SUPERANNUATION

The National Health Service (Superannuation) Regulations, 1950

1950 No. 497

Made - - - - 31*st March*, 1950
Coming into Operation 1*st April*, 1950

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation and Interpretation.
2. Revocation.
3. Isles of Scilly.

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 LOCAL HEALTH AUTHORITIES OR OTHER LOCAL AUTHORITIES

4. Application.
5. Participation in superannuation benefits.
6. Contributions.
7. Officer's pension and retiring allowance.
8. Scales of pension and retiring allowance.
9. Injury allowance.
10. Short service gratuity.
11. Allocation of part of pension or injury allowance to spouse or dependant.
12. Death gratuity.
13. Widow's pension.
14. Power to compound small annual benefits.
15. Meaning of service.
16. Reckoning of contributing service and non-contributing service.
17. Special provisions relating to service under the Act of 1909, the Act of 1937 or a local Act scheme.
18. Method of calculating service, contributing service and non-contributing service.
19. Meaning of average remuneration.
20. Return of contributions.
21. Officers ceasing to be employed in consequence of the Act.
22. Calculation of interest on contributions.
23. Conditions attaching to grant of pension or injury allowance.

Regulation

24. Pensioner accepting further employment.

25.
26. } Re-employment of pensioner by employing authority.
27.

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

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

30. Persons subject to non-statutory superannuation schemes and arrangements.

31. Supplementary payments in the case of special classes of officers.

32. Benefits in case of late entrants.

33. Holders of joint appointments.

34. Female Nurses and Physiotherapists, Midwives and Health Visitors.

35. Mental Health Officers.

36. Modification of benefits and obligations under these regulations in connexion with the National Insurance Act, 1946.

37. Avoidance of duplicate benefits.

38. Benefits not assignable.

39. Forfeiture of rights.

40. Application to officers formerly employed in hospitals vested in or requisitioned by the Crown.

41. Application to officers formerly employed in the Blood Transfusion Service.

42. Application to officers in institutions under management of Board of Control.

43. Application to Medical Inspectors of Aliens.

44. Application to other officers engaged in health services.

45. Accounts and actuarial investigations.

PART II

MEDICAL AND DENTAL PRACTITIONERS

46. Application of regulations with modifications.

PART III

OFFICERS OF LOCAL HEALTH AUTHORITIES

47. Application.

48. Extension and modification of the Act of 1937 and local Act schemes.

49. Special provision relating to added years.

50. Application to voluntary organisations of the Act of 1937 and local Act schemes.

PART IV

OFFICERS OF LOCAL EDUCATION AUTHORITIES

51. Application of Part III.

PART V

MISCELLANEOUS

Regulation

52. Officers holding other employment.
53. Reckoning of service on transfer to local government, civil service or teaching service.
54. Special provision relating to employees of local authorities.
55. Rights on transfer to other employment and provisions relating to approved employment.
56. } Transfer values payable to the Minister.
57. }
58. Transfer values payable by the Minister.
59. Persons engaged on war service or national service.
60. Determination of questions.
61. Special provisions affecting local authorities in relation to officers who have served as teachers.
62. Employment of officer to be treated as approved external service or as qualifying service under the Teachers Acts in special cases.
63. Amendment of the Act of 1937 and local Act schemes.
64. Amendment of the Pensions (Increase) Act, 1944.
65. Preservation of rights under section 2 of the Superannuation (Miscellaneous Provisions) Act, 1948.

SCHEDULES

FIRST SCHEDULE—Allocation of part of pension or injury allowance.

SECOND SCHEDULE—Reckoning of service or a period of contribution under a local Act scheme.

THIRD SCHEDULE—Additional contributory payments.

FOURTH SCHEDULE—Ascertainment of liabilities of which superannuation funds were relieved on the appointed day.

FIFTH SCHEDULE—Provisions for the calculation of transfer values payable to the Minister in respect of service under the Act of 1909, and directions for the use of the subjoined tables in connexion therewith.

SIXTH SCHEDULE—Provisions which may be used for the calculation of certain transfer values payable by the Minister, and directions for the use of the subjoined tables in connexion therewith.

SEVENTH SCHEDULE—Reduction of pension under regulation 36 (3).

EIGHTH SCHEDULE—Reduction of pension and retiring allowance under regulation 55 (5).

M.H. 110089

The Minister of Health, in exercise of the powers conferred on him by subsection (1) of section 67 of the National Health Service Act, 1946(a), as amended by the Schedule to the National Health Service (Amendment) Act, 1949(b), hereby makes the following regulations :—

Citation and Interpretation

1.—(1) These regulations may be cited as the National Health Service (Superannuation) Regulations, 1950, 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), applies to the interpretation of these regulations as though these regulations and the regulations hereby revoked were Acts of Parliament.

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

" the Act " means the National Health Service Act, 1946 ;

" the Act of 1909 " means the Asylums Officers' Superannuation Act, 1909(d), as amended by the Asylums and Certified Institutions (Officers Pensions) Act, 1918(e) ;

" the Act of 1922 " means the Local Government and other Officers' Superannuation Act, 1922(f) ;

" the Act of 1925 " means the Teachers (Superannuation) Act, 1925(g) ;

" the Act of 1937 " means the Local Government Superannuation Act, 1937(h), or that Act as applied by or by virtue of any other enactment or as extended or modified by these regulations ;

" the Superannuation Acts " means the Superannuation Acts 1834-1946 ;

" the Teachers Acts " means the Teachers (Superannuation) Acts, 1918-1946 ;

" the 1947 regulations " means the National Health Service (Superannuation) Regulations, 1947(i), as amended by the National Health Service (Superannuation) (Amendment) Regulations, 1948(j), and the National Health Service (Superannuation) (Amendment) Regulations, 1949(k) ;

" the 1949 regulations " means the National Health Service (Superannuation) (Amendment) Regulations, 1949 ;

" additional contributory payment " has the same meaning as in the Act of 1937, except that, in addition, it means any payment made for the purposes of regulation 15 (10), 15 (11), 15 (12), 16 (3), 16 (4), 16 (8) or 48 (3) of these regulations or regulation 13 (9), 13 (10), 14 (4), 14 (5) or 40 (3) of the 1947 regulations ;

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

" assistant practitioner " means an employee of a medical practitioner or dental practitioner on the list of an Executive Council, 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, other than an employee of a medical practitioner for whose employment the consent of the Executive Council is not required ;

" average remuneration " has the meaning assigned to it by regulation 19 ;

(a) 9 & 10 Geo. 6. c. 81. (b) 12, 13 & 14 Geo. 6. c. 93. (c) 52 & 53 Vict. c. 63.
(d) 9 Edw. 7. c. 48. (e) 8 & 9 Geo. 5. c. 33. (f) 12 & 13 Geo. 5. c. 59.
(g) 15 & 16 Geo. 5. c. 59. (h) 1 Edw. 8. & 1 Geo. 6. c. 68.
(i) S.R. & O. 1947 (No. 1755) I, p. 1373. (j) S.I. 1948 (No. 1474) I, p. 2233.
(k) S.I. 1949 (No. 1467) I, p. 2621.

