HEALTH SERVICES (SUPERANNUATION)

REGULATIONS*, DATED THE 11TH DAY OF JUNE, 1954, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT WITH THE APPROVAL OF THE MINISTRY OF FINANCE UNDER SUB-SECTION (1) OF SECTION 61 OF THE HEALTH SERVICES ACT (NORTHERN IRELAND), 1948.

1954. No. 83.

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*A draft of the above regulations was approved by resolution of the House of Commons on the 3rd day of June, 1954, and by resolution of the Senate on the 10th day of June, 1954.

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The Ministry of Health and Local Government for Northern Ireland, in exercise of the powers conferred on it by sub-section (1) of section 61 of the Health Services Act (Northern Ireland), 1948(a), as amended by section 11 of and the Schedule to the Health Services Act (Northern Ireland), 1953(b), and of all other powers enabling it in that behalf, and with the approval of the Ministry of Finance for Northern Ireland, hereby makes the following regulations:—

Citation and Interpretation

1.—(1) These regulations may be cited as the Health Services (Superannuation) Regulations (Northern Ireland), 1954, and shall come into operation on the first day of the month next following the month in which the draft thereof was approved by Parliament.

(2) The Interpretation Act, 1889(c), shall apply for the purposes of the interpretation of these regulations and the regulations hereby revoked in like manner as it applies by virtue of the Interpretation Act, 1921(d), for the purposes of the interpretation of an Act of the Parliament of Northern Ireland.

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

"the Act" means the Health Services Act (Northern Ireland), 1948;

"the Act of 1865" means the Union Officers' (Ireland) Superannuation Act, 1865(e), as amended or extended by any other enactment;

(a) 1948. c. 3.
(b) 1953. c. 6.
(c) 52 & 53 Vict. c. 63.
(d) 12 Geo. 5. c. 4.
(e) 28 & 29 Vict. c. 26.

"the Act of 1869" means the Local Officers' Superannuation Act (Ireland), 1869(a), as amended or extended by any other enactment;

"the Act of 1909" means the Asylums Officers' Superannuation Act, 1909(b), as amended by the Mental Treatment Act (Northern Ireland), 1932(c);

"the Act of 1943" means the Belfast Corporation Act (Northern Ireland), 1943(d), as amended by the Belfast Corporation (General Powers) Act (Northern Ireland), 1948(e);

"the Superannuation Acts" means the Superannuation Acts, 1834 to 1919, as applied to the civil service of Northern Ireland, and the Superannuation Acts (Northern Ireland), 1921 to 1951;

"the Belfast Corporation Superannuation Scheme" means the Superannuation Scheme made by the Lord Mayor, Aldermen and Citizens of the City of Belfast, acting by the Council, under section 5A of the Local Government (Superannuation) Act (Northern Ireland), 1950(f), as amended by the Local Government (Superannuation) (Amendment) Act (Northern Ireland), 1951(g);

"the Local Government Superannuation Regulations" means the Local Government (Superannuation) Regulations (Northern Ireland), 1950(h), as amended from time to time;

"the 1948 regulations" means the Health Services (Superannuation) Regulations (Northern Ireland), 1948(i), as amended by the Health Services (Superannuation) (Amendment) Regulations (Northern Ireland), 1949(j), the Health Services (Superannuation) (Amendment) Regulations (Northern Ireland), 1950(k), the Health Services (Superannuation) (Amendment) Regulations (Northern Ireland), 1951(l), and the Health Services (Superannuation) (Amendment) Regulations (Northern Ireland), 1952(m);

"the Authority" means the Northern Ireland Hospitals Authority;

"additional contributory payment" means any payment made for the purposes of regulation 13(7) or 14(4) of the 1948 regulations or regulation 14(10), 14(11), 14(12), 15(3), 15(4) or 15(6) of these regulations;

"appointed day" means the fifth day of July, 1948;

(a) 32 & 33 Vict. c. 79.
(b) 9 Edw. 7. c. 48.
(c) 22 & 23 Geo. 5. c. 15.
(d) 1943. c. 1.
(e) 1948. c. 1.
(f) 1950. c. 10.
(g) 1951. c. 9.
(h) S.R. & O. (N.I.), 1950 No. 103.
(i) S.R. & O. (N.I.), 1948 No. 161.
(j) S.R. & O. (N.I.), 1949 No. 9.
(k) S.R. & O. (N.I.), 1950 No. 115.
(l) S.R. & O. (N.I.), 1951 No. 131.
(m) S.R. & O. (N.I.), 1952 No. 101.

"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 Ministry on the written application of that person made before or within three months after the commencement of the course;

"assistant practitioner" means an employee of a medical practitioner or dental practitioner on the list of the Board, being himself a medical practitioner or dental practitioner wholly or mainly engaged in assisting his employer in the actual discharge of his duties as such practitioner;

"average remuneration" has the meaning assigned to it by regulation 17;

"the Board" means the Northern Ireland General Health Services Board;

"contributing service" means service which is reckonable as contributing service in accordance with regulation 15;

"employing authority" means the Authority, the Board, the Northern Ireland Tuberculosis Authority or the Joint Nursing and Midwives Council for Northern Ireland, and any such other body constituted under the Act as the Ministry may approve;

"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;

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

"local authority" means the council of any county, county or other borough, or urban or rural district, or the commissioners of any town not being an urban district, or the Belfast City and District Water Commissioners, and includes a local authority in their capacity as a public authority for the purposes of any enactment, a committee of a local authority, or a joint committee of more than one local authority;

"mental health officer" means an officer on the medical or nursing staff of a hospital used wholly or partly for the treatment of persons suffering from illness of a mental or kindred nature or an institution so used for the treatment of persons requiring special care within the meaning of Part III of the Mental Health Act (Northern Ireland), 1948(b), who devotes the whole or substantially the whole of his time to the treatment or special care of such persons and such other classes or descriptions of officers employed in such hospitals or institutions as aforesaid as the Ministry may designate;

(a) 1946. c. 19. (b) 1948. c. 17.

"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(a), 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;

"non-contributing service" means service which is reckonable as non-contributing service in accordance with regulation 15(5);

"pensionable age" in relation to a female nurse or physiotherapist, or a midwife, health visitor or mental health officer, means for the purposes of the proviso to regulation 7(1) the age of sixty-five years and for all other purposes the age of sixty years, in relation to a medical practitioner or dental practitioner on the list of the Board or an assistant practitioner means the age of sixty-five years or such later age as the Ministry may in any particular case allow, and, in relation to any other officer, means the age of sixty-five years;

"practitioner" means a medical practitioner or dental practitioner on the list of the Board, and includes an assistant practitioner and a person rendering part-time specialist services pursuant to section 21 of the Act, unless, in the case of a person who devotes substantially the whole of his time to the performance of those services, the Ministry otherwise directs;

"remuneration" 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 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 monies to be spent, or to cover expenses incurred by him, for the purposes of his employment;

"service" has the meaning assigned to it by regulation 14;

"transfer value" has the same meaning as "accrued superannuation value" as that expression is defined in section 86 of the Act; and

"war service" means war service within the meaning of the Local Government Staffs (War Service) Act (Northern Ireland), 1939(b), 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(c).

(a) 14 & 15 Geo. 6. c. 65.
(b) 2 & 3 Geo. 6. c. 27.
(c) 5 & 6 Geo. 6. c. 6.

(4) 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.

(5) Unless the context otherwise requires, references in these regulations to officers of an employing authority include 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.

Revocation

2. The 1948 regulations, except regulations 44 and 45 of the Health Services (Superannuation) Regulations (Northern Ireland), 1948, as originally made, and the eighth schedule to those regulations, are hereby revoked:

Provided that, without prejudice to the general application of section 38 of the Interpretation Act, 1889, with regard to the effect of repeals, in so far as any agreement, order, requirement, designation, application, request or representation made, or any resolution passed, or any notice, direction, consent, sanction, approval, exemption or certificate given under any regulation revoked by these regulations, or any conditions imposed, or any proceedings instituted, or any other thing done, under any such regulation, could have been made, passed, given, imposed, instituted or done under or by a corresponding provision of these regulations, it shall not be invalidated by these regulations, but shall have effect as if it had been made, passed, given, imposed, instituted or done under or by that provision.

PART I

PROVISIONS RELATING TO OFFICERS EMPLOYED BY BODIES CONSTITUTED UNDER THE ACT AND OTHER OFFICERS ENGAGED IN HEALTH SERVICES, OTHERWISE THAN IN THE EMPLOYMENT OF HEALTH AUTHORITIES OR OTHER LOCAL AUTHORITIES

Application

3.—(1) This Part of these regulations shall apply to the following officers of any employing authority who have attained the age of eighteen years—

(*a*) every whole-time officer whose duties are wholly or mainly administrative, professional or clerical;

(*b*) any other whole-time officer who entered their employment within twelve months after leaving any such employment as is mentioned in regulation 14(3),

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;

(*c*) every part-time officer who was transferred under the Act to their employment, and who immediately before being so transferred was subject to the Act of 1909;

(*d*) any other officer, whether whole-time or part-time, who was transferred under the Act to their employment, or who entered their employment in consequence of the acquisition by the Authority under section 67 of the Act of premises at or for the purposes of administering the services provided at which he was employed at the date of acquisition, and who immediately before being transferred to or entering their employment as aforesaid had reasonable expectations of superannuation benefits on retirement from his employment;

(*e*) any other whole-time officer, upon the expiration of a period of two years after attaining the age of eighteen years, without a break of more than one month at any one time, 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 (*h*) of this paragraph;

(*f*) any other part-time officer whose duties are wholly or mainly administrative, professional or clerical, and who devotes the rest of his time to employment under any employing authority, local authority or governing body of a medical school, or who falls within any class or description of persons which the Ministry may designate;

(*g*) any other part-time officer who entered their employment within twelve months after leaving any such employment as is mentioned in regulation 14(3) 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, and who devotes the rest of his time to employment under any employing authority, local authority or governing body of a medical school, or who falls within any class or description of persons which the Ministry may designate; and

(*h*) any other part-time officer who devotes the rest of his time to employment under any employing authority, local authority or governing body of a medical school, or who falls within any class or description of persons which the Ministry may designate, upon the expiration of a period of two years

after attaining the age of eighteen years, without a break of more than one month at any one time, 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 (*e*) of this paragraph:

Provided that—

(i) the provisions of sub-paragraph (*c*) or (*d*) of this paragraph shall apply to an officer transferred to or entering the employment of the employing authority in the circumstances therein mentioned, only so long as he remains in their employment, whether in the same post or any other post;

(ii) for the purposes of sub-paragraphs (*e*) and (*h*) of this paragraph, account shall be taken as if it were employment under an employing authority of—

(*i*) any employment held before the date of transfer by a person transferred under the Act under any authority or body from which functions were transferred by the Act, or under an officer of such an authority or body, or at or for the purposes of any hospital transferred to the Authority by the Act, including, in the case of a person who left that employment in order to undertake war service, the period of that service;

(*ii*) any employment at or for the purposes of administering the services provided at premises acquired by the Authority under section 67 of the Act held by a person who entered the employment of an employing authority in consequence of such acquisition, including, in the case of a person who left that employment in order to undertake war service or who immediately after leaving that employment became engaged in national service, the period of that service;

(*iii*) any employment held before the date of transfer by a person transferred under sub-section (4) or (5) of section 58 of the Act, including, in the case of a person who left that employment in order to undertake war service, the period of that service; and

(*iv*) 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 (*e*) or (*h*) of this paragraph;

and the term "officer" shall be construed accordingly.

(2) Notwithstanding anything in the foregoing provisions of this regulation, this part of these regulations shall not apply to any officer of an employing authority who is in receipt of a

pension payable out of public funds to which he became entitled on retirement after the attainment of a specified age and which is not liable to be reduced or suspended in consequence of his employment under that authority:

Provided that this paragraph shall not apply to a person who became an officer of an employing authority before the first day of July, 1950.

Participation in superannuation benefits

4. 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 thereof.

Contributions

5.—(1) (*a*) 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 who has not attained such an age as is hereinafter mentioned, in relation to his employment by an employing authority, the following contributions, namely:—

(i) an amount to be paid by the officer equal to six per cent. of the amount of his remuneration for the time being; and

(ii) unless the Ministry dispenses with compliance with this provision in the case of any authority, an amount to be paid by the employing authority equal to eight per cent. of the said remuneration or, if that remuneration is at any time reduced or suspended, of the remuneration which would be taken into account under the provisoes to regulation 17 in respect of the period of reduction or suspension, were the officer's average remuneration being calculated for a period which included that period:

Provided that in the case of an officer whose employment is by way of manual labour, five per cent. shall be substituted for six per cent. in item (i) of this sub-paragraph, and six per cent. shall be substituted for eight per cent. in item (ii) thereof.

(*b*) The age referred to in the preceding sub-paragraph is, subject as hereinafter provided, an age greater by five years than pensionable age or, in the case of a person who before attaining such greater age has completed forty-five years contributing service or forty-five years contributing service and non-contributing service, the non-contributing service being reckoned at half its actual length, his age at the date on which he completed such service or, if that age is less than pensionable age, then pensionable age:

Provided that the age aforesaid is pensionable age in relation to any person who is or was over pensionable age on the date on which he first became an officer, whether by virtue of

these regulations or the 1948 regulations, not being 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(a), or who apart from this paragraph might become entitled to a pension under these regulations.

(2) 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 be entitled to make contributions under this regulation as if his remuneration had not been reduced, if—

(*a*) he makes application to that effect to the employing authority in writing, within one month after the reduction, or such longer period as the Ministry may in any particular case allow, and

(*b*) the said application is approved by the Ministry.

(3) 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, and, notwithstanding the provisions of any enactment or scheme, contributions by and in respect of him shall not be made during his absence, except in accordance with the provisions of this paragraph, for the purpose of his participation in superannuation benefits:

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.

(4) An officer who, by reason of the suspension of his remuneration owing to leave of absence from duty on account of illness or injury, is not required to make any contributions in respect of the period of such absence or any part thereof shall nevertheless be deemed for the purposes of regulation 15 (1)(*a*) to have made the contributions required by these regulations in respect of that period or part thereof.

(5) 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.

(6) 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 Ministry.

(a) 1946, cc. 21 and 23.

(7) 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 he had continued to follow that employment and to have been entitled to the remuneration thereof, and the employing authority 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.

Officer's pension and retiring allowance

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

(*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 subparagraph (i) of paragraph (*a*) of this regulation, or has attained the age of sixty years and completed five years service.

Scales of pension and retiring allowance

7.—(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 33, shall not exceed forty-five-eightieths of the officer's average remuneration, and shall not in the case of a pension payable under regulation 6(*a*)(i) 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 pensionable age, 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 a married male officer to whose widow a pension will not become payable because she is such a person as is mentioned in proviso (*c*) to regulation 12(1) the amount of the allowance shall be reduced by two-ninths thereof;

(*c*) in the case of an officer who is a widower or who is divorced or judicially separated from his wife, the wife's death or the divorce or separation having taken place on or after the date on which he first became an officer subject to these regulations or the 1948 regulations, the amount of the 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;

(*d*) 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

(*e*) 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) The pension to be paid to an officer whose service includes service as a practitioner shall be on the following scale, that is to say—

(*a*) in respect of each year of contributing service otherwise than as a practitioner, one-eightieth of his average remuneration;

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

(*c*) in respect of each year or part of a year of contributing service as a practitioner, one and one-half per cent. of his remuneration as such for that year or part of a year:

Provided that—

(i) in the case of an officer whose contributing service, together with his non-contributing service (if any) reckoned at half its actual length, exceeds forty-five years, the pension 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

(ii) in the case of an officer who is entitled to a pension under regulation 6(*a*)(i), and whose service is less than twenty years, any non-contributing service being reckoned at half its actual length, the pension shall be an amount obtained by multiplying the amount of the pension which would have been payable apart from this proviso by such number of years service, not exceeding twenty, as he could have completed before attaining pensionable age, any non-contributing service being reckoned as aforesaid, and dividing the product by the number of years of actual service, any non-contributing service being reckoned as aforesaid.

