 16
54 " " 55	18 2	1 10	9 1
55 " " 56	18 14	1 11	9 7
56 " " 57	19 6	1 12	9 13
57 " " 58	19 19	1 13	9 19
58 " " 59	20 12	1 14	10 6
59 and over	21 5	1 15	10 12

FIFTH SCHEDULE

Reduction of Pension under Regulation 42(4)

TABLE I

Woman who is a Nurse, Physiotherapist, Midwife or Health Visitor

Age	Annual Sum	Age	Annual Sum
	£ s. d.		£ s. d.
Under 20	1 14 0	33 and under 34 ..	13 6
20 and under 21 ..	1 11 0	34 " " 35 ..	13 0
21 " " 22 ..	1 8 0	35 " " 36 ..	13 0
22 " " 23 ..	1 5 6	36 " " 37 ..	12 6
23 " " 24 ..	1 3 0	37 " " 38 ..	12 6
24 " " 25 ..	1 1 0	38 " " 39 ..	12 6
25 " " 26 ..	19 6	39 " " 40 ..	12 0
26 " " 27 ..	18 0	40 " " 41 ..	12 0
27 " " 28 ..	17 0	41 " " 42 ..	12 0
28 " " 29 ..	16 0	42 " " 43 ..	11 6
29 " " 30 ..	15 6	43 " " 44 ..	11 6
30 " " 31 ..	15 0	44 " " 45 ..	11 0
31 " " 32 ..	14 6	45 and over ..	11 0
32 " " 33 ..	14 0		

TABLE II

Officer, other than a Female Officer mentioned in Table I

Age	Annual Sum					
	Men			Women		
	£	s.	d.	£	s.	d.
Under 20	1	14	0	1	14	0
20 and under 21	1	13	0	1	11	6
21 " " 22	1	12	6	1	9	6
22 " " 23	1	12	0	1	7	6
23 " " 24	1	11	0	1	5	6
24 " " 25	1	10	6	1	4	0
25 " " 26	1	10	0	1	2	6
26 " " 27	1	9	6	1	1	0
27 " " 28	1	9	0	1	0	0
28 " " 29	1	8	6	1	9	0
29 " " 30	1	8	0	1	8	0
30 " " 31	1	7	6	1	7	6
31 " " 32	1	7	0	1	7	0
32 " " 33	1	6	0	1	6	6
33 " " 34	1	5	6	1	6	0
34 " " 35	1	5	0	1	5	6
35 " " 36	1	4	6	1	5	0
36 " " 37	1	4	0	1	4	6
37 " " 38	1	3	6	1	4	0
38 " " 39	1	3	0	1	3	6
39 " " 40	1	2	6	1	3	6
40 " " 41	1	2	0	1	3	0
41 " " 42	1	1	6	1	3	0
42 " " 43	1	1	0	1	2	6
43 " " 44	1	0	6	1	2	6
44 " " 45	1	0	0	1	2	0
45 " " 46	1	9	6	1	2	0
46 " " 47	1	9	0	1	2	0
47 " " 48	1	8	6	1	1	6
48 " " 49	1	8	0	1	1	6
49 " " 50	1	7	6	1	1	0
50 " " 51	1	7	0	1	1	0
51 " " 52	1	7	0	1	1	0
52 " " 53	1	6	6	1	1	0
53 " " 54	1	6	0	1	1	0
54 " " 55	1	5	6	1	1	0
55 and over	1	5	6	1	1	0

SIXTH SCHEDULE

Additional Contributions for Added Years

Regulation 26(3)

Age at date of giving consent	Percentage of remuneration payable in respect of each year added
(1)	(2)
27 and under 28	·16
28 " " 29	·17
29 " " 30	·18
30 " " 31	·19
31 " " 32	·20
32 " " 33	·21
33 " " 34	·22
34 " " 35	·23
35 " " 36	·24
36 " " 37	·25
37 " " 38	·26
38 " " 39	·28
39 " " 40	·30
40 " " 41	·32
41 " " 42	·34
42 " " 43	·36
43 " " 44	·38
44 " " 45	·41
45 " " 46	·44
46 " " 47	·48
47 " " 48	·53
48 " " 49	·58
49 " " 50	·64
50 " " 51	·72
51 " " 52	·81
52 " " 53	·92
53 " " 54	1·07
54 " " 55	1·28

EIGHTH SCHEDULE

Regulation 42(3)