" contributory employee " has the same meaning as in the Act of 1937 ;

" contributing service " means service which is reckonable as contributing service in accordance with regulation 16 or 17 ;

" employing authority " means a Regional Hospital Board or Board of Governors of a teaching hospital, an Executive Council or a joint committee of Executive Councils constituted under section 31 (4) of the Act, and any such other body constituted under the Act as the Minister 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 ;

" local Act authority ", " local Act contributor " and " local Act scheme " have the same meanings respectively as they have in the Act of 1937, except that, in addition, " local Act contributor " includes a person who, although not in the employment of a local Act authority, is entitled to participate in the benefits of a superannuation fund maintained under a local Act scheme ;

" local health authority " includes a joint board constituted under section 19 of the Act ;

" mental health officer " means an officer on the medical or nursing staff of a hospital used wholly or partly for the treatment of mental patients or an institution so used for the treatment of defectives who devotes the whole or substantially the whole of his time to the treatment or care of such patients or defectives, and any officer employed as the Regional Psychiatrist by a Regional Hospital Board who immediately before entering their employment as such was such an officer as aforesaid or an officer to whom the Superannuation (Prison Officers) Act, 1919(a), applied and had been such an officer for an aggregate period of not less than ten years, and such other classes or descriptions of officers employed in such hospitals or institutions as aforesaid as the Minister may designate ;

" national service ", in relation to any person, means compulsory national service within the meaning of the Superannuation (Miscellaneous Provisions) Act, 1948(b), 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 compulsory national service continues in similar service ;

" non-contributing service " means service which is reckonable as non-contributing service in accordance with regulation 16 (7) ;

" 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 8 (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 an Executive Council, means the age of sixty-five years or such later age as the Minister 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 an Executive Council, and includes an assistant practitioner and a person rendering part-time specialist services pursuant to section 3

(a) 9 & 10 Geo. 5. c. 67. (b) 11 & 12 Geo. 6. c. 33.

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 Minister 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 allowances paid to him to cover the cost of providing office or laboratory accommodation or clerical or other assistance, or any travelling or subsistence allowance or other moneys to be spent, or to cover expenses incurred by him, for the purposes of his employment;

"service" has the meaning assigned to it by regulation 15; and

"war service" means war service within the meaning of the Local Government Staffs (War Service) Act, 1939(a), or war service or a period of war service within the meaning of the Teachers Superannuation (War Service) Act, 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, 1940(c).

(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.

(6) Any reference in any of these regulations to a person becoming an officer of an employing authority within twelve months after leaving employment subject to the Act of 1937 or a local Act scheme or within twelve months after ceasing to be a contributory employee or local Act contributor or any reference to the like effect shall be construed in relation to a person to whom section 6 of the Superannuation (Miscellaneous Provisions) Act, 1948, has become applicable as a reference to his becoming an officer within five years, or such longer period as the Minister may in any particular case allow, after so leaving such employment or ceasing to be such an employee or contributor as aforesaid.

Revocation

2. The 1947 regulations, except regulations 47 (9), 54, 58, 59 and 60 of the National Health Service (Superannuation) Regulations, 1947, as originally made, and the ninth 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

(a) 2 & 3 Geo. 6. c. 94. (b) 2 & 3 Geo. 6. c. 95. (c) 3 & 4 Geo. 6. c. 26.

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.

Isles of Scilly

3. These regulations shall apply in the Isles of Scilly as they apply in England and Wales.

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 LOCAL HEALTH AUTHORITIES OR OTHER LOCAL AUTHORITIES

Application

4.—(1) This part of these regulations shall apply to the following officers of an 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 15 (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, or who entered their employment in consequence of the acquisition by the Minister under section 58 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 was a contributory employee, local Act contributor or 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 Minister under section 58 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 Minister 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 15 (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 Minister 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 Minister 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 Minister 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 Minister under section 58 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 ; and

(*iii*) 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 persons in contributory service under the Teachers Acts in any institution for defectives vested in the Minister.

(3) 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 August, 1949.

(4) Notwithstanding anything in the foregoing provisions of this regulation, this part of these regulations shall not apply to a chaplain to whom the Clergy Pensions Measure, 1948(a), applies unless he was in the employment of an employing authority on the appointed day and is a person to whom paragraph (1) of regulation 28 of the 1949 regulations applied and who did not give the notice provided for in paragraph (2) thereof.

Participation in superannuation benefits

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

Contributions

6.—(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 Minister 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 19 (1) 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 1947 regulations, not being a person who before becoming an officer was entitled to a pension

(a) 11 & 12 Geo. 6. No. 1.

or injury allowance payable out of public funds otherwise than under the National Insurance Acts, 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 make contributions under this regulation as if his remuneration had not been reduced, unless he gives notice in writing to the employing authority, within one month after the reduction, or such longer period as the Minister may in any particular case allow, that he does not wish this provision to apply to him:

Provided that the provisions of this paragraph shall not apply or shall cease to apply to an officer who has suffered a reduction in his remuneration in the circumstances aforesaid, if at the time of such reduction, or within twelve months thereafter, he entered or enters other employment in circumstances in which a transfer value was or is payable in respect of him.

(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, 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 16 (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 Minister.

(7) Notwithstanding any other provisions of these regulations, a person who immediately 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.

(a) 9 & 10 Geo. 6. cc. 62 and 67.

Officers pension and retiring allowance

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

(*a*) an annual pension, if either—

(i) he has completed ten years service and is incapable of discharging efficiently the duties of his employment by reason of permanent ill-health or infirmity of mind or body ; or

(ii) he has attained the age of sixty years and completed ten years service ; and

(*b*) a lump sum retiring allowance, if he satisfies sub-paragraph (i) of paragraph (*a*) of this regulation, or has attained the age of sixty years and completed five years service.