(4) The retiring allowance to be paid to an officer whose service includes service as a practitioner shall be a sum equal to the aggregate of the following amounts, namely—

(*a*) in respect of each year of contributing service otherwise than as a practitioner, three-eightieths of his average remuneration;

(*b*) in respect of each year of non-contributing service, three one-hundred-and-sixtieths of his average remuneration; and

(*c*) in respect of each year or part of a year of contributing service as a practitioner, four and one-half per cent. of his remuneration as such for that year or part of a year:

Provided that—

(i) in the case of a married male officer in respect of whose service a widow's pension may become payable under these regulations, one-eightieth shall be substituted for three-eightieths in sub-paragraph (*a*) of this paragraph, one one-hundred-and-sixtieth shall be substituted for three one-hundred-and-sixtieths in sub-paragraph (*b*) thereof, and one and one-half per cent.

shall be substituted for four and one-half per cent. in sub-paragraph (*c*) thereof;

(ii) in the case of a married male officer to whose widow a pension will not become payable because she is such a person as is mentioned in proviso (*c*) to regulation 12(1), the amount of the allowance shall be reduced by two-ninths thereof;

(iii) in the case of an officer who is a widower or who is divorced or judicially separated from his wife, the wife's death or the divorce or separation having taken place on or after the date on which he first became an officer subject to these regulations or the 1948 regulations, whether by virtue of Part I or Part II of either of those regulations, one-eightieth shall be substituted for three-eightieths in sub-paragraph (*a*) of this paragraph in relation to each year of contributing service otherwise than as a practitioner before the date of his wife's death or the divorce or separation, as the case may be, one one-hundred-and-sixtieth shall be substituted for three one-hundred-and-sixtieths in sub-paragraph (*b*) thereof in relation to each year of non-contributing service and one and one-half per cent. shall be substituted for four and one-half per cent. in sub-paragraph (*c*) thereof in relation to each year or part of a year of contributing service as a practitioner before the said date;

(iv) in the case of an officer whose contributing service, together with his non-contributing service (if any) reckoned at half its actual length, exceeds forty-five years the amount of the allowance 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

(v) 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.

(5) Where the retiring allowance paid to a married male officer has been calculated in accordance with the provisions of proviso (*a*) to paragraph (2) or proviso (i) to paragraph (4) of this regulation or proviso (*a*) to paragraph (2) or proviso (i) to paragraph (4) of regulation 6 of the 1948 regulations, and a pension will not become payable to his widow because she has become such a person as is mentioned in proviso (*c*) to regulation 12(1), there shall be paid to the officer a sum equal to two-thirds of the difference between the amount of the retiring allowance paid to him and the amount of the retiring allowance which would have been paid to him had he not been a person to whom the said provisions applied.

(6) 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 he may also have become entitled, is less than the amount of his average remuneration, then, if he requests the Ministry in writing to apply this provision in his case, the Ministry 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 Ministry exercises this discretion no death gratuity or widow's pension shall be payable in respect of him.

Injury allowance

8.—(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 which is not wholly or mainly due to, or seriously aggravated by, his own serious and culpable negligence or misconduct, or by a disease which he has contracted and to which he was exposed by the nature of his duty, not being a 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 Ministry an annual injury allowance of such amount, not exceeding two-thirds of his average remuneration, as the Ministry considers reasonable, having regard to all the circumstances of the case, including any right to any benefit under the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946(a), or any other statutory right to benefit or compensation or any right to a pension, retiring allowance or gratuity, whether under these regulations or otherwise.

(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*) if 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 by 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 of a public transport service.

(3) If such a person as is mentioned in paragraph (1) of this regulation dies as a direct result of the injury he sustained or the disease he has contracted, the Ministry may grant to his widow such gratuity or annual allowance as it may consider

(a) 1946, c. 21.

reasonable, having regard to all the circumstances of the case, including any right to any benefit under the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946, or any other statutory right to benefit or compensation, or any right to superannuation benefits, whether under these regulations or otherwise.

Short service gratuity

9. 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 Ministry a short service gratuity of a sum equal to the amount of his average remuneration:

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

10.—(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 pensionable age, 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 pensionable 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 to surrender part of the pension in accordance with the provisions of the preceding paragraph, 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 preceding the date of his death.

Death gratuity

11. 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 be became engaged in national service, within six months after the termina-

tion of that service, without having received a return of contributions or become entitled to any other benefit under these regulations or the 1948 regulations, and without having again become entitled to participate in superannuation benefits; or

(*c*) a person dies after having become entitled to a pension, retiring allowance, injury allowance or short service gratuity under these regulations or the 1948 regulations;

then the Ministry shall pay to his legal personal representatives a death gratuity of a sum equal to three-eightieths 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*) of this regulation, 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) in the case of such a person as is mentioned in regulation 7(3), for the references in the foregoing provisions of this regulation to a sum to be calculated by reference to a fraction of his average remuneration in respect of each year of service there shall, subject to the provisions of the next succeeding proviso, be substituted a reference to a sum obtained by the addition of the following amounts, namely:—

(*i*) in respect of each year of contributing service otherwise than as a practitioner, three-eightieths of his average remuneration, or if a widow's pension is payable under these regulations in respect of his death, one-eightieth thereof;

(*ii*) in respect of each year of non-contributing service, three one-hundred-and-sixtieths of his average remuneration, or if a widow's pension is payable as aforesaid, one one-hundred-and-sixtieth thereof; and

(*iii*) in respect of each year or part of a year of contributing service as a practitioner, four and one-half per cent. of his remuneration as such for that year or part of a year or if a widow's pension is payable as aforesaid, one and one-half per cent. thereof;

(iii) if in the case of a person to whom the last preceding proviso applies the contributing service, together with the non-contributing service (if any) reckoned at half its actual length, exceeds forty-five years, the sum shall be obtained by reference to the last forty-five years actual service, any non-contributing service within that period being reckoned as contributing service;

(iv) if in the case of any person, other than a person to whom proviso (ii) to this regulation applies, 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

(v) 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 1948 regulations, there shall be deducted from the death gratuity a sum equal to the aggregate amount of any payment 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

12.—(1) The widow of a person who was entitled to a pension or injury allowance under these regulations or the 1948 regulations, or the widow of an officer who had completed not less than ten years service, shall be entitled to receive from the Ministry an annual widow's pension:

Provided that this paragraph shall not apply—

(*a*) in the former case, if the marriage took place on or after the date on which the husband became entitled to the pension or allowance;

(*b*) in either case, if the husband, before ceasing to be employed or, if he died while still an officer, before dying, had reached pensionable age or, not having reached pensionable 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 pensionable age or would have been so entitled to a pension as aforesaid;

(*c*) if the wife was herself entitled to a pension under these regulations otherwise than as a practitioner or became so entitled on the death of her husband, or if, being an officer other than a practitioner, she had reached such an age and completed such number of years of service as would entitle her to a pension under these regulations on her ceasing to be employed; or

(*d*) if the husband and wife were judicially separated.

(2) The widow of such a person as is mentioned in regulation 11(*b*) shall be entitled to the like benefit (if any) by way of widow's pension as would have been granted under the 1948 regulations or these 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 regulation 6(*a*)(i) on the day preceding 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*) of this paragraph would have been reduced under regulation 33, no account shall be taken of the reduction, and any such pension as is mentioned in sub-paragraph (*b*) of this paragraph shall be deemed to be the pension that would have been payable but for any reduction under that regulation or regulation 30 of the 1948 regulations.

(4) A widow's pension which has been payable shall cease to be payable to a widow if she remarries, or in respect of any period during which she is cohabiting with a man as his wife.

(5) If on the remarriage or death of a widow to whom a widow's pension has been payable under these regulations or the 1948 regulations the aggregate amount of the payments made to her, her husband or her husband's legal personal representatives by way of pension, retiring allowance, injury allowance or death gratuity under these regulations or the 1948 regulations is less than the amount of the death gratuity which would have been payable under these regulations or the 1948 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 legal personal representatives, as the case may require, a sum equal to the deficiency.

Power to compound small annual benefits

13. Where any benefit payable under these regulations or the 1948 regulations is an annual sum of an amount not exceeding twenty-six pounds, the Ministry may discharge its liability in respect thereof by the payment of a lump sum representing the capital value of the annual sum.

Meaning of service

14.—(1) (*a*) For the purposes of these regulations the term "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 before attaining such an age as is hereinafter mentioned, 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 officer, but does not include, 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 purposes of determining whether he was entitled to receive those benefits or for the purpose of calculating those benefits.

(*b*) The age referred to in the preceding sub-paragraph is, subject as hereinafter provided, an age greater by five years than pensionable age or, in the case of a person who before attaining such greater age has completed forty-five years contributing service or forty-five years contributing service and non-contributing service, the non-contributing service being reckoned at half its actual length, his age at the date on which he completed such service or, if that age is less than pensionable age, then pensionable age:

Provided that the age aforesaid is pensionable age in relation to any person who is or was over pensionable age on the date on which he first became an officer, whether by virtue of these regulations or the 1948 regulations, not being 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 provision might become entitled to a pension under these regulations.

(2) 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 the next succeeding paragraph 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 other 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 (not being an officer who in the employment he has ceased to hold was subject to the Local Government Superannuation Regulations or the Belfast Corporation

Superannuation Scheme) who, unless he was excepted from a similar requirement by the 1948 regulations, has not, within three months after entering their employment, given notice in writing to the employing authority of his previous period of employment and war service or national service (if any), and paid or repaid to that authority an amount equal to any sum paid to him by way of a return of contributions on or after his ceasing to hold that other employment, together with an amount equal to any income tax or equivalent sum which was deducted from his contributions in respect of such payment;

(*b*) this paragraph shall not apply to any officer who in the employment he has ceased to hold was subject to the Local Government Superannuation Regulations or the Belfast Corporation Superannuation Scheme unless within three months after becoming an officer or, in the case of a person who became an officer before the date of the coming into operation of these regulations, within six months after that date he has notified the employing authority in writing that he desires this paragraph to apply to him, furnished them with particulars of his previous period of employment and war service or national service (if any) and paid to that authority an amount equal to any sum paid to him by way of a return of contributions on or after his ceasing to hold that other employment together with an amount equal to any income tax or equivalent sum which was deducted from his contributions in respect of such payment;

(*c*) in the case of a person who, before entering the employment in relation to which he is an officer, was an established civil servant, 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 under these regulations, the 1948 regulations, the Local Government Superannuation Regulations or the Belfast Corporation Superannuation Scheme shall for the purpose of determining whether any benefit is payable to or in respect of him be treated as being double its actual length;

(*d*) any period of employment which on a person's leaving such employment as is mentioned in the next succeed-

ing paragraph 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;

(*e*) where a person has ceased to hold employment as an officer of an employing authority but continues in the employment of that authority otherwise than as an officer, the reference in this paragraph to a period of twelve months after a person left such first-mentioned employment shall be construed in relation to the person as a reference to a period of twelve months after his leaving such last-mentioned employment;

(*f*) where a person ceased to hold employment as an officer of an employing authority and immediately thereafter entered an approved course of study or training he shall be deemed for the purpose only of this paragraph to have left that employment at the time when he completed that course of study or training; and

(*g*) where a person ceased to hold employment as an officer of an employing authority and immediately thereafter became engaged in national service then if on the termination of that service he entered an approved course of study or training he shall be deemed for the purpose only of this paragraph to have ended his period of national service at the time when he completed that course of study or training.

(3) The other employment referred to in the last preceding paragraph is—

(*a*) employment as an officer of an employing authority;

(*b*) employment as an established civil servant;

(*c*) employment subject to—

(i) the Act of 1865;

(ii) the Act of 1869;

(iii) the Act of 1909;

(iv) the Act of 1943;

(v) the Belfast Corporation Superannuation Scheme;

(vi) the Local Government Superannuation Regulations; or

(vii) any other scheme which the Ministry, with the consent of the body administering the scheme, may approve:

Provided that—

(*a*) 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 the last preceding paragraph shall be the last of such employments;

(*b*) a person who has been in such employment as is mentioned in heads (v) and (vi) of sub-paragraph (*c*) of this paragraph shall not be treated as having been in such employment unless the Ministry has received from the authority or body by whom he was employed or the authority administering the scheme to which he was subject, as the case may be, a transfer value calculated in accordance with a method approved by the Ministry, less an amount equal to any sum which the authority or body may become liable to pay by way of income tax in respect of the amount transferred by way of transfer value; and

(*c*) a person who has been in such employment as is mentioned in head (vii) of sub-paragraph (*c*) of this paragraph shall not be treated as having been in such employment unless the Ministry so directs.

(4) If under the last two preceding paragraphs there is reckonable any previous employment in the case of a person who became an officer of an employing authority 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 reckonable as a period of service under these regulations.

(5) Where immediately after ceasing to be an officer of an employing authority a person—

(*a*) became engaged in national service, or

(*b*) entered 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 or, if that service was followed by an approved course of study or training, on the termination of that course or within six months thereafter, the person became an officer of an employing authority, the period of that service shall be reckonable as a period of service under these regulations:

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

(*a*) no part of such period after the date of the return shall be reckonable as service; and

(*b*) the part of such period before the date of the return shall only be reckonable if he has paid or repaid to the employing authority in whose employment he is an officer, within three months after becoming an officer, 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.

(6) Where an officer who has become engaged in national service in the circumstances mentioned in the last preceding paragraph—

(*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.

(7) Where a person in the employment of an employing authority is a person who has previously been in the employment of any employing authority otherwise than as an officer and who immediately after ceasing to be so employed became engaged in national service and 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.

(8) If an officer is a person who became an officer of an employing authority by virtue of sub-paragraph (*e*) or (*h*) of paragraph (1) of regulation 3 of these regulations or regulation 2 of the 1948 regulations, or if an officer was such a person as is mentioned in either of those sub-paragraphs and before completing the period of two years therein mentioned became an officer by virtue of sub-paragraph (*a*) or (*f*) of paragraph (1) of either of those regulations, then, any previous periods of employment under any employing authorities 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 (ii)(*iv*) to paragraph (1) of regulation 3 of these regulations, shall be reckonable as service.

(9) In the case of a person who was transferred under the Act to the employment of an employing authority or who entered the employment of an employing authority in consequence of the acquisition by the Authority under section 67 of the Act of premises at or for the purposes of administering the services provided at which he was employed at the date of acquisition, and who thereupon became an officer of that employing authority, or, who being a consultant solely or mainly employed at or for the purposes of a transferred hospital immediately prior to the appointed day, entered the employment of an employing authority on the appointed day, there shall be reckonable as service, for the purpose of determining whether any benefit is payable to or in respect of him but not for the purpose of calculating any benefit to which he may become entitled, all

periods of employment, not otherwise reckonable as service, after he attained the age of eighteen years, under any authority or body from which functions were transferred by the Act, or under an officer of such an authority or body or at or for the purposes of premises which have been transferred to or acquired by the Authority under the Act, and, if he left any such employment as aforesaid in order to undertake war service or, if immediately after leaving that employment he became engaged in national service, and within six months after the termination of that service returned to any such employment as aforesaid, or entered the employment of an employing authority in circumstances in which regulation 42 of the 1948 regulations or regulation 46 of these regulations applied, there shall also be reckonable as service for the purpose aforesaid the period of that war service or national service:

Provided that where a benefit becomes payable to or in respect of a person to whom this paragraph applies in consequence of the acquisition by the Authority of premises under section 67 of the Act on or after the date of the coming into operation of these regulations, 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 of service 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 reduced in the same proportion as the difference between the number of years of service so reckonable as aforesaid and the minimum number of years of qualifying service bears to the minimum number of years of qualifying service.

(10) If a person after ceasing to be an officer of an employing authority (other than a person in respect of whom a transfer value was paid by the Ministry or a payment was made under regulation 38(1) of the 1948 regulations or regulation 41(1) of these regulations, which transfer value or payment has not been refunded) has entered the employment of that authority or any other employing authority as an officer in circumstances in which none of the preceding paragraphs of this regulation applies in his case, he shall be entitled, if he has given notice in writing to the employing authority within three months after entering their employment that he intends so to do, to make payments in accordance with the provisions of the second schedule, as if any employment, war service or national service which was reckonable as service at the date on which he ceased to be an officer, not being employment reckonable solely for the purpose of determining whether any benefit was payable under these regulations, was non-contributing service, and any period of such employment, war service or national service in respect of which such payments are made or are in the course of being made shall be reckonable as service.

(11) If a person, immediately after ceasing to be an officer of an employing authority—

(*a*) became engaged in national service, or

(*b*) entered 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 the last preceding paragraph applies, that paragraph shall also apply in respect of the period of that service other than any part thereof after the date on which contributions may have been returned to him.

(12) Where an officer of an employing authority at the date of the coming into operation of these regulations has made or was in the course of making payments under paragraph (7) of regulation 13 of the 1948 regulations in accordance with the provisions of the third schedule to those regulations, 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 latter case the outstanding instalments of the sum payable shall be deemed to be instalments of a sum payable under the second schedule to these regulations.

(13) Notwithstanding the preceding provisions of this regulation, where an officer has not attained the age of sixty years or, if the officer is a mental health officer, female nurse or physiotherapist, midwife or health visitor, the age of fifty-five years, and he 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 such age as aforesaid shall not be reckonable as service for any of the purposes of these regulations.

(14) Where an officer of an employing authority reached pensionable age on or after the appointed day and before the first day of July, 1950, he shall not be entitled to reckon as service the period of his employment from the date on which he reached pensionable age until the first day of July, 1950, unless he made the payment provided for by regulation 13(9) of the 1948 regulations.

