EXPLANATORY NOTE

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

The object of this Order is to extend to the 1st January, 1963, the date before which plans for the provision of houses and the reconditioning of premises as houses on farms must be submitted to the Ministry of Health and Local Government for approval in order to qualify for grant.

The Order also prescribes the rates of grant payable in respect of new farmhouses, approved workers' houses, and reconditioning works, and prescribes the dates before which work must be completed in order to qualify for the rates of grant specified.

1961. No. 244 **[C]**

LOCAL GOVERNMENT SUPERANNUATION

REGULATIONS*, DATED 20TH DECEMBER, 1961, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT, UNDER SECTION 2 OF THE LOCAL GOVERNMENT (SUPERANNUATION) ACT (NORTHERN IRELAND), 1950.

The Ministry of Health and Local Government (hereinafter referred to as "the Ministry") in exercise of the powers conferred on it by sub-section (1) of section 2 of the Local Government (Superannuation) Act (Northern Ireland), 1950(**a**), and of all other powers enabling it in that behalf, and with the approval of the Ministry of Finance under sub-section (2) of section 7 of the said Act, hereby makes the following regulations:—

1.—(1) These regulations may be cited as the Local Government Superannuation (Interchange with Teaching Service) (Amendment) Regulations (Northern Ireland), 1961, and shall come into operation on the 22nd day of December, 1961.

(2) These regulations and the Local Government Superannuation (Interchange with Teaching Service) Regulations (Northern Ireland), 1960, shall be construed as one, and may be cited together as the Local Government Superannuation (Interchange with Teaching Service) Regulations (Northern Ireland), 1960 and 1961.

2. The Local Government Superannuation (Interchange with Teaching Service) Regulations (Northern Ireland), 1960(**b**), shall be amended as follows:—

(1) In regulation 2 there shall be inserted the following additional definitions:—

" 'a 1936 Scheme' means the Teachers (Public Elementary) Superannuation (Amendment) Scheme, 1936(**c**), the Teachers (Secondary and

(**a**) 1950. c. 10.
(**b**) S.R. & O. (N.I.) 1960, No. 73.
(**c**) S.R. & O. (N.I.) 1936, No. 156.

*A draft of these Regulations was approved by resolutions of the Senate and of the House of Commons on the 19th day of December, 1961.

Preparatory) Superannuation (Amendment) Scheme, 1936(**a**), or the Teachers (Agricultural and Technical) Superannuation (Amendment) Scheme, 1936(**b**), as the case may be;

'a 1940 Scheme' means the Teachers' (Public Elementary) Superannuation (Amendment) Scheme, 1940(**c**), the Teachers' (Secondary and Preparatory) Superannuation (Amendment) Scheme, 1940(**d**), or the Teachers' (Agricultural and Technical) Superannuation (Amendment) Scheme, 1940(**e**), as the case may be;".

(2) In regulation 3—

(*a*) after the words "so ceased to be employed" there shall be inserted the words "and also any national service following the said date which has been treated as contributory service by virtue of the Teachers Superannuation (Service in the Reserve and Auxiliary Forces) Rules (Northern Ireland), 1958(**f**)";

(*b*) in proviso (*a*), after the word "service" there shall be inserted the words "and such national service as aforesaid";

(*c*) in proviso (*b*), for the words "or within six months after the date of coming into operation of these regulations, whichever period last expires" there shall be substituted the words ", or within such longer period as the Committee may in any particular case allow"; and

(*d*) after proviso (*c*) there shall be inserted the following additional proviso:—

"(*d*) any contributory service which was reckonable only for the purpose of calculating the amount of any allowance or gratuity payable to or in respect of him under the Teachers Act shall not be reckonable for the purpose of determining whether he is entitled to any benefit under the Local Government Superannuation Regulations.".

(3) In regulation 5 there shall be inserted, after paragraph (2), the following additional paragraph:—

"(3) Where a person to whom regulation 3 applies was employed in recognised service prior to the first day of July, 1936, and elected in pursuance of any relevant provision of a 1936 Scheme or a 1940 Scheme not to pay the additional contributions required by that Scheme then notwithstanding any other provision of these regulations—

(*a*) in the case of a person who made such an election as aforesaid under any provision of a 1936 Scheme no part of his employment in contributory or recognised service shall be reckonable as contributing service for the purpose of calculating the amount of a retiring allowance under paragraph (2) of regulation 8 of the Local Government Superannuation Regulations; or

(*b*) in the case of a person who made such an election as aforesaid under any provision of a 1940 Scheme no part of his employment in recognised service prior to the first day of July, 1936, shall be reckonable as contributing service for the purpose of calculating the amount of such retiring allowance as aforesaid.".

(**a**) S.R. & O. (N.I.) 1936, No. 157.
(**b**) S.R. & O. (N.I.) 1936, No. 158.
(**c**) S.R. & O. (N.I.) 1940, No. 102.
(**d**) S.R. & O. (N.I.) 1940, No. 103.
(**e**) S.R. & O. (N.I.) 1940, No. 104.
(**f**) S.R. & O. (N.I.) 1958, No. 97.

(4) For regulation 7 there shall be substituted the following regulation:—

"**7.** Where in the case of a person to whom regulation 3 has become applicable a sum due by way of contributions payable in respect of the whole or any part of a period of national service in accordance with the Teachers Superannuation (Service in the Reserve and Auxiliary Forces) Rules (Northern Ireland), 1958, has not been paid to the Ministry of Education at the date on which that person becomes employed in local government service then, unless there is paid to the Committee within three months after that date, or within such longer period as the Committee may in any particular case allow, an amount equivalent to the outstanding amount of the sum aforesaid, the service in respect of which such payment has not been made to the Ministry of Education as aforesaid shall not be reckonable as contributing service under regulation 3.".

(5) In proviso (*a*) to paragraph (1) of regulation 10, for the words "or within six months after the date of coming into operation of these regulations, whichever period last expires" there shall be substituted the words ", or within such longer period as the Ministry of Education may in any particular case allow".

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland this 20th day of December, nineteen hundred and sixty-one.

(L.S.) *Ronald Green,*
Secretary.

The Ministry of Finance, in so far as its approval is necessary under sub-section (2) of section 7 of the Act, hereby approves the foregoing regulations.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 20th day of December, nineteen hundred and sixty-one.

(L.S.) *K. R. Shimeld,*
Assistant Secretary.

EXPLANATORY NOTE

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

These regulations amend the Local Government Superannuation (Interchange with Teaching Service) Regulations (Northern Ireland), 1960, which provide for the interchange of superannuation rights between superannuable local government and teaching employment in Northern Ireland.

They provide, in conjunction with rules to be made by the Ministry of Education, for extension, in particular cases, of the time limit within which action must be taken by a local government officer or teacher to preserve previous superannuation rights. They make provision also in relation to service which under the Teachers (Superannuation) Act (Northern Ireland), 1950, would not have been reckonable towards a lump sum allowance or would have been reckonable only for the calculation of benefit, and in relation to national service in respect of which payments have not been completed at the time a former teacher enters the local government service.