Scales of pension and retiring allowance

8.—(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 36, shall not exceed forty-five-eightieths of the officer's average remuneration, and shall not in the case of a pension payable under regulation 7 (*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 13 (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 1947 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 7 (*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 13 (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 1947 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 1947 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 13 (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 the officer may also have become entitled, is less than the amount of his average remuneration, then, if he requests the Minister in writing to apply this provision in his case, the Minister 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 Minister exercises this discretion no death gratuity or widow's pension shall be payable in respect of him.

Injury allowance

9.—(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 Minister an annual injury allowance of such amount, not exceeding two-thirds of his average remuneration, as the Minister considers reasonable, having regard to all the circumstances of the case, including any right to any benefit under the National Insurance (Industrial Injuries) Act, 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*) 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 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 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 Minister may grant to his widow such gratuity or annual allowance as he may consider reasonable, having regard to all the circumstances of the case, including any right to any benefit under the National Insurance (Industrial Injuries) Act, 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

10. 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 Minister 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.

(a) 9 & 10 Geo. 6. c. 62.

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

11.—(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

12. If—

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

(*b*) a person who has ceased to be an officer after completing five years service dies within twelve months after so ceasing to be an officer or, if immediately after he ceased to be an officer he became engaged in national service, within six months after the termination of that service, without having received a return of contributions or become entitled to any other benefit under these regulations or the 1947 regulations, and without having again become entitled to participate in superannuation benefits; or

(*c*) a person dies after having become entitled to a pension or retiring allowance or injury allowance or short service gratuity under these regulations or the 1947 regulations;

then the Minister 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 8 (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 1947 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

13.—(1) The widow of a person who was entitled to a pension or injury allowance under these regulations or the 1947 regulations, or the widow of an officer who had completed not less than ten years service, shall be entitled to receive from the Minister 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 12 (*b*) shall be entitled to the like benefit (if any) by way of widow's pension as would have been granted under the 1947 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 7 (*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 36, 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 1947 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 re-marriage or death of a widow to whom a widow's pension has been payable under these regulations or the 1947 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 1947 regulations is less than the amount of the death gratuity which would have been payable under these regulations or the 1947 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

14. Where any benefit payable under these regulations or the 1947 regulations is an annual sum of an amount not exceeding twenty-six pounds, the Minister may discharge his liability in respect thereof by the payment of a lump sum representing the capital value of the annual sum.

Meaning of service

15.—(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 1947 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, 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 who, unless he was excepted from a similar requirement by the 1947 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*) in the case of a person who, before entering the employment in relation to which he is an officer, was employed in such employment as is mentioned in sub-paragraph (*c*) of the next succeeding paragraph—

(i) for the purposes of the foregoing provisions of this paragraph, the term " period of employment " shall include any period treated as a period of employment in contributory service or as a period of contributory service under the Teachers Acts;

(ii) any period of approved external service within the meaning of the Teachers Acts, and any period of contributory service under any scheme made under section 21 (1) (*a*) of the Act of 1925 shall not be reckonable as service under these regulations, except for the sole purpose of determining whether he is entitled to any benefit thereunder; and

(iii) any period of employment which was qualifying service within the meaning of the Act of 1925, and any period of employment which under section 12 (2) of that Act, would, by reason of the repayment of contributions, have been excluded in reckoning periods of contributory or recognised service for the purposes of Part II of the said Act shall be disregarded;

(*c*) in the case of such a person as is mentioned in the last preceding proviso who, before the first day of April, 1926, had been employed in full-time service as an organiser within the meaning of section 14 (1) of the Act of 1925, such period of employment as an organiser, and any period of employment before the said date as a teacher in recognised service shall, except for the purpose of determining whether any benefit is payable under these regulations, be reckonable in whichever of the following ways is more advantageous to him, that is to say—

(i) his period of employment (if any) as a teacher in recognised service shall be reckonable in full, and his period of employment as an organiser shall be disregarded; or

(ii) the period for which he was so employed in either of those capacities shall be reckonable at half its actual length;

(*d*) 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 1947 regulations or the Act of 1937 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;

(*e*) any period of employment which on a person's leaving such employment as is mentioned in sub-paragraph (*a*), (*b*) or (*d*) of the next succeeding 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;

(*f*) where a person has become an officer of an employing authority within twelve months after ceasing to be a contributory employee in the employment of any local authority, and by virtue of the provisions of a scheme modifying the Act of 1937 any period of employment

was reckonable at a fraction of its actual length for the purpose of calculating the transfer value payable in respect of the officer, that fraction only of that period of employment shall be reckonable as service for the purpose of these regulations; and

(*g*) 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.

(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 as a person in contributory service under the Teachers Acts, otherwise than under any scheme made under section 21 (1) (*a*) of the Act of 1925, or otherwise than by virtue of section 13 (2) (*g*) of that Act;

(*d*) employment subject to—

(i) the Act of 1909;

(ii) the Act of 1937;

(iii) a local Act scheme;

(iv) the Insurance Committee Officers' Superannuation Scheme; or

(v) any other scheme which the Minister, 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; and

(*b*) a person who has been in such employment as is mentioned in head (v) of sub-paragraph (*d*) of this paragraph shall not be treated as having been in such employment unless the Minister 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) If an officer of an employing authority is a person who has previously been an officer and if immediately after ceasing to be such he became engaged in national service and has become an officer on the termination of that service or within six months thereafter, 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 4 of these regulations or regulation 2 of the 1947 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) (*iii*) to paragraph (1) of either of the said 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 Minister under section 58 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, 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 by the National Health Service (Scotland) Act, 1947(a), 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 Minister under the Act or by the Secretary of State under the said Act of 1947, 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 50 of the 1947 regulations or regulation 59 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 Minister of premises under section 58 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 or a payment was made under regulation 46 (1) of the 1947 regulations or regulation 55 (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 third 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, 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 (9) of regulation 13 of the 1947 regulations in accordance with the provisions of the fourth schedule to those regulations,

(a) 10 & 11 Geo. 6. c. 27.

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 third schedule to these regulations.

(13) Notwithstanding the preceding provisions of this regulation, where an officer, not being a female nurse or physiotherapist, midwife or health visitor, has not attained the age of sixty years or, if the officer is a mental health officer, 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 a person, before entering the employment in relation to which he is an officer, was in employment subject to any such scheme as is mentioned in paragraph (3) (*d*) (v) of this regulation and paragraph (2) thereof applies to him, then, if prior to his entering such last mentioned employment the person was a contributory employee or local Act contributor and by virtue of rules made under section 2 of the Superannuation (Miscellaneous Provisions) Act, 1948, he might, if he had become entitled to a pension in respect of that employment, have been granted a pension under the Act of 1937 or a local Act scheme, he shall be entitled to reckon as service in relation to the employment in which he is an officer any period of employment or any period of war service or national service which would have been reckonable for the purpose of calculating the last mentioned pension.