(15) In the case of an officer who transferred to the employment of an employing authority by virtue of the provisions of sub-section (4) or (5) of section 58 of the Act and who immediately before being transferred as aforesaid was employed in an unestablished capacity in the civil service of Northern Ireland there shall be reckonable as service in relation to his employment as an officer the last continuous period of employment immediately prior to the date on which he became an officer:

Provided that—

(*a*) this paragraph shall not apply to any person who has not remained an officer of an employing authority without a break in employment of twelve months or more at any one time;

(*b*) this paragraph shall not apply to any person who received a gratuity from the Ministry of Finance in respect of his employment as an unestablished civil servant unless he has repaid to that Ministry a sum equal to the amount of that gratuity;

(*c*) for the purposes of this paragraph the expression "continuous period of employment" shall include—

(i) employment as an unestablished civil servant and any period of war service which would have been or might have been reckonable as such employment for the purposes of the Superannuation Acts had he continued to be an unestablished civil servant, and

(ii) any period in the employment of an employing authority immediately following the employment as an unestablished civil servant.

Reckoning of contributing service and non-contributing service

15.—(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 1948 regulations;

(*b*) any previous employment reckonable as service which was—

(i) reckonable as established service under the Superannuation Acts;

(ii) reckonable for the purpose of determining whether he was eligible to receive a superannuation allowance under the Act of 1865, the Act of 1869 or the Act of 1943;

(iii) service for the purposes of the Act of 1909;

(iv) contributing service under the Belfast Corporation Superannuation Scheme;

(v) contributing service under the Local Government Superannuation Regulations; or

(vi) employment under any other scheme approved by the Ministry under regulation 14(3)(*c*)(vii):

Provided that—

(*i*) if in the opinion of the Ministry any such employment as is mentioned in sub-paragraph (*b*)(vi) of this paragraph is not equivalent to contributing service under these regulations, account shall only be taken of that employment to the extent that the Ministry directs; and

(*ii*) any period of established service which is attributable to service which previously to a person's

becoming an established civil servant had been non-contributing service under these regulations, the 1948 regulations, the Belfast Corporation Superannuation Scheme or the Local Government Superannuation Regulations shall be reckonable as non-contributing service at double the length at which it was reckonable for the purposes of the Superannuation Acts;

(*c*) any period of employment, war service or national service in respect of which the officer has made payments under paragraph (7) of regulation 13 of the 1948 regulations or has made or is in the course of making payments under paragraph (10), (11) or (12) of regulation 14 of these regulations; and

(*d*) 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 paragraph (4) of regulation 14 in relation to any 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 made or was in the course of making payments in accordance with the provisions of the third schedule to the 1948 regulations shall be reckonable as contributing service and any outstanding instalments of the sum payable shall be deemed to be instalments of a sum payable under the second schedule to these regulations.

(4) Where under this regulation there is reckonable as contributing service in relation to an officer any service in respect of which he was in the course of making additional contributory payments under the Belfast Corporation Superannuation Scheme or the Local Government Superannuation Regulations, then, the officer shall pay to the employing authority in whose employment he is an officer an amount equal to any sum which may have been returned to him by the authority or body by whom he was employed or the authority administering the scheme to which he was subject, as the case may be, 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 and any outstanding instalments of the sum payable shall be deemed to be instalments of a sum payable under the second schedule.

(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 the last preceding paragraph, any period of non-contributing service in respect of which an officer has made or is in the course of making payments in accordance with the provisions of the second schedule shall be reckonable as contributing service.

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

16. For the purpose of making any calculation under these regulations 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 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 otherwise than as a practitioner, 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

17.—(1) For the purposes of these regulations, the average remuneration of a person in relation to his employment as an officer by any 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 the date on which he ceased to hold his employment as an officer or, if he died while still an officer and before attaining such an age as is hereinafter mentioned, the date of his death or, if he attained that age before ceasing to be an officer or dying, the date on which he attained that age:

Provided that—

(*a*) in the case of an officer transferred under the Act who had attained such age as aforesaid before being so transferred, the calculation shall be made by reference to an aggregate period of three years ending on the appointed day;

(*b*) in the case of an officer who, on a reduction in his remuneration, made contributions in accordance with regulation 5(2) of these regulations or regulation 4(2) of the 1948 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;

(*c*) in the case of an officer who made contributions in accordance with regulation 5(3) of these regulations or regulation 4(3) of the 1948 regulations, the remuneration on which he so made contributions shall be deemed to have been the remuneration of his employment;

(*d*) 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;

(*e*) the remuneration of an officer in respect of any period of war service or national service which is reckonable as service under regulation 14 shall be deemed to have been the remuneration of the last employment in which he was engaged before undertaking that service;

(*f*) 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

(*g*) 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.

(2) The age referred to in the preceding paragraph is, subject as hereinafter provided, an age greater by five years than pensionable age or, in the case of a person who before attaining such greater age has completed forty-five years contributing service or forty-five years contributing and non-contributing service, the non-contributing service being reckoned at half its actual length, his age at the date on which he completed such service or, if that age is less than pensionable age, then pensionable age:

Provided that the age aforesaid is pensionable age in relation to any person who was over pensionable age on the date on which he first became an officer, whether by virtue of these regulations or the 1948 regulations, not being 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 provision might become entitled to a pension under these regulations.

Return of contributions

18.—(1) Every officer who on ceasing to be employed is not entitled to a pension, retiring allowance, injury allowance or short service gratuity, and any 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 Ministry 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 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 Ministry may, if it thinks fit, return to him or pay to his spouse or any dependant 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.

(2) If an officer dies, and no death gratuity is payable in respect of his death, his legal personal representatives shall be entitled to receive from the Ministry the amount of his contributions, together with compound interest thereon.

(3) References in these regulations to an officer's contributions include references to—

(*a*) any sums contributed by him under regulation 5 of these regulations or regulation 4 of the 1948 regulations;

(*b*) any sums paid by him by way of additional contributory payments;

(*c*) any sums contributed or treated as having been contributed by him under the Act of 1909, the Belfast Corporation Superannuation Scheme or the Local Government Superannuation Regulations; and

(*d*) any sums contributed by him under any scheme approved by the Ministry under regulation 14(3)(*c*)(vii);

but only in so far as any such sums have not been returned to and retained by him, 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 died.

Calculation of interest on contributions

19. 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 first 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 that enactment or scheme 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 first 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 first day of April in the year following that in which they were so paid or repaid as aforesaid.

Conditions attaching to grant of pension or injury allowance

20.—(1) Where a person who has not attained the age of sixty years is in receipt of a pension under regulation 6(*a*)(i) of these regulations or regulation 5(*a*)(i) of the 1948 regulations or an injury allowance under these regulations or the 1948 regulations, and the Ministry is satisfied that he has become capable of resuming the duties of his employment, it may require him to enter the employment of any employing authority in any capacity for which his previous experience may render him suitable, and if he declines to enter that employment, or declines or neglects to discharge satisfactorily the duties thereof, he shall not be entitled to any payment on account of the pension or allowance in respect of any period before he attains the age of sixty years:

Provided that the Ministry shall not require a person to whom this paragraph applies to enter the employment of any employing authority if that person has entered or enters any other employment approved by the Ministry, so long as he continues in employment so approved.

(2) The Ministry may require a person to whom paragraph (1) of this regulation applies to submit himself to a medical examination by a registered medical practitioner selected by the Ministry, and, if it does so, it shall also offer the person an opportunity of submitting a report from the person's own medical adviser as a result of an examination made by him, and the

Ministry shall take that report into consideration, together with the report of the medical practitioner selected by the Ministry.

(3) If a person fails to comply with a requirement made under the last preceding paragraph he shall be treated as if the Ministry were satisfied that he had become capable of resuming the duties of his employment.

(4) Where the Ministry is satisfied that a person to whom paragraph (1) of this regulation applies is capable of resuming the duties of his employment but the person is unwilling to accept employment under an employing authority which has been offered to him, and the Ministry has not approved any other employment he may have entered or proposes to enter, the Ministry, before requiring him to enter the employment which has been offered to him or any other employment, shall refer the matter to a referee or board of referees designated for the purpose by the Ministry of Labour and National Insurance for Northern Ireland, and shall consider the advice they tender, after having interviewed the person and afforded him an opportunity of stating his case, as to whether, regard being had to his previous experience and all the circumstances of the case, it being assumed that he is capable of resuming the duties of his employment, it would be reasonable to require him to enter the employment which has been offered to him or any other employment specified by the referee or board of referees.

(5) The proceedings on any reference to a referee or board of referees under the last preceding paragraph shall not be deemed to be an arbitration to which anything in the Arbitration Act (Northern Ireland), 1937(a), applies.

Pensioner accepting further employment

21.—(1) Where a person entitled to a pension or injury allowance under these regulations or the 1948 regulations has entered employment, whether pursuant to the provisions of the last preceding regulation or otherwise, the remuneration of which is payable out of public funds, he shall not, so long as he holds that employment, be entitled to receive any greater amount of the pension or allowance than would make up the amount, if any, by which the annual emoluments of that employment fall short of the annual remuneration or average remuneration of the employment in relation to which he became entitled to the pension or allowance, whichever is the greater.

(2) Where such a person as aforesaid (other than a person to whom regulation 20 applies) 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 Ministry that he is so employed.

Re-employment of pensioner by employing authority

22.—(1) Where a person who has become entitled to a pension, retiring allowance or injury allowance under these regulations or the 1948 regulations has again become an officer of an employing authority, he may, if he so elects, or has so elected

(a) 1 Edw. 8. & 1 Geo. 6. Ch. 8.

under regulation 21A of the 1948 regulations, 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 the preceding paragraph 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 1948 regulations, the retiring allowance to which he becomes entitled by virtue of this paragraph shall be reduced by the amount of the first mentioned retiring 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 (v) to regulation 11 of 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) of this regulation applies had taken advantage of the provisions of regulation 10 of these regulations or regulation 9 of the 1948 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.

23.—(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 of an employing authority, and his pension or allowance is on that account liable to be reduced or suspended, then, unless he is a person to whom the last preceding regulation applies and he has made an election thereunder or under regulation 21A of the 1948 regulations 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, 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 the preceding paragraph 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 where the said pension was granted to a first class officer or servant under the Act of 1909, 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.

(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 reduced in the same proportion as the difference between the number of years of service so reckonable as aforesaid and five years bears to five years.

(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 (v) to regulation 11 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 not been made.

24. Where such a person as is mentioned in regulation 22 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 pension under regulation 22 or a pension under regulation 23, whichever method of calculation is the more favourable.

Benefits of officers who have exercised option to retain rights corresponding with those previously enjoyed

25.—(1) Where a person, on being transferred under the Act, became an officer in the employment of any employing authority, having immediately before becoming such officer been subject to the provisions of—

(*a*) the Act of 1865;

(*b*) the Act of 1869; or

(*c*) the Act of 1909;

and he had exercised or been treated as having exercised an option under regulation 22 of the 1948 regulations to retain rights corresponding with those enjoyed by him immediately before becoming an officer, and that option has not by virtue of anything contained in the 1948 regulations ceased to have effect, then, the provisions of this part shall apply to and in respect of him, as if, in relation to his employment as such officer, they required him to make the like contributions (if any) as he

would have been liable to make and conferred upon him rights corresponding with those which he would have enjoyed if he had remained subject to the enactment or scheme previously applicable in his case, and those provisions shall continue so to apply to and in respect of him so long as he is an officer of any employing authority without a break in employment of twelve months or more, and without his having during any break in employment become entitled to participate in superannuation benefits by virtue of employment otherwise than under an employing authority:

Provided that—

(*a*) where immediately after ceasing to be an officer of an employing authority a person to whom this paragraph applies—

(i) entered an approved course of study or training not followed by a period of national service;

(ii) became engaged in national service; or

(iii) entered an approved course of study or training and immediately after completing that course became engaged in national service;

then if on completion of that course or within twelve months thereafter, or on the termination of that service or within six months thereafter, or, if that service was followed by an approved course of study or training, on completion of that course or within six months thereafter, the person again becomes an officer of an employing authority he shall not be treated as having had such a break in employment as aforesaid;

(*b*) if a person who exercised an option to retain rights corresponding with those enjoyed under the Act of 1909 was immediately before being transferred under the Act an established officer or servant of the first class under the Act of 1909, and is at any time employed otherwise than for the purposes of a hospital or part of a hospital used for the treatment of persons suffering from illness of a mental or kindred nature or an institution or part of an institution used for the treatment of persons requiring special care within the meaning of Part III of the Mental Health Act (Northern Ireland), 1948, the option shall cease to have effect; and

(*c*) if a person (other than a mental health officer) who exercised an option to retain rights corresponding with those enjoyed under any enactment or scheme at any time becomes a mental health officer, he may, if he notifies the employing authority in writing within one month after becoming such an officer that he so desires, avail himself of the benefits provided by these regulations in lieu of the rights to which he was previously entitled, and, if he does so, the option shall cease to have effect.

(2) The provisions of the preceding paragraph shall apply to an officer who had attained pensionable age at the date of being transferred under the Act or who attained pensionable age within three years after being so transferred as if on becoming an officer he had exercised the option thereby conferred to retain rights corresponding with those enjoyed by him prior to transfer.

(3) Where a person to whom paragraph (1) of this regulation applies becomes entitled to a pension or injury allowance, the conditions prescribed by regulations 20, 21 and 22 shall not apply in relation thereto, but in lieu thereof any corresponding conditions prescribed by the enactment or scheme to which he was subject immediately before becoming an officer shall attach to the pension or allowance as if it had been granted under that enactment or scheme, and as if any employment as an officer of an employing authority, whether before or after his becoming entitled to the pension or allowance, were employment in the capacity in which he was subject to the said enactment or scheme.

Benefits of officers who did not exercise option to retain previous rights or in whose case options have ceased to have effect.

26.—(1) The provisions of this regulation shall apply in the case of any officer to whom paragraph (1) of regulation 22 of the 1948 regulations applied and who did not exercise the option thereby conferred, or in whose case any option exercised thereunder has ceased to have effect.

(2) The amount of any retiring allowance payable to any such officer 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 the case of an officer who did not exercise an option, in respect of any period prior to his becoming an officer, or, in the case of an officer who exercised an option but in whose case the option has ceased to have effect, in respect of any period prior to the date on which the option ceased to have effect:

Provided that where the whole or any part 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.

Persons subject to non-statutory superannuation schemes and arrangements

27.—(1) Where any person, on being transferred under the Act, became an officer of an employing authority, then, if on the nineteenth day of March, 1946, and immediately before becoming such officer he was participating in the superannuation scheme operated under the Federated Superannuation Scheme for

Nurses and Hospital Officers, and if the officer so requested the employing authority in writing within three months after becoming such officer, the Ministry shall, if the person has remained and continues to remain without a break of more than one month at any one time an officer in the employment of any employing authority, pay the contributions authorised or required by the scheme to be paid by the employer, other than contributions in respect of any policy of insurance taken out under the scheme between the eighteenth day of March, 1946, and the appointed day and in that event the officer shall not as such officer be subject to any provisions of these regulations except those contained in this and the next succeeding regulation, and the Ministry may also pay the contributions authorised or required by the scheme to be paid by the employer in respect of any policy of insurance taken out under the scheme after the 18th day of March, 1946.

(2) Where any such person as is mentioned in the last preceding paragraph, immediately before becoming an officer of an employing authority, was participating or had reasonable expectations of participating in any scheme or arrangements for the provision of superannuation benefits, then, if the officer so requested the employing authority in writing within three months after becoming an officer, and the Ministry, having regard to all the circumstances of the case, including any change which may have occurred on the person becoming an officer in the emoluments previously enjoyed by him, has satisfied itself that undue hardship would otherwise result, has decided so to do, the Ministry may carry out the relevant scheme or arrangements, and in that event the officer shall not as such officer be subject to any provisions of these regulations except those contained in this and the next succeeding regulation:

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

(3) Subject to the provisions of the last two preceding paragraphs, where a person has before the date of the coming into operation of these regulations become an officer of an employing authority, having within twelve months before becoming such officer been participating in the superannuation scheme mentioned in paragraph (1) of this regulation, then, if the officer so requested the employing authority in writing within three months after becoming an officer, the Ministry may pay the contributions authorised or required by the 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 and the next succeeding regulation:

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

(4) Where any person becomes an officer of an employing authority in consequence of the acquisition by the Authority

under section 67 of the Act of premises at or for the purposes of administering the services provided at which he was employed at the date of acquisition, then, if on such earlier date as the Ministry may determine and immediately before becoming an officer he was participating in the superannuation scheme mentioned in paragraph (1) of this regulation, and if the officer so requests the employing authority in writing within three months after becoming such officer, the Ministry shall, 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, pay the contributions authorised or required by the scheme to be paid by the employer, other than contributions in respect of any policy of insurance taken out under the scheme between such earlier date as aforesaid and the date of acquisition, and in that event the officer shall not be subject to any provisions of these regulations except those contained in this and the next succeeding regulation, and the Ministry may, if it thinks fit, also pay the contributions authorised or required by the scheme to be paid by the employer in respect of any policy of insurance taken out under the scheme after such earlier date as aforesaid.