Modification of additional contributions under regulation 26

<i>Age at date of giving of consent</i>	<i>Men</i>	<i>Women</i>
(1)	(2)	(3)
	s. d.	s. d.
27 and under 28	1 4	2 1
28 " " 29	1 5	2 3
29 " " 30	1 6	2 6
30 " " 31	1 7	2 8
31 " " 32	1 8	2 11
32 " " 33	1 9	3 1
33 " " 34	1 10	3 4
34 " " 35	1 11	3 7
35 " " 36	2 1	3 10
36 " " 37	2 2	4 1
37 " " 38	2 4	4 5
38 " " 39	2 6	4 9
39 " " 40	2 8	5 1
40 " " 41	2 10	5 6
41 " " 42	3 0	5 11
42 " " 43	3 3	6 5
43 " " 44	3 6	6 11
44 " " 45	3 10	7 6
45 " " 46	4 3	8 2
46 " " 47	4 8	9 0
47 " " 48	5 1	9 11
48 " " 49	5 8	10 11
49 " " 50	6 4	12 2
50 " " 51	7 1	13 8
51 " " 52	8 1	15 7
52 " " 53	9 4	17 11
53 " " 54	11 0	21 0
54 " " 55	13 3	25 2

Table of enactments referred to in these regulations

<i>Title of Act or Instrument</i>	<i>Session and Chapter, etc.</i>
Registration of Marriages (Ireland) Act, 1863 ...	26 & 27 Vict. c. 90.
Union Officers Superannuation (Ireland) Act, 1865	28 & 29 Vict. c. 26.
Local Officers Superannuation Act (Ireland), 1869	32 & 33 Vict. c. 79.
Lunacy Regulation (Ireland) Act, 1871	34 & 35 Vict. c. 22.
County Surveyors Superannuation Act (Ireland), 1875	38 & 39 Vict. c. 56.
Local Government (Ireland) Act, 1902	2 Edw. 7. c. 38.
Asylums Officers' Superannuation Act, 1909 ..	9 Edw. 7. c. 48.
Local Government (Ireland) Act, 1919	9 & 10 Geo. 5. c. 19.
Widows', Orphans' and Old Age Contributory Pensions Act (Northern Ireland), 1936	26 Geo. 5 & 1 Edw. 8. c. 32.
Widows', Orphans' and Old Age Contributory Pensions Act, 1936	26 Geo. 5 & 1 Edw. 8. c. 33.
Local Government Superannuation Act, 1937 ..	1 Edw. 8 & 1 Geo. 6. c. 68.
Local Government Superannuation (Scotland) Act, 1937	1 Edw. 8 & 1 Geo. 6. c. 69.
Local Government Staffs (War Service) Act (Nor- thern Ireland), 1939	2 & 3 Geo. 6. c. 27.
National Health Insurance Contributory Pensions and Workmen's Compensation Act, 1941	4 & 5 Geo. 6. c. 39.
Superannuation Schemes (War Service) Act (Nor- thern Ireland), 1941	5 & 6 Geo. 6. c. 6.
National Health Insurance and Contributory Pen- sions Act (Northern Ireland), 1941	5 & 6 Geo. 6. c. 14.
Belfast Corporation Act (Northern Ireland), 1943 ..	1943. c. i.
Summary Jurisdiction (Separation and Maintenance) Act (Northern Ireland), 1945	1945. c. 14.
Public Health and Local Government (Adminis- trative Provisions) Act (Northern Ireland), 1946	1946. c. 19.
National Insurance (Industrial Injuries) Act (Nor- thern Ireland), 1946	1946. c. 21.
National Insurance Act (Northern Ireland), 1946 ..	1946. c. 23.
National Insurance Acts (Northern Ireland), 1946	1946. cc. 21 & 23.
National Insurance Act, 1946	9 & 10 Geo. 6. c. 67.
National Health Service Act, 1946	9 & 10 Geo. 6. c. 81.
National Health Service (Scotland) Act, 1947 ..	10 & 11 Geo. 6. c. 27.
Health Services Act (Northern Ireland), 1948 ..	1948. c. 3.
Superannuation (Miscellaneous Provisions) Act, 1948	11 & 12 Geo. 6. c. 33.