(15) Where a chaplain to whom these regulations apply was in the employment of an employing authority on the appointed day, having immediately before that day been employed in any such employment as is mentioned in paragraph (3) of this regulation, then, if he was a person to whom regulation 2 of the National Health Service (Superannuation) (Amendment) Regulations, 1948, was applicable and he made the payment provided for by regulation 28 (3) of the 1949 regulations—

(*a*) he shall be entitled to reckon as service the period of employment in respect of which the said payment was made; and

(*b*) he shall be deemed for the purposes of these regulations to have become an officer of an employing authority within twelve months after leaving his previous employment.

(16) Where an officer of an employing authority reached pensionable age on or after the appointed day and before the first day of August, 1949, 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 August, 1949, unless he made the payment provided for by regulation 25 (2) of the 1949 regulations.

(17) Where a person has become an officer after leaving any such employment as is mentioned in paragraph (3) of this regulation, and by virtue of paragraph (2) thereof he is entitled to reckon any period of previous employment as service in relation to his employment as such officer, then, if by virtue of rules made under section 2 of the Superannuation (Miscellaneous Provisions) Act, 1948, he becomes entitled to reckon any other period of previous employment as service for superannuation purposes in relation to the employment he left as aforesaid, that other period of employment shall be reckonable as service for the purposes of these regulations.

(18) Where a person is an officer in the hospital service, and before the appointed day he had been subject to the Act of 1909, the Act of 1937 or a local Act scheme but had ceased to be so subject and he is not entitled to reckon his service for the purposes of the Act of 1909, the Act of 1937 or the local Act scheme in relation to his employment as such officer, then, if the Minister is satisfied that at the appointed day the person intended to seek employment in the hospital service by virtue of which but for the transfer of hospitals to the Minister under the Act the person would have been subject to the Act of 1909, had that Act not been repealed, the Act of 1937 or a local Act scheme, the Minister may allow the service aforesaid to be reckoned as service for the purposes of these regulations in such manner and subject to such terms and conditions (if any) as he may think fit.

Reckoning of contributing service and non-contributing service

16.—(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 1947 regulations ;

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

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

(ii) recognised or contributory service under the Teachers Acts, or full-time service as an organiser before the first day of April, 1926 ;

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

(iv) contributing service under the Act of 1937, or the Insurance Committee Officers' Superannuation Scheme ;

(v) service or a period of contribution for the purposes of a local Act scheme ; or

(vi) employment under any other scheme approved by the Minister under regulation 15 (3) (*d*) (v):

Provided that—

(*i*) in taking account of any service or period of contribution for the purposes of a local Act scheme, regard shall be had to the provisions of the second schedule ;

(*ii*) if in the opinion of the Minister 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 Minister directs ; and

(*iii*) 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 1947 regulations or the Act of 1937 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 (9) or (10) of regulation 13 of the 1947 regulations or has made or is in the course of making payments under paragraph (10), (11) or (12) of regulation 15 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 15 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 fourth schedule to the 1947 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 third 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 Act of 1937, the right to receive the balance of the debt shall, notwithstanding anything in the regulations for the time being in force under proviso (ii) to section 8 (2) (*b*) of the Act of 1937, be transferred to the Minister, and any outstanding instalments of the sum payable shall be deemed to be instalments of a sum payable under the third schedule.

(5) Any employment which is reckonable as service under regulation 15 (18) in relation to any officer shall, in so far as the Minister has so allowed, be reckonable as contributing service.

(6) Where a person, before entering the employment in relation to which he is an officer, was a contributory employee and he was entitled to reckon any period of recognised or contributory service under the Teachers Acts as non-contributing service by virtue of section 17 of the Act of 1937, not being such non-contributing service as is mentioned in proviso (*a*) to subsection (1) thereof, that period of service shall be reckonable as contributing service.

(7) 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.

(8) 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 third schedule shall be reckonable as contributing service.

Special provisions relating to service under the Act of 1909, *the Act of* 1937 *or a local Act scheme*

17.—(1) Where a person has become an officer of an employing authority within twelve months after ceasing to be a contributory employee in the employment of any local authority, the local authority may, within three months after the date on which the person became an officer, resolve that the whole or any part of his non-contributing service (if any) shall be reckonable as contributing service.

(2) Where a person has become an officer of an employing authority within twelve months after ceasing to be a contributory employee or local Act contributor in the employment of any local authority, and the Act of 1937, or any local Act modifying the Act of 1937 or the local Act scheme confers a discretion on that local authority, in calculating any benefit to which that person might have become entitled on ceasing to be employed, to add a number of years to the number of years which that person has actually served in the aggregate, that authority may, within three months after the date on which the person became an officer, exercise that discretion in relation to him, notwithstanding that he has not become entitled to that benefit.

(3) A person in relation to whom a resolution has been passed or a discretion has been exercised pursuant to this regulation shall be entitled to reckon as contributing service in relation to his employment as such officer any number of years in respect of which the resolution was passed or the discretion was exercised.

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

18. 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

19.—(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 6 (2) of these regulations or regulation 4 (2) of the 1947 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 6 (3) of these regulations or regulation 4 (3) of the 1947 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 15 shall be deemed to have been the remuneration of the employment he left to undertake 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 1947 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, 1946, or who apart from this provision might become entitled to a pension under these regulations.

Return of contributions

20.—(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 Minister 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 connexion 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 Minister may, if he 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 Minister 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 6 of these regulations or regulation 4 of the 1947 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 Teachers Acts, the Act of 1922, the Act of 1937 or a local Act scheme;

(*d*) any sums contributed by him under the Insurance Committee Officers' Superannuation Scheme or any scheme approved by the Minister under regulation 15 (3) (*d*) (v); and

(*e*) any sums paid by him under a scheme made under section 28 (3) of the Widows', Orphans' and Old Age Contributory Pensions Act, 1936(a), or the corresponding provisions of any Act repealed by that Act;

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.