(5) Where any such person as is mentioned in the last preceding paragraph, immediately before becoming an officer of an employing authority, was participating in any superannuation scheme of a similar character to the scheme mentioned in paragraph (1) of this regulation or was participating or had reasonable expectations of participating in any other scheme or arrangements for the provision of superannuation benefits, then, if the officer so requests the employing authority in writing within three months after becoming an officer, the Ministry shall consider all the circumstances of the case, including any change which may have occurred on the person becoming an officer in the emoluments previously enjoyed by him, and if it is satisfied that undue hardship would otherwise result, the Ministry shall, if any relevant scheme continues to be administered by a body, subject to such arrangements as it may have made with that body, pay the contributions authorised or required by that scheme to be paid by the employer, and in any case in which any relevant scheme continues to be administered by a body but the Ministry has been unable to make arrangements with that body and in any other case the Ministry may carry out the relevant scheme or arrangements, and in that event the officer shall not be subject to any provisions of these regulations except those contained in this and the next succeeding regulation:

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.

(6) Subject to the provisions of the last two preceding paragraphs where a person becomes an officer of an employing authority, having within twelve months before becoming such officer been participating in the superannuation scheme mentioned in paragraph (1) of this regulation or any other scheme approved by the Ministry for the purposes of this paragraph, then, if the officer so requests the employing authority in

writing within three months after becoming an officer, the Ministry may, if any relevant scheme continues to be administered by a body, subject to such arrangements as it may have made with that body, pay the contributions authorised or required by the scheme to be paid by the employer, and in any case in which any relevant scheme continues to be administered by a body but the Ministry has been unable to make arrangements with that body and in any other case the Ministry may carry out the relevant scheme or arrangements, and in that event the officer shall not as such officer be subject to any provisions of these regulations except those contained in this and the next succeeding regulation:

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.

(7) Where contributions are paid by the Ministry under the foregoing provisions of this regulation 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 Ministry, together with the like contributions which they would have paid in respect of that person under regulation 5 but for the provisions of this regulation:

Provided that where the Ministry is carrying out a scheme or arrangements in relation to a person to whom paragraph (2) of this regulation applies and the scheme or arrangements does not or do not provide for the payment of contributions by either the employer or employee, the employing authority shall pay to the Ministry the like contributions which they would have paid in respect of that person under regulation 5 but for the provisions of this regulation.

Supplementary payments in the case of special classes of officers

28.—(1) The provisions of this regulation shall apply in the case of any person who, on being transferred under the Act, or in consequence of the acquisition by the Authority under section 67 of the Act of premises at or for the purposes of administering the services provided at which he was employed at the date of acquisition, became an officer of an employing authority, and who had been engaged, for not less than ten years prior to his becoming an officer, in employment solely or mainly at or for the purposes of premises which have been transferred to or acquired by the Authority under the Act:

Provided that if he left any such employment as aforesaid in order to undertake war service or immediately after leaving that employment became engaged in national service and within six months after the termination of that service returned to any such employment as aforesaid, the period of that service shall be treated as if it were such employment as aforesaid.

(2) If any person to whom this regulation applies (not being a person to whom the last preceding regulation applies) was not, immediately before becoming an officer, participating in superannuation benefits, or was so participating otherwise

than under the Act of 1865, the Act of 1869, the Act of 1909 or the Act of 1943, and if on the nineteenth day of March, 1946 (or such later date as the Ministry may have determined in the case of a person who had been employed at or for the purposes of administering the services provided at premises so acquired by the Authority as aforesaid), and immediately before becoming an officer, he had reasonable expectations that on his retirement from his employment or on his death superannuation benefits would become payable to or in respect of him, then unless those benefits were secured to him as such participant as aforesaid, and on becoming an officer he received some benefit on account thereof, if he remains, and in the case of a person who became an officer before the date of the coming into operation of these regulations has remained, without a break in employment of twelve months or more at any one time—

(*a*) as an officer of any employing authority;

(*b*) in the case of a person who has entered employment in which he is a participant in a superannuation scheme in England and Wales or Scotland approved by the Ministry under regulation 41 in respect of whom the Ministry has paid a sum under that regulation, as a pensionable officer of an employing authority within the meaning of regulations made by the Minister of Health under section 67(1) of the National Health Service Act, 1946(**a**), or the Secretary of State for Scotland under section 66(1) of the National Health Service (Scotland) Act, 1947(**b**); or

(*c*) in the case of a person who has entered employment subject to the Belfast Corporation Superannuation Scheme or the Local Government Superannuation Regulations in respect of whom the Ministry has paid a transfer value under regulation 45 and who has remained during that employment within any class or description of persons which the Ministry may designate, as a person so subject as aforesaid;

the Ministry, with the approval of the Ministry of Finance, on his ceasing to be employed or on his death, may make such payments, supplementary to any superannuation benefits which may become payable to or in respect of him, as the Ministry considers equitable, having regard to the fact that in the calculation of those superannuation benefits account is not taken of any such employment before he became an officer.

(3) If any person to whom this regulation applies, being also a person to whom the last preceding regulation applies, had, on the nineteenth day of March, 1946 (or such later date as the Ministry may have determined in the case of a person who had been employed at or for the purposes of administering the services provided at premises so acquired by the Authority as aforesaid), and immediately before becoming an officer, reasonable expectations that on his retirement from his employment

(**a**) 9 & 10 Geo. 6. c. 81. (**b**) 10 & 11 Geo. 6. c. 27.

or on his death superannuation benefits, in addition to those secured to him as a participant in any such scheme as is mentioned in the last preceding regulation, would become payable to or in respect of him, then, if he remains, and in the case of a person who became an officer before the date of the coming into operation of these regulations has remained, without a break of twelve months or more at any one time, an officer in the employment of any employing authority, the Ministry, on his ceasing to be employed or on his death, may make such payments, supplementary to any superannuation benefits which may become payable to or in respect of him, as the Ministry of Finance may approve in respect of such expectations as aforesaid.

(4) For the purposes of the last two preceding paragraphs, a person shall not be treated as having had a break in employment if—

(*a*) he left such employment as an officer as is therein mentioned in order to undertake war service or if immediately after leaving the said employment he became engaged in national service and returned to any such employment as aforesaid within six months after the termination of that service; or

(*b*) immediately after leaving employment as an officer of an employing authority—

(i) he entered an approved course of study or training and returned to his employment as an officer of an employing authority within twelve months after completing that course, or, if on completing that course he became engaged in national service, within six months after the termination of that service; or

(ii) he became engaged in national service and on the termination of that service entered an approved course of study or training and returned to employment as an officer of an employing authority within six months after completing that course.

(5) An officer shall not be entitled to have his case considered under this regulation unless within three months after the date on which he became an officer, or such longer period as the Ministry may in any particular case allow, he furnished the employing authority with a written application for the purpose, and furnished the employing authority or the Ministry with such relevant information as may have been required.

Benefits in case of late entrants

29. Where a person who has become an officer of an employing authority after attaining the age of thirty-five years is not entitled to reckon any previous employment as service, the Ministry may, if satisfied that there are exceptional reasons for so doing, within six months after his becoming an officer, direct that the length of his service as such officer shall for the purposes

of determining whether he is entitled to any benefit under these regulations and of calculating any such benefit be treated as eight-fifths of the actual length thereof:

Provided that—

(*a*) in relation to an officer in respect of whom a direction is given no account shall be taken of the service of that officer before attaining the age of forty years; and

(*b*) notwithstanding the direction, this regulation shall not have effect so as to prevent or reduce any benefit under these regulations which might have been granted had the direction not been given.

Holders of joint appointments

30. 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 either attained the age of fifty years and completed ten years service, or has completed twenty years service, shall be entitled to receive a pension and retiring allowance, calculated in accordance with the provisions of regulation 7:

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 and Physiotherapists, Midwives and Health Visitors

31. These regulations, in their application to female nurses and physiotherapists, midwives and health visitors shall have effect subject to the modification that in regulations 6 and 20(1) fifty-five years shall be substituted for sixty years.

Mental Health Officers

32.—(1) These regulations, in their application to any mental health officer who has been employed for an aggregate period of at least twenty years as such an officer or as a person to whom the Act of 1909 applied as an established officer or servant of the first class or, if the Ministry so directs, as a person subject to a scheme approved by the Ministry under regulation 14(3)(*c*)(vii) shall have effect subject to the following modifications:—

(*a*) in regulations 6 and 20(1), fifty-five years shall be substituted for sixty years; and

(*b*) for the purposes of regulations 5(1)(*b*), 7, 10(2) and 11, the proviso to regulation 12(1) and regulations 14(1)(*b*), 14(13), 17(2), 33(3) and 33(4), account shall be taken as if it were two years of every year in excess of twenty years of contributing service as a mental health officer or of contributing service so reckonable by such an officer by virtue of such employment as aforesaid.

(2) These regulations, in their application to any mental health officer (not being an officer to whom the last preceding paragraph applies) who has been employed for an aggregate period of at least twenty years as such an officer and before he became such an officer as a person on the staff of a hospital used wholly or partly for the treatment of mental patients or an institution so used for the care or treatment of persons suffering from arrested or incomplete development of mind devoting the whole or substantially the whole of his time to the care or treatment of such patients or persons, shall have effect subject to the following modifications:—

(*a*) in regulations 6 and 20(1), fifty-five years shall be substituted for sixty years; and

(*b*) for the purposes of regulations 5(1)(*b*), 7, 10(2) and 11, the proviso to regulation 12(1) and regulations 14(1)(*b*), 14(13), 17(2), 33(3) and 33(4), account shall be taken as if it were two years of every year of contributing service as a mental health officer rendered after attainment of the age of fifty years or after the date on which the aggregate period of employment of twenty years as aforesaid was completed, whichever is the later.

(3) In reckoning the aggregate period of a mental health officer's employment for the purpose of this regulation account shall be taken as if it were a period of employment of any period of service which he is entitled to reckon by virtue of the exercise in relation to him of the powers conferred by paragraph (1) or paragraph (4) of regulation 15 of the 1948 regulations.

(4) Where a person has become an officer otherwise than in the capacity of a mental health officer within twelve months after ceasing to be a mental health officer to whom regulation 29 of the 1948 regulations or paragraph (1) or (2) of this regulation was applicable, the provisions of sub-paragraph (*b*) of either paragraph (1) or paragraph (2) of this regulation shall apply to him if he remains, and in the case of a person who became such an officer before the date of the coming into operation of these regulations he has remained, an officer in the employment of any employing authority without a break of twelve months or more at any one time.

(5) Where a person has become an officer otherwise than in the capacity of a mental health officer within twelve months after leaving employment subject to a scheme approved by the Ministry under regulation 14(3)(*c*)(vii) and that scheme included among its conditions provisions as to the reckoning of service substantially similar to paragraphs (1) and (2) of this regulation then, if by virtue of those provisions he had been entitled to reckon any year of service as if it were two years, he shall continue to be entitled so to reckon any such year if he remains in the employment of any employing authority without a break of twelve months or more at any one time.

(6) Where a person to whom paragraph (1) or (2) of this regulation was applicable has within twelve months after

ceasing to be an officer of an employing authority become subject to a scheme approved by the Ministry under regulation 14(3)(*c*)(vii) and by virtue of the provisions of that scheme he becomes entitled to reckon as if it were two years any year of contributing service which he had been entitled so to reckon by virtue of the provisions of paragraph (1) or (2) of this regulation then in calculating the amount of any transfer value payable by the Ministry under regulation 41(1) account shall be taken of any such year as if it were two years.

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

33.—(1) Subject to regulation 25 and paragraphs (4) to (9) of this regulation, the provisions of these regulations shall apply in relation to every officer of an employing authority, subject to the modifications contained in paragraph (2) of this regulation, and in relation to every person in receipt of a pension under these regulations, subject to the modifications contained in paragraph (3).

(2) The amount of the contributions to be paid by an officer under regulation 5 shall be reduced at the rate of three pounds and eight pence per annum in the case of a man or a female nurse, mental health officer or physiotherapist, midwife or health visitor, and at the rate of three pounds and five shillings per annum in the case of a woman, other than a female nurse, mental health officer or physiotherapist, midwife or health visitor, and the amount of the contributions to be paid in respect of the officer by the employing authority shall be reduced at the like rate:

Provided that—

(*a*) in the case of a mental health officer who by virtue of regulation 32 is entitled to reckon any year of contributing service as such officer as if it were two years, the amount of the reductions for that year shall be doubled; and

(*b*) in the case of an officer who is a self-employed person within the meaning of the National Insurance Act (Northern Ireland), 1946(a), the amount by which his contributions are to be reduced shall be doubled, and the employing authority's contributions shall not be reduced.

(3) As from the date on which an officer 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

(a) 1946. c. 23.

relation to which he was subject to the Belfast Corporation Superannuation Scheme or the Local Government Superannuation 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 or a person subject to the Belfast Corporation Superannuation Scheme or the Local Government Superannuation Regulations, and if by virtue of the Belfast Corporation Superannuation Scheme or the Local Government Superannuation Regulations, as the case may be, any superannuation allowance to which he might have become entitled under the scheme to which he was subject as aforewould have been reduced by reference to his age at the date on which the Belfast Corporation Superannuation Scheme or the Local Government Superannuation Regulations, as the case may be, 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 Local Government Superannuation Regulations, as the case may be, 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, not being such a person as aforesaid, he became an officer in consequence of the acquisition by the Authority under section 67 of the Act of premises at or for the purposes of administering the services provided at which he was employed at the date of acquisition, or was such a person as is mentioned in paragraph (9) of this regulation, and remained an officer without any break of twelve months or more during no part of which he was an established civil servant or a person subject to the Belfast Corporation Superannuation Scheme or the Local Government Superannuation Regulations—

(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

(*c*) in any other case, by the sum of one pound and fourteen shillings per annum 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) for the purposes of sub-paragraph (*a*) of this paragraph, any period of service as an officer of an employing authority prior to the appointed day shall be disregarded;

(ii) a person to whom sub-paragraph (*a*) or (*b*) of this paragraph applies shall not be treated as having had such a break as is therein mentioned—

(*i*) if at any time he ceased to be an officer of an employing authority, an established civil servant or a person subject to the Belfast Corporation Superannuation Scheme or the Local Government Superannuation Regulations in order to undertake war service or if immediately after so ceasing he became engaged in national service, but re-entered employment in one of those capacities within six months after the termination of that service; or

(*ii*) if immediately after ceasing to be an officer of an employing authority he entered an approved course of study or training and re-entered employment as an officer of an employing authority within twelve months after completing that course or within six months after the termination of national service in which he became engaged on completion of that course; or

(*iii*) if immediately after ceasing to be an officer of an employing authority he became engaged in national service, and on the termination of that service entered an approved course of study or training and re-entered employment as an officer of an employing authority within six months after completing that course; and

(iii) the total amount of the reduction shall in no case exceed sixty-seven pounds and fifteen shillings per annum.

(4) In the case of an officer who on completing forty-five years contributing 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 (3) of this regulation, if that paragraph subsequently becomes applicable in relation to him.

(5) Paragraph (1) of this regulation shall not apply in the case of any person who in pursuance of paragraph (*a*) of subsection (3) of section 68 of the National Insurance Act (Northern Ireland), 1946, is deemed to attain pensionable age within the meaning of that Act on the expiration of ten years from the appointed day for the purposes of that section.

(6) Where a person is an officer in the part-time employment of two or more employing authorities, paragraph (1) of this regulation 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.

(7) 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 (1) of this regulation shall not apply, and in the event of his subsequently becoming an officer to whom that paragraph applies, no account shall be taken for the purposes of paragraph (3) thereof of his service during the period in which this paragraph applied to him.

