
STATUTORY INSTRUMENTS

1955 No. 1494

**The Superannuation (Local Government and
National Health Service) Interchange Rules 1955**

PART IV

MISCELLANEOUS PROVISIONS

Computation of contributions of a person to whom rule 6 applies

9.—(1) Where a person to whom rule 6 of these rules applies (not being a person to whom paragraph (3) of this rule applies) ceases to be employed as a contributory employee or local Act contributor, or dies, in circumstances in which under the relevant superannuation provision there is payable to or in respect of him an amount by way of return of contributions (with or without interest) or a benefit which falls to be calculated by reference to any such amount then, for the purpose of the relevant superannuation provision, the amount of his contributions shall be taken to include in respect of service which, by virtue of these rules, has become reckonable as service for the purposes of the Act of 1937 or the relevant local Act scheme an amount equal to the amount which would have been payable by way of return of contributions under the pension scheme applicable to him in his former employment, if, on his ceasing to hold that employment, he had been entitled to receive an amount by way of return of contributions without interest.

(2) Where under the relevant superannuation provision the amount payable by way of return of contributions or by way of benefit is a sum equal to, or which falls to be calculated by reference to, the amount of his contributions with compound interest thereon, compound interest shall also be payable in respect of the amount by which those contributions are increased under the last preceding paragraph, calculated—

- (i) as respects the period ending immediately before the day on which he became a contributory employee or local Act contributor, at the rate at which it would have been calculated under the pension scheme applicable to him in his former employment if on leaving that employment he had been entitled to a return of contributions together with compound interest thereon; and
- (ii) as respects the period beginning with the date on which he became a contributory employee or local Act contributor, in accordance with the provisions of section 10 of the Act of 1937 or, as the case may be, the corresponding provisions of the relevant local Act scheme.

(3) Where a person to whom rule 6 of these rules applies—

- (a) ceases to be employed as a contributory employee or local Act contributor in the circumstances mentioned in subsection (1) of section 10 of the Act of 1937; or
- (b) dies in the circumstances mentioned in subsection (3) of that section; or
- (c) ceases (by reason of permanent ill-health or infirmity of mind or body) to be employed as a contributory employee or local Act contributor, or dies, in circumstances in which there is payable to or in respect of him a benefit which falls to be calculated by reference to the amount of his contributions (with or without interest),

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then, if (in consequence of his having exercised an option to retain rights corresponding with those previously enjoyed by him as an established civil servant) he was not required in his employment as an officer to pay contributions, he shall be deemed to have made to the appropriate superannuation fund, on becoming a contributory employee or local Act contributor, contributions in respect of service which, immediately before he left the employment in which he was an officer, was reckonable under the Health Service Regulations as contributing service (being service as a civil servant or service subsequent thereto as an officer) of an aggregate amount equal to three eightieths of the annual salary and emoluments of his office multiplied by the number of completed years of his said service.

(4) For the purposes of the last foregoing paragraph “the annual salary and emoluments of his office” means the average annual amount of the pensionable salary and emoluments of his office during the three years ending with the last day of his service as an officer or, where his service during that period is less than three years, the average annual amount of his pensionable salary and emoluments during the actual period of his service.

(5) Notwithstanding anything in the previous provisions of this rule, the sum by which contributions payable under the relevant superannuation provision are increased under paragraph (1) or (2) of this rule shall not include—

- (a) any amount in respect of payments made voluntarily for the purpose of securing benefits for a widow, children or other dependants; or
- (b) any sum in respect of contributions which, on or after the person's ceasing to be employed as an officer were returned to and retained by him; or
- (c) any amount in respect of voluntary contributions which, being payments to which paragraph (b) or (c) of the proviso to paragraph (1) of rule 6 of these rules applied, have not been continued in pursuance of that rule.