Officers ceasing to be employed in consequence of the Act

21.—(1) Where an officer ceases to be employed by an employing authority in consequence of the Act without having become entitled to any benefit under these regulations other than a return of contributions, and no transfer value is payable in respect of him, then, if compensation would be payable to him under regulations made by the Minister under section 68 of the Act but for the fact that he had not been employed in manner thereby prescribed for a period thereby prescribed, he shall be entitled to receive from the Minister a sum equal to the accrued value of his prospective rights under these regulations, less the amount of any sum to which he has become entitled by way of a return of contributions.

(2) For the purposes of the preceding paragraph, the accrued value of an officer's prospective rights under these regulations shall be treated as being an amount equal to the amount of the transfer value which would have been payable in respect of him in accordance with the provisions of the sixth schedule had a transfer value fallen to be calculated under that schedule or, if he was a person to whom regulation 30 applied, such a sum as the Minister may consider reasonable:

Provided that no account shall be taken of any rights secured by a policy of insurance.

(3) For the purposes of these regulations, any sum received by a person under this regulation or regulation 18A of the 1947 regulations shall be treated as if it were a sum paid to him by way of a return of contributions.

(4) Where a person who has received a sum under this regulation or regulation 18A of the 1947 regulations gives notice to an employing authority under paragraph (10) of regulation 15 that he intends to make payments in

(a) 26 Geo. 5 & 1 Edw. 8. c. 33.

accordance with that paragraph, he shall not be entitled to make such payments unless forthwith on giving such notice he pays to the employing authority an amount equal to the said sum, together with compound interest thereon, at the rate of two and one-half per cent. per annum, calculated, with yearly rests, as from the date on which the said sum was received.

Calculation of interest on contributions

22. 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 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

23.—(1) Where a person who has not attained the age of sixty years is in receipt of a pension under regulation 7 (*a*) (i) of these regulations or regulation 5 (*a*) (i) of the 1947 regulations or an injury allowance under these regulations or the 1947 regulations, and the Minister is satisfied that he has become capable of resuming the duties of his employment, he 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 satisfactorily to discharge 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 Minister shall not require a person to whom this paragraph applies to enter the employment of an employing authority if that person has entered or enters any other employment approved by the Minister, so long as he continues in employment so approved.

(2) The Minister 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 Minister and, if he does so, he 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 Minister shall take that report into consideration, together with the report of the medical practitioner selected by the Minister.

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

(4) Where the Minister 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 Minister has not approved any other employment he may have entered or proposes to enter, the Minister, 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 appointed for the purpose by the Minister of Labour and National Service, 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 Acts, 1889-1934, applies.

Pensioner accepting further employment

24.—(1) Where a person entitled to a pension or injury allowance under these regulations or the 1947 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 23 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 Minister that he is so employed.

Re-employment of pensioner by employing authority

25.—(1) Where a person who has become entitled to a pension, retiring allowance or injury allowance under these regulations or the 1947 regulations has again become an officer of an employing authority, he may, if he so elects, or has so elected under regulation 21A of the 1947 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 1947 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 12 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 11 of these regulations or regulation 9 of the 1947 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.

26.—(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 1947 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 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 12 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.

27. Where such a person as is mentioned in regulation 25 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 25 or a pension under regulation 26, whichever method of calculation is the more favourable.

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

28.—(1) Where a person, on being transferred under the Act or in consequence of the acquisition by the Minister under section 58 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 in the employment of any employing authority before the date of the coming into operation of these regulations, having immediately before becoming such officer been subject to the provisions of—

(*a*) the Superannuation Acts;

(*b*) the Act of 1909;

(*c*) the Act of 1937;

(*d*) a local Act scheme;

(*e*) the Insurance Committee Officers' Superannuation Scheme; or

(*f*) any scheme approved by the Minister under regulation 15 (3) (*d*) (v);

and he had exercised or been treated as having exercised an option under regulation 22 of the 1947 regulations, or regulation 29 (1) of the 1949 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 1947 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 more than twelve months, 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 a person to whom this paragraph applies at any time ceases to be an officer of an employing authority and immediately thereafter becomes engaged in national service, but again becomes an officer of an employing authority within six months after the termination of that service, the period of that service shall not be treated as such a break in employment as aforesaid ;

(*b*) if an officer who exercised an option to retain rights corresponding with those enjoyed under the Act of 1909 or the Superannuation Acts was immediately before becoming an officer an established officer or servant of the first class under the Act of 1909 or a person to whom the Superannuation (Prison Officers) Act, 1919, applied, and is at any time employed otherwise than for the purposes of a hospital or part of a hospital used for the treatment of mental patients or an institution or part of an institution used for the treatment of defectives, 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) Where a person in consequence of the acquisition by the Minister under section 58 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 becomes an officer in the employment of any employing authority, having immediately before becoming such officer been subject to the provisions of any enactment or scheme mentioned in the preceding paragraph, the officer, unless he is such a person as is mentioned in the next succeeding paragraph, may notify the employing authority in writing within three months after becoming an officer that he does not wish to avail himself of the benefits provided by these regulations, and in that event the provisions of this part shall apply in relation to him in like manner as they apply to and in respect of a person to whom the provisions of the preceding paragraph apply.

(3) The provisions of the last preceding paragraph shall apply to an officer who, having been subject to the Act of 1937 or a local Act scheme, and having attained the age of compulsory retirement applicable in his case, becomes an officer in consequence of the acquisition by the Minister under section 58 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, as if, after becoming an officer, he had exercised the option conferred by the last preceding paragraph to retain rights corresponding with those enjoyed under the Act of 1937 or the local Act scheme, as the case may be.

(4) Where a person who, pursuant to the preceding provisions of this regulation, is required to make the like contributions as he would have been liable to make and is entitled to enjoy rights corresponding with those he would have enjoyed if he had remained subject to the enactment or scheme previously applicable in his case, was while subject to that enactment or scheme a contributor to a thrift fund, a widows' and orphans' pensions fund or any other fund established under express statutory authority for the purpose of providing benefits supplementary to or in augmentation

of the superannuation benefits provided under the said enactment or scheme, he shall make additional contributions under these regulations of the like amount as those he would have been liable to make to the said fund if he had remained subject to the said enactment or scheme, and shall in consideration thereof be entitled to the like rights under these regulations as he would have enjoyed had those contributions been contributions to the said fund.

(5) Where a person to whom paragraph (1) or (2) of this regulation applies becomes entitled to a pension or injury allowance, the conditions prescribed by regulations 23, 24 and 25 shall not apply in relation thereto, but in lieu thereof any corresponding conditions prescribed by the enactment or scheme to which he was formerly subject 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.