(8) Where a person has become an officer of an employing authority within twelve months after leaving employment in relation to which he was an established civil servant, a person subject to the Act of 1909 or a person subject to the Belfast Corporation Superannuation Scheme or the Local Government Superannuation 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, having been—

(*a*) in the case of a person who in the employment he has left was an established civil servant or a person subject to the Act of 1909, insured or deemed to have been insured under the National Health Insurance Acts (Northern Ireland), 1936-1938, as amended by the National Health Insurance and Contributory Pensions Act (Northern Ireland), 1941(a), or the Widows', Orphans' and Old Age Contributory Pensions Act (Northern Ireland), 1936(b), or an insured person for

(a) 5 & 6 Geo. 6. c. 14. (b) 26 Geo. 5 and 1 Edw. 8. c. 32.

the purposes of the National Insurance Act (Northern Ireland), 1946, and also having been excepted from the provisions of any regulations made under section 66(4) of the National Insurance Act (Northern Ireland), 1946, modifying the Superannuation Acts or the Act of 1909; or

(*b*) in the case of a person who in the employment he has left was subject to the Belfast Corporation Superannuation Scheme or the Local Government Superannuation Regulations, an insured person for the purposes of the National Insurance Act (Northern Ireland), 1946, and also having been excepted from the operation of any provisions of the scheme to which he was subject modifying the benefits provided by the scheme in relation to any such insured person as aforesaid;

then, paragraph (1) of this regulation shall not apply in relation to him, so long as he is, and in the case of a person who became an officer before the date of the coming into operation of these regulations he has been, an officer of an employing authority without any break of twelve months or more during no part of which he was an established civil servant or a person subject to the Belfast Corporation Superannuation Scheme or the Local Government Superannuation Regulations, unless in the employment he has left he was an established civil servant, and he gave notice in writing to the employing authority within three months after the day on which he became an officer that he wished paragraph (1) of this regulation to apply in relation to him, in which event paragraph (1) of this regulation shall apply to him as from the first day of the month or, in the case of a person in receipt of weekly remuneration, the first day of the week, next following the month or week, as the case may be, in which the notice was given:

Provided that a person to whom this paragraph applies shall not be treated as having had such a break as aforesaid—

(*a*) if at any time he ceased to be an officer of an employing authority, an established civil servant or a person subject to the Belfast Corporation Superannuation Scheme or the Local Government Superannuation Regulations, in order to undertake war service or if immediately after ceasing to be employed in any of those capacities he became engaged in national service but re-entered employment in one of those capacities within six months after the termination of that service; or

(*b*) if immediately after ceasing to be an officer of an employing authority he—

(i) entered an approved course of study or training and re-entered employment as an officer of an employing authority within twelve months after completing that course or, if on completing that course he became engaged in national service, within six months after the termination of that service; or

(ii) became engaged in national service and on the termination of that service entered an approved course of study or training and re-entered employment as an officer of an employing authority within six months after completing that course.

(9) Where a person was an officer of an employing authority on the appointed day, or where a person was on war service on the appointed day and became an officer of an employing authority within six months after the termination of that service, not being in either case a person who had elected that the provisions of any regulations made under section 66(4) of the National Insurance Act (Northern Ireland), 1946, modifying the Act of 1909, should apply to him in relation to any previous employment in which he was subject to the said Act of 1909 or had had an opportunity of so electing during a period which had expired, then, unless he gave notice in writing to the employing authority within three months after the appointed day or the date of his becoming an officer, as the case may be, that he wished paragraph (1) of regulation 30 of the 1948 regulations to apply in his case, paragraph (1) of this regulation shall not apply in relation to him, if he has remained and continues to remain an officer of an employing authority without any break of twelve months or more during no part of which he was an established civil servant or a person subject to the Belfast Corporation Superannuation Scheme or the Local Government Superannuation Regulations:

Provided that a person to whom this paragraph applies shall not be treated as having had such a break as aforesaid—

(*a*) if at any time he ceased to be an officer of an employing authority, an established civil servant or a person subject to the Belfast Corporation Superannuation Scheme or the Local Government Superannuation Regulations in order to undertake war service or if immediately after ceasing to be employed in any of those capacities he became engaged in national service but re-entered employment in one of those capacities within six months after the termination of that service; or

(*b*) if immediately after ceasing to be an officer of an employing authority he—

(i) entered an approved course of study or training and re-entered employment as an officer of an employing authority within twelve months after completing that course or, if on completing that course he became engaged in national service, within six months after the termination of that service; or

(ii) became engaged in national service and on the termination of that service entered an approved course of study or training and re-entered employment as an officer of an employing authority within six months after completing that course.

(10) If during any period an officer has not paid contributions under these regulations by reason 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 purposes of regulation 15(1)(*a*) to have made the contributions required by these regulations in respect of that period.

(11) Where a person becomes or has since the thirtieth day of June, 1950 become an officer of an employing authority within twelve months after leaving such employment as is mentioned in regulation 14(3)(*c*)(vii) 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 (1) of this regulation shall not apply in relation to him so long as he is an officer of an employing authority 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 or, if immediately after leaving that employment he entered an approved course of study or training, from the time when he completed that course;

(*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 was a person to whom paragraph (3)(*b*) thereof 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) of this paragraph 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 regulation 14(3)(*c*)(vii) applied to him on or before the appointed day.

Avoidance of duplicate, and non-assignability of, benefits

34.—(1) If the Ministry is of opinion that any service in respect of which an officer becomes entitled to any benefit under these regulations has been or will be taken into account for the purpose of any other benefit which has or may become payable to him out of public funds, the Ministry may make such deduction from the benefit under these regulations as may appear to it to be equitable, in order to secure that the officer may not receive in respect of the same service a benefit under these regulations as well as such other benefit as aforesaid.

(2) 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.

Forfeiture of rights

35. 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 committed by him in connexion with the performance of the duties of his employment or otherwise in relation to his employment shall, if the Ministry so directs, forfeit all claim in respect of his previous service to any superannuation benefits, whether provided under these regulations or under any enactment or scheme modified by these regulations.

Special provisions relating to employees of the Northern Ireland Tuberculosis Authority

36.—(1) Any person in the employment of the Northern Ireland Tuberculosis Authority who immediately before becoming an officer to whom regulation 33 of the 1948 regulations applied was subject to the Act of 1865 or the Act of 1869 and who had attained, or was within three years of, pensionable age at the appointed day or who gave notice in writing to his employer within three months after the appointed day that he did not wish the 1948 regulations to apply to him shall be treated as if he had exercised an option under regulation 22 of the 1948 regulations to retain rights corresponding with those enjoyed by him immediately before becoming an officer and if that option has not by virtue of anything contained in the 1948 regulations ceased to have effect then he shall be treated in like manner as though he were an officer to whom regulation 25 of these regulations applies.

(2) Any such person as is mentioned in the preceding paragraph who had not exercised or been treated as having exercised an option under regulation 22 of the 1948 regulations or in whose case any such option has ceased to have effect shall be treated in like manner as though he were an officer to whom regulation 26 of these regulations applies.

(3) In the construction of proviso (ii) to paragraph (1) of regulation 3 and paragraph (9) of regulation 14 a person transferred under the Act shall be deemed to include a person in the employment of the Northern Ireland Tuberculosis Authority at and immediately before the appointed day and there shall be reckonable by any such person as a period of employment or service, as the case may be, for the purposes of those provisions—

(*a*) any period in the employment of the Northern Ireland Tuberculosis Authority immediately prior to the appointed day, and

(*b*) in the case of any such person who became an employee of the Northern Ireland Tuberculosis Authority by virtue of sub-section (1) of section 10 of the Public Health (Tuberculosis) Act (Northern Ireland), 1946(a), the period immediately prior to the first day of September, 1947, in the employment of the council of a county or county borough.

Application to other officers engaged in health services

37. If the Ministry so directs, these regulations shall also apply, with any modifications or adaptations which the Ministry considers necessary or desirable, to any other person who would be an officer if he were in the employment of an employing authority and who is wholly or mainly engaged in health services, whether provided under the Act or otherwise, but not provided by a health authority or other local authority as if the person's employer were an employing authority.

Accounts and actuarial investigations

38.—(1) The Ministry shall keep an account in such form and prepared in such manner as the Ministry of Finance may approve of all revenue received and expenditure incurred by the Ministry under these regulations, and at the expiration of seven years after the appointed day, and at the expiration of every subsequent period of seven years, there shall unless the Ministry of Finance otherwise determines be an actuarial investigation of the assets and liabilities of the Ministry in respect of the benefits provided by the Ministry under these regulations to determine what adjustments (if any) are needed to maintain a balance between the said assets and liabilities.

(2) There shall be included in the said account such particulars as may be necessary in order that the said account shall also show the revenue that would be received and the expenditure that would be incurred if, whenever any person transferred to or from employment subject to these regulations from or to employment as an established civil servant, a transfer value were payable to or by the Ministry of such amount as the Ministry of Finance shall indicate as representing the liability of which the Ministry of Finance or the Ministry, as the case may be, is relieved as a result of that transfer.

(3) The said account shall be subject to examination by the Comptroller and Auditor General.

(a) 1946 c. 6.

PART II

MEDICAL AND DENTAL PRACTITIONERS

Application of regulations with modifications

39.—(1) These regulations shall apply, subject to the provisions of this and the next succeeding regulation, to every practitioner, other than a person rendering specialist services pursuant to section 21 of the Act, as if he were an officer in the employment of the Board.

(2) These regulations, as so applied, shall have effect in relation to—

(*a*) any medical practitioner or dental practitioner on the list of the Board subject to the modification that for the references in regulations 5(1)(*a*), 14(1)(*a*) and 17(1) to such an age as is thereinafter mentioned there shall be substituted a reference to pensionable age; and

(*b*) any practitioner, other than an assistant practitioner, subject to the modification that for the definition of remuneration in regulation 1(3) there shall be substituted the following definition, namely "remuneration" means all payments made by the Board to the practitioner in respect of general medical services or general dental services provided by him, and of pharmaceutical services provided by him, and, in the case of a dental practitioner, all charges which pursuant to the Health Services (General Dental Services) (Amendment) (No. 2) Regulations (Northern Ireland), 1951(a), or the Health Services (General Dental Services) (Amendment) (No. 2) Regulations (Northern Ireland), 1952(b), he has become entitled to make and recover, less, in the case both of a medical practitioner and of a dental practitioner such sum on account of practice expenses as may be appropriate in accordance with a formula laid down by the Ministry for the purpose, and less the remuneration approved by the Ministry of any assistant practitioner in his employment:

Provided that—

(i) if the practitioner is a party with any other practitioner or practitioners to a partnership agreement, his remuneration shall, if such practitioners assent by notice in writing given to the Board be deemed to be such proportion of the total remuneration of such practitioners as the proportion of his share in the partnership profits bears to the total proportion of the shares of such practitioners in those profits;

(a) S.R. & O. (N.I.) 1951 No. 47. (b) S.R. & O. (N.I.) 1952 No. 17.

(ii) if the practitioner is simultaneously employed as an officer of an employing authority or a local authority or a University or as an established civil servant, and as a term or condition of that employment he is required to account to his employer for any remuneration received by him as a practitioner, that remuneration shall not be treated as remuneration within the meaning of the foregoing definition; and

(iii) as from the first day of April, 1950, no account shall be taken of any remuneration of a dental practitioner in excess of £3,500 per annum.

(3) These regulations, as so applied, shall have effect in relation to any practitioner, subject to the following modifications:—

(*a*) regulation 5(2) shall not apply;

(*b*) if the practitioner made contributions during any period in accordance with regulation 5(3) of these regulations or regulation 4(3) of the 1948 regulations, the remuneration on which he so made contributions shall be deemed to have been his remuneration in respect of that period;

(*c*) if during any period the remuneration of the practitioner was reduced or suspended by reason of his absence from his employment owing to illness or injury, he shall be deemed to have continued to receive remuneration in respect of that period at the same annual rate as that at which he was receiving remuneration immediately before the reduction or suspension;

(*d*) where a practitioner has become engaged in national service without having ceased to be a practitioner within the meaning of these regulations and his average rate of remuneration as a practitioner during the period of his national service is less than his average rate of remuneration during the twelve months prior to his having become engaged in national service, he shall be treated for the purposes of these regulations as if during the period of his national service he was receiving such higher average rate of remuneration as aforesaid;

(*e*) where a person became engaged in national service after ceasing to be a practitioner within the meaning of these regulations and the period of his national service falls to be treated as service as a practitioner under these regulations subject to his compliance with the provisions of regulation 5(7), he shall be deemed to have continued to receive during that period the same average rate of remuneration as he received during the twelve months prior to his ceasing to be a practitioner as aforesaid;

(*f*) for regulation 7 there shall be substituted the following provision, namely:—

"7.—(1) The pension to be paid to a practitioner shall be on the following scale, that is to say—

(*a*) in respect of each year or part of a year of contributing service as a practitioner, one and one-half per cent. of his remuneration for that year or part of a year;

(*b*) in respect of each year of contributing service otherwise than as a practitioner, one-eightieth of his average remuneration at the date on which he last ceased to be employed in such other capacity; and

(*c*) in respect of each year of non-contributing service, one one-hundred-and-sixtieth of his average remuneration at the date on which he last ceased to be employed in such other capacity:

Provided that—

(i) in the case of a practitioner whose contributing service as a practitioner exceeds forty-five years, and who has no service in any other capacity, the pension shall be calculated by reference to the last forty-five years contributing service;

(ii) in the case of a practitioner whose service includes service in any other capacity, and whose contributing service, together with his non-contributing service (if any) reckoned at half its actual length, exceeds forty-five years, the pension 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 practitioner who is entitled to a pension under regulation 6(*a*)(i), and whose aggregate service in whatever capacity is less than twenty years, any non-contributing service being reckoned at half its actual length, the pension shall be an amount obtained by multiplying the amount of the pension which would have been payable apart from this proviso by such number of years service, not exceeding twenty, as he could have completed before attaining pensionable age, any non-contributing service being reckoned as aforesaid,

and dividing the product by the number of years of actual service, any non-contributing service being reckoned as aforesaid.

(2) The retiring allowance to be paid to a practitioner shall be a sum equal to the aggregate of the following amounts, namely—

(*a*) in respect of each year or part of a year of contributing service as a practitioner, four and one-half per cent. of his remuneration for that year or part of a year;

(*b*) in respect of each year of contributing service otherwise than as a practitioner, three-eightieths of his average remuneration at the date on which he last ceased to be employed in such other capacity; and

(*c*) in respect of each year of non-contributing service, three one-hundred-and-sixtieths of his average remuneration at the date on which he last ceased to be employed in such other capacity:

Provided that—

(i) in the case of a married male practitioner in respect of whose service a widow's pension may become payable under these regulations, one and one-half per cent. shall be substituted for four and one-half per cent. in sub-paragraph (*a*) of this paragraph, one-eightieth shall be substituted for three-eightieths in sub-paragraph (*b*) thereof and one one-hundred-and-sixtieth shall be substituted for three one-hundred-and-sixtieths in sub-paragraph (*c*) thereof;

(ii) in the case of a married male practitioner to whose widow a pension will not become payable because she is such a person as is mentioned in proviso (*c*) to regulation 12(1), the amount of the allowance shall be reduced by two-ninths thereof;

(iii) in the case of a practitioner who is a widower or who is divorced or judicially separated from his wife, the wife's death or the divorce or separation having taken place on or after the date on which he first became subject to these regulations or the 1948 regulations, in whatever capacity, one and one-half per cent. shall be substituted

for four and one-half per cent. in subparagraph (*a*) of this paragraph in relation to each year or part of a year of contributing service as a practitioner before the date of his wife's death or the divorce or separation, as the case may be, one-eightieth shall be substituted for three-eightieths in subparagraph (*b*) thereof in relation to each year of contributing service otherwise than as a practitioner before the said date, and one one-hundred-and-sixtieth shall be substituted for three one-hundred-and-sixtieths in relation to each year of non-contributing service before the said date;

(iv) in the case of a practitioner whose contributing service as a practitioner exceeds forty-five years, and who has no service in any other capacity, the sum to be calculated under the foregoing provisions of this paragraph shall be calculated by reference to the last forty-five years contributing service;

(v) in the case of a practitioner whose service includes service in any other capacity, and whose contributing service, together with his non-contributing service (if any) reckoned at half its actual length, exceeds forty-five years, the amount of the allowance 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

(vi) in the case of a practitioner 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 a retiring allowance paid to a practitioner has been calculated in accordance with the provisions of proviso (i) to the last preceding paragraph or to paragraph (2) of regulation 6 of the 1948 regulations as modified and set out in regulation 36(3)(*d*) thereof, and the practitioner's wife has become such a person as is mentioned in proviso (*c*)

to regulation 12(1), there shall be paid to the practitioner a sum equal to two-thirds of the difference between the amount of the retiring allowance so paid to him and the amount of the retiring allowance which would have been paid to him had he not been a person to whom the said provisions applied.

