
STATUTORY INSTRUMENTS

1948 No. 2434

**THE NATIONAL INSURANCE AND CIVIL
SERVICE (SUPERANNUATION) RULES, 1948.**

PART II

PERSONS WHO BECOME CIVIL SERVANTS

Persons entitled to a pension before the age of sixty

9.—(1) In the case of a person to whom Rule 5 would apply but for the provisions of this rule, where under the pension scheme associated with his former employment he was entitled to retire at an earlier age than the age of sixty, and received a pension other than a return of contributions on such retirement, then, if he becomes a civil servant while under that age, the period of his former employment shall not be taken into account for the purposes of the Superannuation Acts:

Provided that, if his actual period of service as a civil servant is less than the minimum period of service required by the Superannuation Acts for the payment of an allowance or gratuity, but the said period would, but for this rule, have been sufficient, when added to the period treated as service as a civil servant in accordance with Rule 5, for an allowance or gratuity to be granted, such allowance or gratuity may be granted as though his period of service had been equal to that minimum period, so, however, that its amount shall be reduced by a proportion equal to the proportion which the number of years by which the actual period falls short of the minimum period bears to the number of years in the minimum period.

(2) A person to whom this rule applies shall not be entitled to any payment in respect of accrued rights under Rule 7, and the pension (including any right to payments after his death) to which he became so entitled shall remain a liability under the pension scheme and, in the case of a scheme to which Rule 12 applies, be transferred to the Minister under that rule, but except for that pension the trustees and managers of that scheme and any other persons having or having had custody or control of the assets (including, in the case of a scheme to which Rule 12 applies, the Minister) shall be under no liability to him in respect of pension rights arising from his former employment.