(6) Where a person became an officer of an employing authority on being transferred under the Act, having immediately before becoming such officer been subject to the provisions of the Superannuation Acts, then, if he exercised the option conferred by regulation 29 (1) of the 1949 regulations, or made the election provided for by regulation 29 (2) of those regulations, the reference in paragraph (1) of this regulation to the enactment previously applicable in his case shall be construed as a reference to the Superannuation Acts, as amended by the Superannuation Act, 1949(a).

(7) A person to whom the provisions of paragraph (1) of this regulation apply may within six months after the date of the coming into operation of these regulations give notice in writing to the employing authority that he wishes the option by virtue of the exercise of which he became such a person to cease to have effect and, if he gives notice accordingly, that option shall cease to have effect, and the provisions aforesaid shall cease to 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 is given.

(8) Where a person who has become an officer of an employing authority in circumstances in which regulation 15 (2) has become applicable, after ceasing to be an employee of a local health authority or local education authority, then, if part III or part IV of these regulations would not have applied to him by virtue of his having exercised any such option as is therein mentioned, had he become an employee of a local health authority or local education authority, the provisions of paragraph (1) of this regulation shall apply to him as if he had exercised an option thereunder to retain rights corresponding with those which he would have enjoyed had he remained in the employment which he ceased to hold before becoming an officer.

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

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

(*a*) any officer to whom paragraph (2) of the last preceding regulation applies or to whom paragraph (1) of regulation 22 of the 1947 regulations applied, and who does not exercise the option conferred by the first mentioned paragraph or who did not exercise the option conferred by the paragraph secondly mentioned or in whose case any option exercised has ceased to have effect; and

(a) 12, 13 & 14 Geo. 6. c. 44.

(*b*) any officer who gives the notice provided for by paragraph (7) of the last preceding regulation:

Provided that this regulation shall not apply to an officer who was subject immediately before becoming an officer to an enactment or scheme which included a title to a death gratuity among its benefits.

(2) The provisions of this regulation shall also apply to a person who has become an officer after leaving employment under a local health authority or a local education authority if in that employment he enjoyed rights corresponding with those conferred by this regulation or regulation 23 of the 1947 regulations by virtue of regulation 48 (2) of these regulations or regulation 40 (2) of the 1947 regulations, and he is entitled to reckon that employment as service for the purposes of these regulations by virtue of regulation 15 (2).

(3) 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

30.—(1) Where any person, on being transferred under the Act or in consequence of the acquisition by the Minister under section 58 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 before the date of the coming into operation of these regulations, then, if on the nineteenth day of March, 1946 (or such later date as the Minister may have determined in any particular case) 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 Minister 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 (or such later date as the Minister may have determined in any particular case) 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 Minister 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 eighteenth day of March, 1946, or such later date as aforesaid.

(2) 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 therein mentioned, 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 requested the employing authority in writing within three months after becoming an officer, and the Minister, 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 himself that undue hardship would otherwise result, has decided so to do, the Minister shall, if any relevant scheme continues to be administered by a body, subject to such arrangements as he 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 Minister has been unable to make arrangements with that body and in any other case the Minister 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 regulation 21 and 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 or any other scheme approved by the Minister for the purposes of this paragraph, then, if the officer so requested the employing authority in writing within three months after becoming an officer, the Minister may, if any relevant scheme continues to be administered by a body, subject to such arrangements as he 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 Minister has been unable to make arrangements with that body and in any other case the Minister 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 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 (not being a person to whom regulation 28 applies) becomes an officer of an employing authority in consequence of the acquisition by the Minister under section 58 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 Minister 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 Minister 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 Minister may, if he 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 Minister 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 he is satisfied that undue hardship would otherwise result, the Minister shall, if any relevant scheme continues to be administered by a body, subject to such arrangements as he 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 Minister has been unable to make arrangements with that body and in any other case the Minister 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 Minister 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 Minister may, if any relevant scheme continues to be administered by a body, subject to such arrangements as he 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 Minister has been unable to make arrangements with that body and in any other case the Minister 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 a month at any one time an officer in the employment of any employing authority.

(7) Where contributions are paid by the Minister 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 Minister, together with the like contributions which they would have paid in respect of that person under regulation 6 but for the provisions of this regulation.

(8) A person to whom the provisions of paragraph (1), (2) or (3) of this regulation apply may within six months after the date of the coming into operation of these regulations give notice in writing to the employing authority that he wishes the option by virtue of the exercise of which he became such a person to cease to have effect, and if he gives notice accordingly, that option shall cease to have effect, and the provisions aforesaid shall cease to apply to him—

(*a*) if he has been participating in a scheme for providing superannuation benefits by means of contracts or policies of insurance, as from the next day, following the date on which he gives such notice, on which the premium on any policy held on his behalf as such participant becomes payable ; or

(*b*) if he has been participating in a superannuation scheme of any other character, 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 is given.

(9) Where a person to whom paragraph (1) or (2) of this regulation applied has given the notice provided for in the last preceding paragraph, the provisions of paragraph (9) of regulation 15 shall apply as if he were a person who had become subject thereto on becoming an officer, and as if his employment as a person subject to this regulation had been such employment as is mentioned in those provisions:

Provided that where a benefit becomes payable to or in respect of a person to whom this paragraph applies, 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.

Supplementary payments in the case of special classes of officers

31.—(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 Minister under section 58 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 Minister 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 1909, the Act of 1937 or any local Act scheme, and if on the nineteenth day of March, 1946 (or such later date as the Minister 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 Minister 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 of more than twelve months at any one time in employment as an officer of any employing authority or as an officer to whom part III or part IV of these regulations or of the 1947 regulations applies or applied, or in the case of a person who has entered employment in which he is a participant in a superannuation scheme in Northern Ireland approved by the Minister under regulation 55 in respect of whom the Minister has paid a sum under that regulation, as a pensionable officer of an employing authority within the meaning of regulations made by the Ministry of Health and Local Government under section 61 (1) of the Health Services Act (Northern Ireland), 1948(a), the Minister, with the approval of the Treasury, 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 Minister 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 Minister 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 Minister as aforesaid), and immediately before becoming an officer, reasonable expectations that on his retirement from his employment 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 more than twelve months at any one time, an officer in the employment of any employing authority, the Minister, 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 Treasury may approve in respect of such expectations as aforesaid.

(a) 1948 c. 3.

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

(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 Minister 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 Minister with such relevant information as may have been required.