(4) Where a practitioner has become entitled to a retiring allowance and the amount of such allowance, together with the capital value of any pension to which he may also have become entitled, is less than the amount of his average remuneration, then, if he requests the Ministry in writing to apply this provision in his case, the Ministry 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 Ministry exercises this discretion, no death gratuity or widow's pension shall be payable in respect of him";

(*g*) if a death gratuity becomes payable in respect of a practitioner, then, for the reference in regulation 11 to a sum to be calculated by reference to a fraction of a person's average remuneration in respect of each year of service, there shall be substituted a reference to a sum obtained by the addition of the following amounts, namely:—

(i) in respect of each year or part of a year of contributing service as a practitioner, four and one-half per cent. of his remuneration for that year or part of a year, or if a widow's pension is payable under these regulations in respect of his death, one and one-half per cent. thereof;

(ii) in respect of each year of contributing service otherwise than as a practitioner, three-eightieths of his average remuneration at the date on which he last ceased to be employed otherwise than as a practitioner, or if a widow's pension is payable as aforesaid, one-eightieth thereof; and

(iii) in respect of each year of non-contributing service, three one-hundred-and-sixtieths of his average remuneration at the said date, or if a widow's pension is payable as aforesaid, one one-hundred-and-sixtieth thereof:

Provided that—

(*i*) in the case of a practitioner whose contributing service as a practitioner exceeds forty-five years, and who has no service in any other capacity, the said sum shall be

calculated by reference to the last forty-five years contributing service; and

(*ii*) in the case of a practitioner whose service includes service in any other capacity, and whose contributing service, together with his non-contributing service (if any) reckoned at half its actual length, exceeds forty-five years, the sum shall be obtained by reference to the last forty-five years actual service, any non-contributing service within that period being reckoned as contributing service;

(*h*) where a practitioner has previously been an officer by virtue of Part I of these regulations or the 1948 regulations, not having been a practitioner prior to becoming such officer, and his service otherwise than as a practitioner, any non-contributing service being reckoned at half its actual length, does not exceed ten years, such service shall be treated for the purposes of these regulations as if it were contributing service as a practitioner, any non-contributing service being reckoned as aforesaid, and the remuneration received in respect of that non-contributing service being reckoned at half its actual amount;

(*i*) where a practitioner is simultaneously employed as a part-time officer of an employing authority, these regulations shall apply in relation to him as if in such employment he were a practitioner, and as if the remuneration of that employment were his remuneration as such practitioner;

(*j*) if a practitioner has undertaken national service, and that service is reckonable as a period of service under these regulations by virtue of regulation 14(5), that service shall be treated as if it were service as a practitioner;

(*k*) paragraph (*c*) of regulation 16 shall not apply in respect of service as a practitioner, and if a practitioner's contributing service, after deducting all completed years of such service, includes a fraction of a year, that fraction shall for all the purposes of these regulations except the provisions of sub-paragraph (*a*) and sub-paragraph (*c*) of paragraphs (3) and (4) of regulation 7, proviso (ii) to paragraph (4) of regulation 7, item (*iii*) of proviso (ii) to regulation 11, paragraphs (1) and (2) of regulation 7 as substituted by sub-paragraph (*f*) of this paragraph and item (i) of sub-paragraph (*g*) of this paragraph, if it exceeds six months, be treated as a year, and in any other case be disregarded;

(*l*) the proviso to regulation 16 shall not apply in the case of a practitioner;

(*m*) for the purposes of regulation 21 further employment as a practitioner between the ages of sixty-five and seventy years in the case of a person who became entitled to a pension as a practitioner on or after attaining the age of sixty-five years shall be disregarded;

(*n*) where any person holding a contract or policy of insurance with any of the Life Assurance Companies became a practitioner on the appointed day, then, if he so requested the Board in writing within three months after the appointed day, and the Ministry agreed that he should not, so long as he continued to be a practitioner, become subject to the 1948 regulations, except regulation 36(3)(*k*) thereof, the Ministry shall, subject to such terms and conditions as it may have determined, continue to pay to him as a contribution towards the maintenance of the contract or policy an amount equal to eight per cent. of his remuneration.

(4) These regulations, as so applied, shall have effect in relation to any assistant practitioner subject to the following further modifications:—

(*a*) in the definition of remuneration in regulation 1(3), in line 1, after the word "means" there shall be inserted the following words, namely "the whole or such part as the Ministry may approve of", in line 3 the word "including" shall be substituted for the words "and includes", and in lines 4 and 5, the words "but not including" shall be substituted for the words "but does not include"; and

(*b*) the practitioner by whom he is employed shall be deemed to be the employing authority for the purposes of regulation 5(5), but for no other purpose, and shall remit the assistant practitioner's contributions to the Board after they have been obtained from him.

(5) These regulations, in their application to a person who is a practitioner by virtue of being a person rendering specialist services pursuant to section 21 of the Act, shall have effect subject to the modifications contained in paragraph (3) of this regulation, other than the modifications contained in subparagraphs (*i*), (*m*) and (*n*) thereof.

Special provisions relating to service before the appointed day as dispensary medical officers and hospital officers

40.—(1) These regulations shall apply to a practitioner who prior to the appointed day was subject to the Medical Officers' Superannuation (Ireland) Act, 1869(a), as a dispensary medical officer, subject to the following modifications—

(a) 32 & 33 Vict. c. 50.

(*a*) paragraph (2) of regulation 14 shall not apply;

(*b*) sub-paragraph (*b*) of paragraph (1) of regulation 15 shall not apply;

(*c*) paragraph (1) of regulation 7 shall have effect so that where the practitioner's contributing service as such practitioner does not amount to forty-five years the Ministry may, on his retirement on grounds of age or incapacity, pay to him, in addition to the pension or other benefit to which he may be entitled under these regulations, an additional pension or allowance in respect of his period of employment as a dispensary medical officer;

(*d*) there shall be reckonable as service, for the purpose of determining whether any benefit is payable to or in respect of him but not for the purpose of calculating any benefit to which he may become entitled, any period of employment as a dispensary medical officer prior to his becoming a practitioner.

(2) Where the total service of a practitioner to whom the last preceding paragraph applies, being service as a dispensary medical officer and contributing service under these regulations, does not in the aggregate exceed forty-five years the Ministry may, for the purposes of the last preceding paragraph and on being satisfied that it is just and reasonable so to do, add a number of years to the number of years of actual service as a dispensary medical officer:

Provided that—

(i) the number of years added in accordance with the foregoing provisions of this paragraph shall not exceed the number which might have been added had he retired from his dispensary office on the day preceding the appointed day; and

(ii) the addition shall be such that the total period of service of the practitioner both as a dispensary medical officer and as a practitioner under these regulations together with the years so added as aforesaid shall not exceed forty-five years.

(3) The preceding paragraphs of this regulation shall apply to a practitioner who, prior to the appointed day, was subject to the Medical Officers' Superannuation (Ireland) Act, 1869, as a medical officer in part-time employment on the staff of a hospital for a period of not less than ten years.

(4) Paragraphs (1) and (2) of this regulation shall not apply in the case of a person who is or has been at any time in receipt of a pension or other allowance in respect of his period of employment as a dispensary medical officer.

PART III

MISCELLANEOUS

Rights on transfer to other employment, and provisions relating to approved employment

41.—(1) Where a person, within twelve months after ceasing to be employed as an officer by an employing authority or, if immediately after so ceasing he became engaged in national service, within six months after the termination of that service, and without having received a return of contributions or become entitled to any other benefit under these regulations, has become 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 superannuation scheme approved by the Ministry, he may within three months thereafter notify the Ministry that he desires the provisions of this paragraph to apply to him, and, in that event, the Ministry may, if the body administering the scheme undertakes to invest or secure the investment of such sum for his benefit under the scheme and, unless the Ministry dispenses with this requirement, undertakes to comply with the provisions of the next succeeding paragraph, pay to that body a sum not exceeding at the Ministry's discretion either the amount of the transfer value which would have been payable under regulation 45 had he become employed in circumstances in which that regulation applied, or the amount of a transfer value calculated in accordance with the provisions of the fourth schedule.

(2) If a person to whom the provisions of the preceding paragraph or paragraph (1) of regulation 38 of the 1948 regulations have been applied ceases to participate in the scheme in circumstances in which the only benefit to which he becomes entitled is a sum by way of the return of any of his contributions thereunder, the body administering the scheme shall also pay to him a sum equal to the amount which would have been paid to him by way of a return of his contributions under these regulations or the 1948 regulations on his ceasing to be employed as an officer of an employing authority, or on the termination of his national service, as the case may be, and shall refund to the Ministry an amount equal to the sum paid by the Ministry under the said provisions in respect of him, after the deduction therefrom of a sum equal to the amount paid to him by way of a return of such last-mentioned contributions and a sum equal to any income tax or equivalent sum which was deducted in respect of such payment, and the addition thereto of an amount equal to interest on the sum so paid by the Ministry, as from the date of payment, at the rate which would have been payable under the scheme on contributions returned thereunder at the date on which the sum was paid by the Ministry.

(3) If such a person as is mentioned in the last preceding paragraph, within twelve months after ceasing so to participate in the scheme and within five years after ceasing to be employed as an officer by an employing authority, again becomes an officer

of an employing authority to whom Part I of these regulations applies, he shall be entitled, if he pays or repays to the employing authority any sum returned to him by the body administering the scheme under the last preceding paragraph in respect of his contributions under these regulations or the 1948 regulations, together with an amount equal to any income tax or equivalent sum which was deducted in respect of such return, to reckon as service, contributing service and non-contributing service respectively, all periods of employment, war service or national service which he was so entitled 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) The provisions of the last preceding paragraph shall not apply if the scheme in the benefits of which a person to whom paragraph (1) of this regulation has been applied has ceased to participate is a scheme which has been approved by the Ministry under regulation 14(3)(*c*)(vii).

(5) Where a person, within twelve months after ceasing to be employed as an officer by an employing authority or, if immediately after he so ceased he became engaged in national service, within six months after the termination of that service, and without having received a return of contributions or become entitled to any other benefit under these regulations, has entered 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 38 of the 1948 regulations or of this regulation has been applied, within three months after entering that employment, apply to the Ministry to approve the employment for the purposes of this paragraph, and if the employment is so approved or has been approved under regulation 38(4) of the 1948 regulations and—

(*a*) if he ceases to hold that employment or any other employment approved by the Ministry for the purposes of this paragraph or of paragraph (4) of regulation 38 of the 1948 regulations in such circumstances, including that of his age, as, had they obtained when he ceased to hold his employment under the employing authority, would have entitled him to any benefit under these regulations or the 1948 regulations, the Ministry 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 ceased to be an officer of the employing authority;

(*b*) if he ceases to hold that employment or any other employment approved by the Ministry for the purposes of this paragraph or of paragraph (4) of regulation 38 of the 1948 regulations and by reason of his age he

does not qualify for a benefit under the provisions of the preceding sub-paragraph but he becomes entitled to a pension under any pension scheme applicable to him in that employment, the Ministry 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 or the 1948 regulations on ceasing to hold his former employment, if at the date on which he so ceased he had attained the age of sixty years and had been entitled for the purpose of determining whether he was qualified to receive any such benefit 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 Ministry may grant the like benefits (if any) by way of widow's pension and death gratuity as would have been granted under these regulations or the 1948 regulations if he had died immediately before he ceased to be employed by the employing authority; or

(*d*) if within twelve months after ceasing to hold approved employment he again becomes an officer of an employing authority to whom Part I of these regulations applies, he shall 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 so entitled 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 he shall be entitled to reckon the period of his approved employment for the purpose of determining whether he is qualified to receive any benefit under these regulations, but not for any other purpose:

Provided that—

(i) where a person has qualified for a benefit by virtue of sub-paragraph (*b*) of this paragraph, that benefit, if the Ministry grants the same, shall either be reduced, according to his age, by the percentage shown in the appropriate column of the Tables set out in the sixth schedule or not become payable until he attains such an age as would have entitled him to a similar benefit under sub-paragraph (*a*) of this paragraph, so however that 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 Ministry to or in respect of any person by virtue of sub-paragraph (*a*) or (*c*) of this paragraph, any provision of these regulations or the 1948 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*) of this paragraph has become applicable, and the amount of that benefit falls to be calculated by reference to any provision of these regulations or the 1948 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 of service 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 reduced in the same proportion as the difference between the number of years of service so reckonable as aforesaid and the minimum number of years of qualifying service bears to the minimum number of years of qualifying service.

(6) No payment shall be made by way of a return of contributions to any person who has entered employment in which the last preceding paragraph has become applicable to him unless and until he ceases to hold that employment in circumstances in which he does not become entitled to any benefit under these regulations.

Reckoning of service on transfer to employment as an established civil servant

42.—(1) Where a person, within twelve months after leaving employment as an officer of an employing authority or, in the case of a person who immediately after leaving such employment became engaged in national service within six months after the termination of that service, and without having become entitled to any benefit under these regulations other than a return of contributions, has become an established civil servant he shall be entitled to reckon as established service all periods of employment, war service or national service which for the purposes of these regulations he was entitled to reckon as contributing service or non-contributing service in relation to his employment under the employing authority immediately before he ceased to be employed by them, and any period of national service after so ceasing to be employed, excluding, in the event of his having received a return of contributions on or after so ceasing to be employed, any part of that period after the date of the return, and to reckon as established service for the purpose

of determining whether he has served for the minimum period prescribed under the Superannuation Acts for the payment of a superannuation allowance or additional allowance or gratuity to his legal personal representatives on his death, any service which he was entitled to reckon in relation to his former employment solely for the purpose of determining whether he was entitled to any benefit under these regulations:

Provided that—

(i) this paragraph shall not apply to any person who has not, within three months after entering his new employment, given notice in writing to his employer of his previous period of employment and war service or national service (if any) and repaid to the Ministry an amount equal to any sum paid to him by way of return of contributions on or after his ceasing to hold his former employment, together with an amount equal to any income tax which was deducted from his contributions in respect of such payment; and

(ii) for all the purposes of this paragraph, except the calculation of any qualifying period of service, any period of non-contributing service shall be treated as being half its actual length, and any period of part-time service shall be treated as though it were whole-time service for a proportionately reduced period.

(2) Where an established civil servant ceases to be employed as such in circumstances which under these regulations would have entitled him to a return of contributions had he then ceased to be employed by an employing authority, he shall be entitled to receive from the Ministry a sum equal to the amount to which he would have been so entitled as aforesaid.

Transfer values payable to the Ministry

43.—(1) Where a person has become an officer of an employing authority within twelve months after ceasing employment under a local authority in which he was subject to the Act of 1865 or the Act of 1869, or, in the case of a person who so ceased in order to undertake war service or immediately after so ceasing became engaged in national service, within six months after the termination of that service, and without having received or become eligible to receive any benefit under the said Acts, a transfer value, calculated in accordance with the provisions of the third schedule, shall be payable to the Ministry by the local authority by whom the person was last employed, he being in that employment subject to the Act of 1865 or the Act of 1869, as the case may be.

(2) Where a person has become an officer of an employing authority within twelve months after ceasing employment under the Belfast County Borough Council in which he was subject to the Act of 1943, or, in the case of a person who so ceased in order to undertake war service or immediately after so ceasing became engaged in national service, and without having received or become eligible to receive any benefit under the said Act, a transfer value, of such amount as the Government Actuary shall

indicate as being actuarially equivalent to the liability of which the Belfast County Borough Council has been relieved as a result of the transfer, shall be payable to the Ministry by the Belfast County Borough Council.

(3) The provisions of paragraphs (1) and (2) of this regulation shall not have effect so as to require the payment by a local authority of any transfer value in respect of a person who became an employee of the Northern Ireland Tuberculosis Authority by virtue of the terms of sub-section (1) of section 10 of the Public Health (Tuberculosis) Act (Northern Ireland), 1946.

(4) Any sum payable to the Ministry in accordance with paragraph (1) or (2) of this regulation shall—

(*a*) where the authority liable to make such payment is the council of a county or a rural district be defrayed out of the county rate or fund or the poor rate, as the case may be;

(*b*) where the authority liable to make such payment is the council of a county borough, of a borough, of an urban district, of a body of town commissioners or of a joint committee, be defrayed as expenses of that authority under the Public Health Acts (Northern Ireland), 1878-1949.

(5) Where a transfer value became payable by any authority on the appointed day under paragraph (1), (1B) or (3) of regulation 39 of the 1948 regulations, then, in so far as action has not been taken under paragraph (2) thereof, any transfer value payable may, with the Ministry's consent, be paid by instalments of equal amounts spread over a period of not more than forty years after the appointed day, the first instalment to become payable on the appointed day, together with compound interest on the amount for the time being unpaid at the rate of three per cent. per annum, with half-yearly rests.

(6) Where a transfer value under paragraph (1) or (2) of this regulation becomes payable by two or more local authorities jointly, the sum payable shall be apportioned amongst those authorities in such manner as they may agree or, in default of agreement, as may be determined by the Ministry.

44. Where a person has become an officer of an employing authority within twelve months after ceasing to be a contributor to a scheme approved by the Ministry under regulation 14(3)(*c*)(vii), not being a scheme for providing superannuation benefits by means of contracts or policies of insurance made or effected with any of the Life Assurance Companies or, if immediately after so ceasing he became engaged in national service, within six months after the termination of that service, and without having become entitled to any benefit under the scheme other than a return of contributions, 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 shall, if the Ministry so requires, pay to the Ministry a transfer value of such amount as the Ministry

may determine to be actuarially equivalent to the liability of which the body administering the scheme or any such fund as aforesaid is relieved as a result of that person ceasing to be subject to the scheme and becoming an officer of an employing authority.