<i>Title of Act or Instrument</i>	<i>Session and Chapter, etc.</i>
Local Government (Superannuation) Act (Northern Ireland), 1950	1950. c. 10.
Teachers (Superannuation) Act (Northern Ireland), 1950	1950. c. 33.
Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951	14 & 15 Geo. 6. c. 65.
Superannuation (Miscellaneous Provisions) Act (Northern Ireland), 1951	1951. c. 28.
Local Government Superannuation Act, 1953 ..	1 & 2 Eliz. 2. c. 25.
Health Services Act (Northern Ireland), 1958 ..	1958. c. 29.
Museum Act (Northern Ireland), 1961	1961. c. 13
Mental Health Act (Northern Ireland), 1961 ..	1961. c. 15.
Teachers (Public Elementary) Superannuation (Amendment) Scheme, 1936	S.R. & O. (N.I.) 1936, No. 156.
Teachers (Secondary and Preparatory) Superannuation (Amendment) Scheme, 1936	S.R. & O. (N.I.) 1936, No. 157.
Teachers (Agricultural and Technical) Superannuation (Amendment) Scheme, 1936	S.R. & O. (N.I.) 1936, No. 158.
Teachers' (Public Elementary) Superannuation (Amendment) Scheme, 1940	S.R. & O. (N.I.) 1940, No. 102.
Teachers' (Secondary and Preparatory) Superannuation (Amendment) Scheme, 1940	S.R. & O. (N.I.) 1940, No. 103.
Teachers' (Agricultural and Technical) Superannuation (Amendment) Scheme, 1940	S.R. & O. (N.I.) 1940, No. 104.
Local Government (Superannuation) Regulations (Northern Ireland), 1950	S.R. & O. (N.I.) 1950, No. 103.
Local Government (Superannuation) (Amendment) Regulations (Northern Ireland), 1950	S.R. & O. (N.I.) 1950, No. 225.
Local Government Superannuation (Northern Ireland and Great Britain) Regulations (Northern Ireland), 1952	S.R. & O. (N.I.) 1952, No. 70.
Local Government (Superannuation) (Amendment) Regulations (Northern Ireland), 1952	S.R. & O. (N.I.) 1952, No. 113.
Health Services (Superannuation) Regulations (Northern Ireland), 1954	S.R. & O. (N.I.) 1954, No. 83.
Local Government Superannuation (Benefits) Regulations, 1954	S.I. 1954, No. 1048.
Local Government Superannuation (Benefits) (Scotland) Regulations, 1954	S.I. 1954, No. 1059 (S. 102).
Teachers Superannuation (Service in the Reserve and Auxiliary Forces) Rules (Northern Ireland), 1958	S.R. & O. (N.I.) 1958, No. 97.

<i>Title of Act or Instrument</i>	<i>Session and Chapter, etc.</i>
Local Government (Superannuation) (Amendment) Regulations (Northern Ireland), 1959	S.R. & O. (N.I.) 1959, No. 11.
Local Government Superannuation (Northern Ireland and Great Britain) (Amendment) Regulations (Northern Ireland), 1959	S.R. & O. (N.I.) 1959, No. 69.
Local Government (Superannuation) (Amendment) Regulations (Northern Ireland), 1960	S.R. & O. (N.I.) 1960, No. 2.
Local Government Superannuation (Interchange with the Civil Service of the United Kingdom) Regulations (Northern Ireland); 1960	S.R. & O. (N.I.) 1960, No. 41.
Local Government Superannuation (Interchange with Teaching Service) Regulations (Northern Ireland), 1960	S.R. & O. (N.I.) 1960, No. 73.
National Health Service (Superannuation) (Scotland) Regulations, 1961	S.I. 1961, No. 1398 (S. 87).
National Health Service (Superannuation) Regulations, 1961	S.I. 1961, No. 1441.
Local Government Superannuation (Interchange with Teaching Service) (Amendment) Regulations (Northern Ireland), 1961	S.R. & O. (N.I.) 1961, No. 244.

EXPLANATORY NOTE.

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

These regulations consolidate with amendments a number of regulations in force under section 2 of the Local Government (Superannuation) Act (Northern Ireland), 1950, relating to the superannuation of persons engaged in the employment of local authorities and bodies designated by the Ministry under the Act.

The main changes are—

- (a) provision is made for the extension by the Northern Ireland Local Government Officers' Superannuation Committee of the time limits for giving certain notices and making certain payments for the purpose of reckoning service;
- (b) an employee whose remuneration is suspended owing to illness or injury will cease to be a superannuable officer from the date of the suspension but in determining whether such a person has had a disqualifying break in service a period of incapacity of up to two years (or longer at the Committee's discretion) will be disregarded;
- (c) reckonable service will be limited to forty years at minimum retiring age except in the case of officers who entered the Scheme at 1st April, 1950, with pre-existing superannuation rights under enactments relating to officers of local authorities;
- (d) certain adjustments have been made in the method by which employers are required to pay contributions in respect of added years granted to serving employees;
- (e) the right to interest on contributions returned on voluntary resignation will be retained by persons in superannuable service before the date of coming into operation of the regulations but future entrants to the Scheme will not have this right;
- (f) provision is made to enable pensioners whose pensions are payable out of public funds to earn further pension benefits on taking up employment to which the regulations apply if the pension previously awarded is subject to reduction or suspension on account of the further employment having been taken up;
- (g) the rate of interest chargeable on certain payments made by officers for the purpose of reckoning service is increased from $2\frac{1}{2}\%$ to $3\frac{1}{4}\%$; and
- (h) the tables providing for the calculation of additional contributory payments payable by officers have been revised and a new schedule with tables has been introduced providing for the calculation of transfer values payable to certain schemes with which interchange arrangements have been established.