Benefits in case of late entrants

32. 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 Minister 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*) no account shall be taken of the service before attaining the age of forty years of an officer in respect of whom a direction is given; 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

33. 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 8:

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

34. These regulations, in their application to female nurses and physiotherapists, midwives and health visitors, shall have effect subject to the modification that in regulations 7 and 23 (1) fifty-five years shall be substituted for sixty years.

Mental Health Officers

35.—(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 as a person to whom the Superannuation (Prison Officers) Act, 1919, applied, or, if the Minister so directs,

as a person subject to a scheme approved by the Minister under regulation 15 (3) (*d*) (v) shall have effect subject to the following modifications:—

(*a*) in regulations 7 and 23 (1), fifty-five years shall be substituted for sixty years; and

(*b*) for the purposes of regulations 8, 11 (2) and 12, the proviso to regulation 13 (1) and regulations 15 (13), 36 (3) and 36 (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 treatment of defectives devoting the whole or substantially the whole of his time to the treatment or care of such patients or defectives, shall have effect subject to the following modifications:—

(*a*) in regulations 7 and 23 (1), fifty-five years shall be substituted for sixty years; and

(*b*) for the purposes of regulations 8, 11 (2) and 12, the proviso to regulation 13 (1) and regulations 15 (13), 36 (3) and 36 (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 he first became subject to this paragraph or paragraph (2) of regulation 29 of the 1947 regulations, 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 power conferred by regulation 15 (3) of the 1947 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 paragraph (1) or (2) of this regulation or regulation 29 of the 1947 regulations 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 more than twelve months at any one time during no part of which he was a person to whom part III or part IV of these regulations applied.

Modification of benefits and obligations under these regulations in connexion with the National Insurance Act, 1946

36.—(1) Subject to regulation 28 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 6 shall be reduced at the rate of three pounds and eight pence per annum in the case of a man or a female nurse (including 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 (including 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 35 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, 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, 1946, as from the date on which he reaches that age, the pension shall be reduced—

(*a*) if he became an officer of an employing authority within twelve months after leaving employment in relation to which he was subject to the Act of 1937, a local Act scheme or the Act of 1909, as modified by regulations made under section 69 (4) of the National Insurance Act, 1946, 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 more than twelve months during no part of which he was a contributory employee, local Act contributor, established civil servant or such a person in contributory service under the Teachers Acts as is mentioned in regulation 15 (3) (*c*), and if by virtue of the said regulations any superannuation allowance to which he might have become entitled under the enactment or scheme to which he was subject as aforesaid would have been reduced by reference to his age at the date on which the said regulations became applicable in relation to him—

(i) by the annual sum shown in the appropriate column of the relative table set out in the seventh schedule in relation to an age which corresponds with his age at the date on which the said regulations became applicable in relation to him, for each year of contributing service on and after that date or in respect of which he paid reduced contributions in pursuance of a scheme (hereinafter called a "pre-existing scheme") made under section 28 (3) of the Widows', Orphans' and Old Age Contributory Pensions Act, 1936, or the corresponding provisions of any Act repealed by that Act; and

(ii) by one-half of the said annual sum for each year of non-contributing service on and after the said date;

(a) 9 & 10 Geo. 6. c. 67.

(*b*) if, not being such a person as aforesaid, he became an officer in consequence of the acquisition by the Minister under section 58 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 more than twelve months during no part of which he was a contributory employee, a local Act contributor, established civil servant or such a person in contributory service under the Teachers Acts as aforesaid—

(i) by the annual sum shown in the appropriate column of the relative table set out in the seventh 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 if at any time he ceased to be an officer of an employing authority, a contributory employee, a local Act contributor, an established civil servant or such a person in contributory service under the Teachers Acts as aforesaid 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;

(iii) if a person, having paid reduced contributions for any period in pursuance of a pre-existing scheme has, in pursuance of that scheme, paid a sum representing the difference between those reduced contributions and the sum he would have contributed had his contributions not been reduced, his service during that period shall not for the purposes of sub-paragraph (*a*) of this paragraph be treated as service in respect of which reduced contributions were paid; and

(iv) 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 71 of the National Insurance Act, 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, 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, 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, such a person in contributory service under the Teachers Acts as aforesaid, a contributory employee, a local Act contributor or a person subject to the Act of 1909, 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 in that employment been insured or deemed to have been insured under the National Health Insurance Acts, 1936-1938, as amended by the National Health Insurance Contributory Pensions and Workmen's Compensation Act, 1941(a) (hereinafter called "the National Health Insurance Acts"), or the Widows', Orphans' and Old Age Contributory Pensions Act, 1936, or an insured person for the purposes of the National Insurance Act, 1946, and also been excepted from the provisions of any regulations made under section 69 (4) of the National Insurance Act, 1946, modifying the Superannuation Acts, the Teachers Acts, the Act of 1937, a local Act scheme or the Act of 1909, paragraph (1) of this regulation shall not apply in relation to him, if 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 more than twelve months during no part of which he was an established civil servant, such a person in contributory service under the Teachers Acts as aforesaid, a contributory employee or local Act contributor, 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 or the appointed day, if he became an officer before that day, that he wished paragraph (1) of this regulation to apply in relation to him, or that he wished paragraph (1) of regulation 30 of the 1947 regulations to apply in relation to him, as the case may be, in which event paragraph (1) of this regulation shall apply in relation 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

(a) 4 & 5 Geo. 6. c. 39.

following the month or week, as the case may be, in which the notice was given, or, in the case of a person who became an officer before the date of the coming into operation of these regulations, as from that date:

Provided that a person to whom this paragraph applies shall not be treated as having had such a break as aforesaid if at any time he ceased to be an officer of an employing authority, an established civil servant, such a person in contributory service under the Teachers Acts as aforesaid, a contributory employee or local Act contributor, 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.

(9) Where a person was an officer of an employing authority on the appointed day, or where a person was on war service or national service on the appointed day and became an officer 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 69 (4) of the National Insurance Act, 1946, modifying the Teachers Acts, the Act of 1937, any local Act scheme or the Act of 1909, should apply to him in relation to any previous employment in which he was subject to any such enactment or scheme, 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 1947 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 more than twelve months during no part of which he was an established civil servant, such a person in contributory service under the Teachers Acts as aforesaid, a contributory employee or local Act contributor:

Provided that a person to whom this paragraph applies shall not be treated as having had such a break as aforesaid if at any time he ceased to be an officer of an employing authority, an established civil servant, such a person in contributory service under the Teachers Acts as aforesaid, a contributory employee or local Act contributor, 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.