Transfer values payable by the Ministry

45.—(1) Where a person, within twelve months after leaving employment as an officer of an employing authority or, in the case of a person who immediately after leaving such employment became engaged in national service, within six months after the termination of that service, and without having become entitled to any benefit under these regulations or the 1948 regulations other than a return of contributions, has become subject to the Belfast Corporation Superannuation Scheme or the Local Government Superannuation Regulations, a transfer value shall be payable by the Ministry to the authority or body by whom he has become employed or the authority administering the scheme to which he has become subject, as the case may be, in accordance with a method approved by the Ministry:

Provided that this paragraph shall not apply to any person unless within such period as may be specified in the scheme to which he has become subject he has given such notice and furnished such particulars as may be required by that scheme as a condition of his being able to reckon any of the service which he was entitled to reckon immediately before ceasing to be an officer of an employing authority and has paid to the authority or body by whom he has become employed or the authority administering the scheme to which he has become subject, as the case may be, an amount equal to any sum paid to him by way of a return of contributions or or after his ceasing to hold his former employment, together with an amount equal to any income tax which was deducted from his contributions in respect of such payment.

(2) Notwithstanding any of the provisions of these regulations or the 1948 regulations no return of contributions shall be payable thereunder to or in respect of any person in relation to whom a transfer value has become payable under this regulation.

Persons engaged on war service or national service

46.—(1) Where a person, but for any war service on which he was engaged, would have been transferred under the Act to the employment of an employing authority, he shall be deemed for the purposes of these regulations to have been so transferred if he has entered the employment of that authority within six months after the termination of that service.

(2) If any such person, immediately before becoming engaged on war service, was subject to the provisions of any such enactment or scheme as is mentioned in regulation 25(1), he shall be deemed for the purposes of these regulations to have been so subject immediately before becoming an officer of an employing authority.

(3) Where a person was engaged on war service or national service at the date of acquisition by the Authority under section 67 of the Act of premises at or for the purposes of administering the services provided at which he was employed immediately before undertaking that service, and has become an officer of an employing authority within six months after the termination of that service, he shall be deemed for the purposes of these regulations to have been employed in such premises at the date of their acquisition by the Authority.

Determination of questions

47. Any question (not being a point of law or construction) arising under these regulations as to the rights or liabilities of an officer or retired officer of an employing authority, or of a person claiming to be treated as such, or of the widow, any dependant or the legal personal representatives of an officer or retired officer shall be determined by the Ministry.

Amendment of the Pensions (Increase) Act (Northern Ireland), 1944

48. The Pensions (Increase) Act (Northern Ireland), 1944(a), shall have effect as if a pension or injury allowance payable under these regulations were specified in Part I of the First Schedule to that Act.

Repeals

49. As from the date of coming into operation of these regulations the enactment specified in the seventh schedule shall be repealed to the extent therein specified.

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland this eleventh day of June, 1954, in the presence of

(L.S.) *Dehra Parker*

Minister of Health and Local Government

The Ministry of Finance for Northern Ireland hereby approves the foregoing regulations.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this eleventh day of June, 1954, in the presence of

(L.S.) *Brian Maginess,*

Minister of Finance

(a) 1944. c. 19.

SCHEDULES

FIRST SCHEDULE

ALLOCATION OF PART OF PENSION OR INJURY ALLOWANCE

Regulation 10

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 a case in which regulation 33 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 equal to one-fourth of the amount of the reduced pension or allowance; or

(*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 benficiary.

3.—(1) Upon a person 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 10 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 an officer to whom regulation 10(2) applies, a provisional estimate of the value of the pension that may become payable to him.

(2) A person to whom regulation 10(1) 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 Ministry.

5. On receipt by the Ministry of a notification given by a person under the last preceding paragraph—

(*a*) the Ministry shall arrange for the person to be examined by a registered medical practitioner nominated by the Ministry, 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 Ministry shall notify him accordingly, and offer him an opportunity of a further examination by some other registered medical practitioner nominated by the Ministry;

(*b*) the Ministry 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 Ministry 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 Ministry may consider necessary:

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

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

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

(2) As soon as practicable after coming to a decision in regard to a notification given by a person, the Ministry 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) An officer to whom regulation 10(2) applies may, at any time before he ceases to be employed, cancel or amend a notification given by him by a notice in writing addressed to the Ministry.

(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 to whom regulation 10(1) applies shall become null and void if the beneficiary dies before the Ministry accepts the notification, and a notification given by an officer to whom regulation 10(2) applies shall become null and void if the beneficiary dies before midnight on the day on which the officer ceases to be employed.

(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.

SECOND SCHEDULE

Additional Contributory Payments

Regulations 14(10), (11) and (12) and 15(3), (4) and (6)

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 the provisions of paragraph 6 of this schedule, and may be paid upon the officer's notifying the employing authority in writing within three months after his becoming an officer 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 the preceding paragraph 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 under these regulations 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 two-and-one-half per cent. per annum, with yearly rests;

(*b*) if the officer becomes entitled to a pension or retiring allowance under these regulations, or if a widow's pension becomes payable thereunder on his death to his widow or if a death gratuity becomes payable in respect of him, a deduction in respect of any amount due may be made from any payments on account thereof;

(*c*) if the officer becomes entitled to an injury allowance or dies without having become entitled to a pension or retiring allowance and without leaving a widow entitled to a widow's pension under these regulations, 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 a pension or retiring allowance, 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—

(i) enters employment in which he is an officer of an employing authority or an established civil servant, 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; or

(ii) enters employment in which he is subject to the Belfast Corporation Superannuation Scheme or the Local Government Superannuation Regulations, in which event, subject as hereinafter provided, the right to receive the balance of the debt shall be deemed to be transferred to the authority or body by whom he has become employed or the authority administering the scheme to which he has become subject, as the case may be:

Provided that where immediately after ceasing to hold his employment an officer—

(*a*) entered an approved course of study or training and within twelve months after completing that course or, if on completing that course he became engaged in national service within six months after the termination of that service, enters employment in which he is an officer of an employing authority; or

(*b*) became engaged in national service and on the termination of that service entered an approved course of study or training and within six months after completing that course enters employment in which he is an officer of an employing authority;

he shall not be treated as having ceased to be entitled to any rights 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 the last preceding sub-paragraph, the provisions of that sub-paragraph shall apply, with any necessary modifications, 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*) the provisions of sub-paragraphs (*b*) and (*c*) of this paragraph shall apply, with any necessary modifications, 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*) of this paragraph.

4. Where the last preceding paragraph 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 Ministry shall direct.

5. Any sum payable under this schedule by an officer of an employing authority or by a person who has ceased to be such and has become an established civil servant shall be paid to the employing authority for transmission to the Ministry.

6.—(1) For the purpose of calculating the sum to be paid by an officer under this schedule the relative Table set out below 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 for the purposes of the foregoing provision account is required to be taken of any fees payable to an officer, other than a practitioner, 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;

(*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;

(*c*) the sum payable, whether by a practitioner or an officer other than a practitioner, in respect of any period of service as a practitioner shall be calculated by reference to the annual average of the remuneration during that period; and

(*d*) in the case of a practitioner, the sum payable in respect of any period of service in any other capacity shall be calculated by reference to the annual remuneration on which he was paying contributions at the date on which he last ceased to be employed in such capacity, or, if in that employment he was not an officer of an employing authority, the annual emoluments of that employment.

(3) The amount shown in Table I(a), I(b), II, III, IV or V, 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) of this paragraph, 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 (1) of regulation 33 applies, in respect of any period of non-contributing service of which account would be taken under paragraph (3) of regulation 33 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 VI 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 II OR V (OTHER THAN SERVICE AS A PRACTITIONER)

Age	Amount appropriate in respect of each £100 of remuneration	Age	Amount appropriate in respect of each £100 of remuneration
	£ s.		£ s.
Under 31	5 15	48 and under 49	7 1
		49 „ „ 50	7 3
31 and under 32	5 16		
32 „ „ 33	5 17	50 „ „ 51	7 6
33 „ „ 34	5 18	51 „ „ 52	7 9
34 „ „ 35	5 19	52 „ „ 53	7 12
		53 „ „ 54	7 16
35 „ „ 36	6 0	54 „ „ 55	8 0
36 „ „ 37	6 1		
37 „ „ 38	6 2	55 „ „ 56	8 4
38 „ „ 39	6 3	56 „ „ 57	8 9
39 „ „ 40	6 4	57 „ „ 58	8 14
		58 „ „ 59	8 19
40 „ „ 41	6 5	59 „ „ 60	9 5
41 „ „ 42	6 7		
42 „ „ 43	6 9	60 and over	£9 5s. less six shillings for each completed year by which the officer's age exceeds sixty years.
43 „ „ 44	6 11		
44 „ „ 45	6 13		
45 „ „ 46	6 15		
46 „ „ 47	6 17		
47 „ „ 48	6 19		

(*b*) SERVICE OF A FEMALE OFFICER, NOT BEING A FEMALE OFFICER MENTIONED IN TABLE III OR V (OTHER THAN SERVICE AS A PRACTITIONER)

	£ s.		£ s.
Under 26	5 14		
		45 and under 46	7 15
26 and under 27	5 15	46 „ „ 47	7 19
27 „ „ 28	5 16	47 „ „ 48	8 2
28 „ „ 29	5 17	48 „ „ 49	8 6
29 „ „ 30	5 18	49 „ „ 50	8 10
30 „ „ 31	6 0	50 „ „ 51	8 14
31 „ „ 32	6 2	51 „ „ 52	8 18
32 „ „ 33	6 4	52 „ „ 53	9 3
33 „ „ 34	6 6	53 „ „ 54	9 7
34 „ „ 35	6 8	54 „ „ 55	9 12
35 „ „ 36	6 10	55 „ „ 56	9 17
36 „ „ 37	6 12	56 „ „ 57	10 2
37 „ „ 38	6 14	57 „ „ 58	10 7
38 „ „ 39	6 16	58 „ „ 59	10 13
39 „ „ 40	6 18	59 „ „ 60	10 19
40 „ „ 41	7 0	60 and over	£10 19s. less six shillings for each completed year by which the officer's age exceeds sixty years.
41 „ „ 42	7 3		
42 „ „ 43	7 6		
43 „ „ 44	7 9		
44 „ „ 45	7 12		

TABLE II

SERVICE OF A MALE MENTAL HEALTH OFFICER

Age	Amount appropriate in respect of each £100 of remuneration	Age	Amount appropriate in respect of each £100 of remuneration
	£ s.		£ s.
Under 36	8 9		
		50 and under 51	9 13
36 and under 37	8 10	51 „ „ 52	9 17
37 „ „ 38	8 11	52 „ „ 53	10 2
38 „ „ 39	8 12	53 „ „ 54	10 7
39 „ „ 40	8 13	54 „ „ 55	10 12
40 „ „ 41	8 14	55 „ „ 56	10 12
41 „ „ 42	8 16	56 „ „ 57	10 7
42 „ „ 43	8 17	57 „ „ 58	10 2
43 „ „ 44	8 18	58 „ „ 59	9 17
44 „ „ 45	9 0	59 „ „ 60	9 11
45 „ „ 46	9 2	60 and over	£9 5s. less six shillings for each completed year by which the officer's age exceeds sixty years
46 „ „ 47	9 3		
47 „ „ 48	9 5		
48 „ „ 49	9 7		
49 „ „ 50	9 10		

TABLE III

SERVICE OF A FEMALE NURSE, MENTAL HEALTH OFFICER OR PHYSIOTHERAPIST, MIDWIFE OR HEALTH VISITOR

Age	Amount appropriate in respect of each £100 of remuneration	Age	Amount appropriate in respect of each £100 of remuneration
	£ s.		£ s.
Under 20	6 7		
		42 and under 43	9 13
20 and under 21	6 14	43 „ „ 44	9 16
21 „ „ 22	7 1	44 „ „ 45	9 19
22 „ „ 23	7 8		
23 „ „ 24	7 14	45 „ „ 46	10 2
24 „ „ 25	8 0	46 „ „ 47	10 6
		47 „ „ 48	10 10
25 „ „ 26	8 6	48 „ „ 49	10 14
26 „ „ 27	8 11	49 „ „ 50	10 18
27 „ „ 28	8 16		
28 „ „ 29	9 0	50 „ „ 51	11 3
29 „ „ 30	9 4	51 „ „ 52	11 8
		52 „ „ 53	11 13
30 „ „ 31	9 7	53 „ „ 54	11 18
31 „ „ 32	9 9	54 „ „ 55	12 4
32 „ „ 33	9 10		
33 „ „ 34	9 10	55 „ „ 56	12 4
34 „ „ 35	9 10	56 „ „ 57	11 19
		57 „ „ 58	11 14
35 „ „ 36	9 10	58 „ „ 59	11 9
36 „ „ 37	9 10	59 „ „ 60	11 4
37 „ „ 38	9 10		
38 „ „ 39	9 10	60 and over	£10 19s. less six shillings for each completed year by which the officer's age exceeds sixty years
39 „ „ 40	9 10		
40 „ „ 41	9 10		
41 „ „ 42	9 11		

TABLE IV

SERVICE AS A PRACTITIONER

Age	Amount appropriate in respect of each £100 of remuneration
	£ s.
Under 25	4 17
25 and under 26	5 0
26 „ „ 27	5 3
27 „ „ 28	5 6
28 „ „ 29	5 9
29 „ „ 30	5 12
30 „ „ 31	5 15
31 „ „ 32	5 18
32 „ „ 33	6 1
33 „ „ 34	6 4
34 „ „ 35	6 7
35 „ „ 36	6 10
36 „ „ 37	6 12
37 „ „ 38	6 14
38 „ „ 39	6 16
39 „ „ 40	6 18
40 „ „ 41	7 0
41 „ „ 42	7 3
42 „ „ 43	7 6
43 „ „ 44	7 9
44 „ „ 45	7 12
45 „ „ 46	7 15
46 „ „ 47	7 18
47 „ „ 48	8 1
48 „ „ 49	8 5
49 „ „ 50	8 9
50 „ „ 51	8 13
51 „ „ 52	8 17
52 „ „ 53	9 2
53 „ „ 54	9 7
54 „ „ 55	9 12
55 „ „ 56	9 17
56 „ „ 57	10 3
57 „ „ 58	10 9
58 „ „ 59	10 15
59 „ „ 60	11 2
60 and over	£11 2s. less seven shillings for each completed year by which the person's age exceeds sixty years

TABLE V

SERVICE OF AN OFFICER WHOSE EMPLOYMENT IS BY WAY OF MANUAL LABOUR

Age (1)	Amount appropriate in respect of each £100 of remuneration	
	Men (2)	Women (3)
	£ s.	£ s.
Under 20	3 18	4 5
20 and under 21	3 18	4 6
21 " " 22	3 18	4 7
22 " " 23	3 18	4 8
23 " " 24	3 18	4 10
24 " " 25	3 18	4 11
25 " " 26	3 18	4 12
26 " " 27	3 19	4 12
27 " " 28	4 1	4 13
28 " " 29	4 2	4 15
29 " " 30	4 4	4 17
30 " " 31	4 6	5 0
31 " " 32	4 8	5 3
32 " " 33	4 11	5 6
33 " " 34	4 13	5 9
34 " " 35	4 16	5 12
35 " " 36	4 18	5 17
36 " " 37	5 0	6 1
37 " " 38	5 2	6 4
38 " " 39	5 5	6 8
39 " " 40	5 7	6 12
40 " " 41	5 10	6 16
41 " " 42	5 13	6 19
42 " " 43	5 16	7 3
43 " " 44	5 19	7 7
44 " " 45	6 2	7 11
45 " " 46	6 5	7 15
46 " " 47	6 8	7 19
47 " " 48	6 11	8 2
48 " " 49	6 15	8 6
49 " " 50	6 18	8 10
50 " " 51	7 2	8 14
51 " " 52	7 6	8 18
52 " " 53	7 10	9 3
53 " " 54	7 14	9 7
54 " " 55	7 18	9 12
55 " " 56	8 3	9 17
56 " " 57	8 8	10 2
57 " " 58	8 13	10 7
58 " " 59	8 19	10 13
59 " " 60	9 5	10 19
60 and over	9 5 less 6s. for each completed year by which the officer's age exceeds sixty.	10 19 less 6s. for each completed year by which the officer's age exceeds sixty.

TABLE VI

REDUCTION OF SUM PAYABLE BY A PERSON TO WHOM REGULATION 33(1) APPLIES

Age (1)	Service of a male officer (including a practitioner) (2)	Service of a female officer, (including a practitioner but excluding a female officer mentioned in Column (4)) (3)	Service of a female nurse, mental health officer or 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	14 3	—
61 „ „ 62	8 11	14 3	—
62 „ „ 63	8 19	14 3	—
63 „ „ 64	9 8	14 3	—
64 and over	9 17	14 3	—

THIRD SCHEDULE

PROVISIONS FOR THE CALCULATION OF TRANSFER VALUES IN RESPECT OF SERVICE UNDER THE ACT OF 1865 OR THE ACT OF 1869, AND DIRECTIONS FOR THE USE OF THE SUB-JOINED TABLE IN CONNEXION THEREWITH

Regulation 43(1)

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 employee in respect of whom a transfer value is being calculated means the date upon which the employee was last in employment under a local authority and in which he was subject to the Act of 1865 or the Act of 1869;

"age" in relation to any employee means his age on the material date;

"remuneration" in relation to an employee means the salary and emoluments of his employment on the material date, being such salary and emoluments as would have been taken into account in calculating the amount of the superannuation allowance which he might have received under the Act of 1865 or the Act of 1869 had he been eligible to receive such allowance on the material date; and

"service" means service reckonable for the purpose of determining whether the employee was eligible to receive a superannuation allowance under the Act of 1865 or the Act of 1869.

2.—(1) The transfer value payable in respect of any employee shall be ascertained in accordance with the provisions of this paragraph.

(2) The amounts shown in columns (2) and (3) of the Table annexed in relation to an age which corresponds with that of the employee are to be multiplied respectively by the numbers of years, and of months aggregating less than one year, of service completed on 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 employee.

TABLE

Age	Amount for £100 of remuneration in respect of each completed year or month of service	
	Year	Month
(1)	(2)	(3)
	£ s.	£ s.
Under 35	11 8	0 19
35 and under 36	11 8	0 19
36 „ „ 37	11 8	0 19
37 „ „ 38	11 8	0 19
38 „ „ 39	11 9	0 19
39 „ „ 40	11 11	0 19
40 „ „ 41	11 13	0 19
41 „ „ 42	11 15	1 0
42 „ „ 43	11 17	1 0
43 „ „ 44	11 19	1 0
44 „ „ 45	12 2	1 0
45 „ „ 46	12 6	1 1
46 „ „ 47	12 10	1 1
47 „ „ 48	12 14	1 1
48 „ „ 49	12 19	1 2
49 „ „ 50	13 4	1 2
50 „ „ 51	13 10	1 3
51 „ „ 52	13 16	1 3
52 „ „ 53	14 3	1 4
53 „ „ 54	14 10	1 4
54 „ „ 55	14 17	1 5
55 „ „ 56	15 5	1 5
56 „ „ 57	15 14	1 6
57 „ „ 58	16 4	1 7
58 „ „ 59	16 16	1 8
59 „ „ 60	17 8	1 9
60 and over	18 0	1 10

FOURTH SCHEDULE

PROVISIONS WHICH MAY BE USED FOR THE CALCULATION OF CERTAIN TRANSFER VALUES PAYABLE BY THE MINISTRY, AND DIRECTIONS FOR THE USE OF THE SUB-JOINED TABLES IN CONNEXION THEREWITH

Regulation 41(1)

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 under the employing authority;

"remuneration" in relation to a practitioner means the annual average of his remuneration in respect of all periods of service as a practitioner, in relation to a person who by virtue of regulation 25 of these regulations or regulation 22 of the 1948 regulations was not required to pay contributions means the annual remuneration of his employment under the employing authority at the material date, and in relation to any other person means the annual remuneration of his employment under the employing authority on which contributions were payable by him on the material date:

Provided that—

(*a*) if, for the purposes of the foregoing definition, account is required to be taken of any fees payable to a person, other than a practitioner, 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 the foregoing 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 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 of this schedule:

Provided that—

(*a*) in the case of a person, not being a practitioner, whose service includes service in that capacity, separate transfer values shall be calculated in respect of his service in the two capacities, by reference to his remuneration as such person and his remuneration as a practitioner respectively;

(*b*) in the case of a practitioner whose service includes service otherwise than in that capacity, separate transfer values shall be calculated in respect of his service in the two capacities, as if in relation to his service otherwise than in the capacity of a practitioner the material date for the purpose of ascertaining his remuneration was the date on which he ceased to hold his last employment before becoming a practitioner, and his remuneration was the annual remuneration of the employment on which contributions were payable by him on that date, or, if in that employment

he was not an officer of an employing authority, the annual emoluments of that employment;

(*c*) in the case of a person whose contributing service, together with his non-contributing service (if any) reckoned at half its actual length, exceeds forty years, the calculation required to be made by reference to his contributing service and non-contributing service shall be made by reference to forty years contributing service, and if he is such a person as is mentioned in proviso (*a*) or (*b*) to this paragraph, his service as a practitioner and his service in any other capacity shall be reduced proportionately to their actual lengths, any non-contributing service being reckoned at half its actual length; and

(*d*) if in relation to the employment which the person has ceased to hold he was in the course of making additional contributory payments, the transfer value shall be increased by an amount equal to the aggregate amount of the additional contributory payments so made.

3.—(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 amount shown in column (2) of the relative Table set out below 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 contributing service completed on the material date.

(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 person's remuneration.

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

(2) The amount shown in column (3) of the relative Table set out below 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 completed on the material date.

(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 person's remuneration.

5. In the case of a person to whom paragraph (2) of regulation 33 of these regulations or of regulation 30 of the 1948 regulations applied immediately before the material date, any sum calculated under paragraph 3 or 4 of this schedule in respect of any period of service of which account would have been taken under paragraph (3) of regulation 33 of these regulations or of regulation 30 of the 1948 regulations in calculating the amount of the reduction of any pension to which the person might have become entitled under these regulations or the 1948 regulations shall be reduced by the sum shown in the appropriate column of Table VI set out in the second schedule to these regulations 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 IV (OTHER THAN SERVICE AS A PRACTITIONER)

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

(b) SERVICE OF A FEMALE OFFICER, NOT BEING A FEMALE OFFICER MENTIONED IN TABLE II OR IV (OTHER THAN SERVICE AS A PRACTITIONER)

Age	Amount of transfer value appropriate in respect of each £100 of remuneration in relation to each completed year of service, namely:—	
	Contributing Service	Non-Contributing Service
(1)	(2)	(3)
	£ s.	£ s.
Under 20	7 16	2 2
20 and under 21	7 17	2 3
21 " " 22	7 18	2 5
22 " " 23	7 19	2 7
23 " " 24	8 0	2 9
24 " " 25	8 2	2 12
25 " " 26	8 5	2 15
26 " " 27	8 9	2 19
27 " " 28	8 14	3 4
28 " " 29	9 0	3 9
29 " " 30	9 7	3 15
30 " " 31	9 14	4 0
31 " " 32	10 2	4 6
32 " " 33	10 9	4 11
33 " " 34	10 17	4 17
34 " " 35	11 4	5 2
35 " " 36	11 11	5 7
36 " " 37	11 18	5 12
37 " " 38	12 5	5 17
38 " " 39	12 13	6 2
39 " " 40	13 0	6 7
40 " " 41	13 8	6 12
41 " " 42	13 15	6 17
42 " " 43	14 3	7 1
43 " " 44	14 10	7 5
44 " " 45	14 17	7 8
45 " " 46	15 4	7 12
46 " " 47	15 11	7 15
47 " " 48	15 18	7 19
48 " " 49	16 6	8 3
49 " " 50	16 13	8 6
50 " " 51	16 19	8 9
51 " " 52	17 5	8 12
52 " " 53	17 10	8 15
53 " " 54	17 15	8 17
54 " " 55	17 19	8 19
55 " " 56	18 3	9 1
56 " " 57	18 7	9 3
57 " " 58	18 11	9 5
58 " " 59	18 15	9 7
59 " " 60	18 18	9 9
60 and over	19 0	9 10

TABLE II

SERVICE OF A FEMALE NURSE, MENTAL HEALTH OFFICER OR PHYSIOTHERAPIST, MIDWIFE OR HEALTH VISITOR WHO BECOMES EMPLOYED AS A FEMALE NURSE OR PHYSIOTHERAPIST, MIDWIFE OR HEALTH VISITOR

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

TABLE III

SERVICE AS A PRACTITIONER

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

TABLE IV

(*a*) SERVICE OF A MALE OFFICER WHOSE EMPLOYMENT IS BY WAY OF MANUAL LABOUR

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

(b) SERVICE OF A FEMALE OFFICER WHOSE EMPLOYMENT IS BY WAY OF MANUAL LABOUR

Age	Amount of transfer value appropriate in respect of each £100 of remuneration in relation to each completed year of service, namely:—	
	Contributing Service	Non-Contributing Service
(1)	(2)	(3)
	£ s.	£ s.
Under 20	5 6	1 1
20 and under 21	5 9	1 3
21 " " 22	5 12	1 5
22 " " 23	5 15	1 7
23 " " 24	5 19	1 9
24 " " 25	6 3	1 12
25 " " 26	6 8	1 16
26 " " 27	6 13	2 1
27 " " 28	6 19	2 6
28 " " 29	7 6	2 12
29 " " 30	7 14	2 17
30 " " 31	8 3	3 3
31 " " 32	8 12	3 9
32 " " 33	9 2	3 16
33 " " 34	9 12	4 3
34 " " 35	10 2	4 10
35 " " 36	10 12	4 16
36 " " 37	11 1	5 2
37 " " 38	11 10	5 8
38 " " 39	12 0	5 14
39 " " 40	12 9	6 0
40 " " 41	12 19	6 5
41 " " 42	13 8	6 11
42 " " 43	13 17	6 16
43 " " 44	14 6	7 1
44 " " 45	14 15	7 6
45 " " 46	15 3	7 11
46 " " 47	15 11	7 15
47 " " 48	15 18	7 19
48 " " 49	16 5	8 2
49 " " 50	16 12	8 6
50 " " 51	16 19	8 9
51 " " 52	17 5	8 12
52 " " 53	17 10	8 15
53 " " 54	17 15	8 17
54 " " 55	17 19	8 19
55 " " 56	18 3	9 1
56 " " 57	18 7	9 3
57 " " 58	18 11	9 5
58 " " 59	18 15	9 7
59 " " 60	18 18	9 9
60 and over	19 0	9 10

FIFTH SCHEDULE

REDUCTION OF PENSION UNDER REGULATION 33(3)

TABLE I

FEMALE NURSE, MENTAL HEALTH OFFICER OR PHYSIOTHERAPIST, MIDWIFE OR HEALTH VISITOR

Age	Annual Sum
	£ s. d.
Under 20	1 14 0
20 and under 21	1 11 0
21 " " 22	1 8 0
22 " " 23	1 5 6
23 " " 24	1 3 0
24 " " 25	1 1 0
25 " " 26	19 6
26 " " 27	18 0
27 " " 28	17 0
28 " " 29	16 0
29 " " 30	15 6
30 " " 31	15 0
31 " " 32	14 6
32 " " 33	14 0
33 " " 34	13 6
34 " " 35	13 0
35 " " 36	13 0
36 " " 37	12 6
37 " " 38	12 6
38 " " 39	12 6
39 " " 40	12 0
40 " " 41	12 0
41 " " 42	12 0
42 " " 43	11 6
43 " " 44	11 6
44 " " 45	11 0
45 and over	11 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		19	0
29 " " 30	1	8	0		18	0
30 " " 31	1	7	6		17	6
31 " " 32	1	7	0		17	0
32 " " 33	1	6	0		16	6
33 " " 34	1	5	6		16	0
34 " " 35	1	5	0		15	6
35 " " 36	1	4	6		15	0
36 " " 37	1	4	0		14	6
37 " " 38	1	3	6		14	0
38 " " 39	1	3	0		13	6
39 " " 40	1	2	6		13	6
40 " " 41	1	2	0		13	0
41 " " 42	1	1	6		13	0
42 " " 43	1	1	0		12	6
43 " " 44	1	0	6		12	6
44 " " 45	1	0	0		12	0
45 " " 46		19	6		12	0
46 " " 47		19	0		12	0
47 " " 48		18	6		11	6
48 " " 49		18	0		11	6
49 " " 50		17	6		11	0
50 " " 51		17	0		11	0
51 " " 52		17	0		11	0
52 " " 53		16	6		11	0
53 " " 54		16	0		11	0
54 " " 55		15	6		11	0
55 and over		15	6		11	0

SIXTH SCHEDULE

REDUCTION OF PENSION AND RETIRING ALLOWANCE UNDER REGULATION 41(5)

PART I—PENSION

Age of person at date on which benefit under regulation 41(5)(b) accrues:—	Percentage reduction to be made under proviso (i) to regulation 41(5) by reference to the under-mentioned minimum age at which the person would have been entitled to a pension under these regulations in the circumstances therein mentioned:—										
	55	56	57	58	59	60	61	62	63	64	65
45	46	50	53	56	59	62	65	67	69	71	73
46	43	47	51	54	57	60	63	65	67	70	72
47	40	44	48	51	55	58	61	63	65	68	71
48	36	41	45	48	52	56	59	61	63	66	69
49	32	37	42	45	49	53	56	59	61	64	67
50	28	33	38	42	46	50	53	56	59	62	65
51	23	29	34	38	43	47	50	53	57	60	63
52	18	24	30	34	39	43	47	50	54	58	61
53	13	19	25	30	35	39	44	47	51	55	58
54	7	13	20	25	31	35	40	44	48	52	55
55	—	7	14	20	26	31	36	41	45	49	52
56	—	—	7	14	20	26	31	37	41	46	49
57	—	—	—	7	14	20	26	32	37	42	46
58	—	—	—	—	7	14	20	27	32	38	42
59	—	—	—	—	—	7	14	21	27	33	38
60	—	—	—	—	—	—	7	15	21	28	33
61	—	—	—	—	—	—	—	8	15	22	28
62	—	—	—	—	—	—	—	—	8	16	23
63	—	—	—	—	—	—	—	—	—	9	17
64	—	—	—	—	—	—	—	—	—	—	9

PART II—RETIRING ALLOWANCE

Age of person at date on which benefit under regulation 41(5)(b) accrues:—	Percentage reduction to be made under proviso (i) to regulation 41(5) by reference to the under-mentioned minimum age at which the person would have been entitled to a pension under these regulations in the circumstances therein mentioned:—										
	55	56	57	58	59	60	61	62	63	64	65
45	31	33	36	38	41	43	45	47	50	52	54
46	28	31	34	36	39	41	43	45	48	50	52
47	25	28	31	34	37	39	41	44	46	48	50
48	23	26	29	32	35	37	39	42	44	46	49
49	20	23	26	29	32	35	37	40	42	45	47
50	17	20	23	26	29	32	35	38	40	43	45
51	14	18	21	24	27	30	33	35	38	41	43
52	11	14	18	21	24	27	30	33	36	39	41
53	8	11	15	18	22	25	28	31	34	36	39
54	4	8	11	15	19	22	25	28	31	34	37
55	—	4	8	12	15	19	22	26	29	32	35
56	—	—	4	8	12	15	19	23	26	29	32
57	—	—	—	4	8	12	16	20	23	26	29
58	—	—	—	—	4	8	12	16	20	23	26
59	—	—	—	—	—	4	8	12	16	20	23
60	—	—	—	—	—	—	4	9	13	16	20
61	—	—	—	—	—	—	—	5	9	13	17
62	—	—	—	—	—	—	—	—	5	9	14
63	—	—	—	—	—	—	—	—	—	5	10
64	—	—	—	—	—	—	—	—	—	—	5

SEVENTH SCHEDULE

ENACTMENT REPEALED

Regulation 49

Session and Chapter	Short Title	Extent of Repeal
9 & 10 Geo. 6.C.6.	The Public Health (Tuberculosis) Act (Northern Ireland), 1946.	Sub-section (3) of section 10

HOUSING

Grants, p. 367
Housing on Farms, p. 368
Small Dwellings Acquisition, p. 372
Subsidy, p. 373

HOUSING

Grants in respect of private houses and houses for letting

ORDER*, DATED 15TH MAY, 1954, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT, WITH THE APPROVAL OF THE MINISTRY OF FINANCE, UNDER SECTION FIFTEEN OF THE HOUSING (No. 2) ACT (NORTHERN IRELAND), 1946.

1954. No. 79

The Ministry of Health and Local Government for Northern Ireland (in this Order referred to as "the Ministry"), with the approval of the Ministry of Finance for Northern Ireland, in exercise of the powers conferred on the Ministry by section fifteen of the Housing (No. 2) Act (Northern Ireland), 1946, (in these Regulations referred to as "the No. 2 Act of 1946") and of every other power it thereunto enabling, hereby makes the following Order:—

Contributions and Grants

1. The Housing (Grants) Order (Northern Ireland), 1952(a), shall have effect as if for the words "thirtieth day of June, nineteen hundred and fifty-four" in Articles 1 and 2 of the said Order, there were substituted the words "thirtieth day of June, nineteen hundred and fifty-five".

(a) S.R. & O. (N.I.), 1952. No. 64.

* The above Order was confirmed by Resolutions of the Senate and of the House of Commons on the 2nd day of June, 1954.