(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 16 (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 thirty-first day of July, 1949, become an officer of an employing authority within twelve months after leaving such employment as is mentioned in regulation 15 (3) (*d*) (v) 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, 1946, or any corresponding enactment in force in the part of His 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 more than twelve months at any one time;

(*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 15 (3) (*d*) (v) applied to him on or before the appointed day.

Avoidance of duplicate benefits

37. If the Minister 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 Minister may make such deduction from the benefit under these regulations as may appear to him 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.

Benefits not assignable

38. 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

39. 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 Minister 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.

Application to officers formerly employed in hospitals vested in or requisitioned by the Crown

40. For the purposes of these regulations a person who immediately before the appointed day was solely or mainly employed at or for the purposes of any hospital which would have been transferred to the Minister by virtue of the Act, but for the fact that the hospital or any interest therein was vested in or requisitioned by the Crown shall, if he became on the appointed day an employee of any employing authority, be treated as if he had been transferred under the Act, and employment at or for the purposes of any such hospital shall be treated as if it were employment at or for the purposes of a hospital transferred to the Minister under the Act.

Application to officers formerly employed in the Blood Transfusion Service

41. For the purposes of these regulations, a person who entered the employment of an employing authority on the appointed day, having immediately before that day been in employment under the Crown in the Blood Transfusion Service, shall be deemed to have been transferred under the Act to the employment of the employing authority, and the said employment under the Crown shall be deemed to be employment under a body from which functions were transferred by the Act.

Application to officers in institutions under management of Board of Control

42. These regulations shall apply to a person employed on the staff of an institution vested in the Minister under the Act and designated by him for defectives of violent or dangerous propensities (other than a person engaged wholly or mainly on clerical duties) as if in that employment he were an employee of the Board of Control and the Board were an employing authority, and in the case of a person transferred under the Act as if he had been transferred under the Act to the employment of an employing authority immediately before the first day of July, 1948, and as if his former employment had been employment under an authority or body from which functions were transferred by the Act, and the Superannuation Acts shall not apply to any such person.

Application to Medical Inspectors of Aliens

43. These regulations shall also apply to any medical inspector of aliens appointed under the Aliens Order, 1920(a), or under that Order, as at any time amended or under any Order replacing that Order, who receives his remuneration in that appointment from a local authority, as if he were an officer of that authority and that authority were an employing authority, and as if any employment in any such appointment before the appointed day by a person who became an officer by virtue of holding such an appointment on the appointed day or who became the holder thereof after the appointed day but within twelve months after having ceased to hold such an appointment before the appointed day were service for the purposes of these regulations.

Application to other officers engaged in health services

44. If the Minister so directs, these regulations shall also apply, with any modifications or adaptations which the Minister 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

(a) S.R. & O. 1920 (No. 448) I, p. 138.

provided by a local health authority or other local authority, as if the person's employer were an employing authority, and the Superannuation Acts, if otherwise applicable, shall not apply or shall cease to apply to any person in respect of whom a direction is given.

Accounts and actuarial investigations

45.—(1) The Minister shall keep an account in such form and prepared in such manner as the Treasury may approve of all revenue received and expenditure incurred by the Minister 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 be an actuarial investigation of the assets and liabilities of the Minister in respect of the benefits provided by the Minister under these regulations and, in the case of the first investigation, under the 1947 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 or as a person in contributory service under the Teachers Acts in circumstances in which a transfer value would have been payable under these regulations to or by the Minister had the person ceased to be or become a contributory employee or local Act contributor, a transfer value were payable to or by the Minister of such amount as the Treasury shall indicate as representing the liability of which the Treasury, the Minister of Education, or the Minister, as the case may be, is relieved as a result of that transfer.

(3) There shall also 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 if, on a person's becoming an officer in circumstances in which paragraph (6) of regulation 16 is applicable, a transfer value were payable to the Minister of such amount as the Treasury shall indicate as representing the liability of which the Minister of Education is relieved in consequence of that person's having become an officer.

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

PART II

MEDICAL AND DENTAL PRACTITIONERS

Application of regulations with modifications

46.—(1) These regulations shall apply, subject to the provisions of this regulation, to every practitioner, other than a person rendering specialist services pursuant to section 3 of the Act, as if he were an officer in the employment of the Executive Council.

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

(*a*) any medical practitioner or dental practitioner on the list of an Executive Council, subject to the modification that for the references in regulations 6 (1) (*a*), 15 (1) (*a*) and 19 (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 Executive Council to the practitioner in respect of general medical services or general dental services provided by him, and of pharmaceutical services provided by him, less such sum on account of practice expenses as may be appropriate in accordance with a formula laid down by the Minister for the purpose, and less the remuneration approved by the Minister 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 Executive Council, 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;

(ii) if the practitioner is simultaneously employed as an officer of an employing authority or a local authority, and as a term or condition of his employment as such officer he is required to account to the employing authority or local authority 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) no account shall be taken of any remuneration of a dental practitioner in excess of £3,500 per annum and, in the case of a practitioner on the list of more than one Executive Council, in excess of £3,500 per annum of his total remuneration'.

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

(*a*) regulation 6 (2) shall not apply;

(*b*) if the practitioner made contributions during any period in accordance with regulation 6 (3) of these regulations or regulation 4 (3) of the 1947 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*) a practitioner in whose case any period of national service is treated as service as a practitioner under these regulations 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 undertaking that service;

(*e*) for regulation 8 there shall be substituted the following provision, namely:—

"8.—(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 7 (*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 officer to whose widow a pension will not become payable because she is such a person as is mentioned in proviso (*c*) to regulation 13 (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 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 1947 regulations, in whatever capacity, one and one-half per cent. shall be substituted for four and one-half per cent. in sub-paragraph (*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 sub-paragraph (*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 1947 regulations as modified and set out in regulation 38 (3) (*e*) thereof, and the practitioner's wife has become such a person as is mentioned in proviso (*c*) to regulation 13 (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 the officer may also have become entitled, is less than the amount of his average remuneration, then, if he requests the Minister in writing to apply this provision in his case, the Minister 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 Minister exercises this discretion, no death gratuity or widow's pension shall be payable in respect of him";

(*f*) if a death gratuity becomes payable in respect of a practitioner, then for the reference in regulation 12 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;

(*g*) where a practitioner has previously been an officer by virtue of part I of these regulations or the 1947 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;

(*h*) 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;

(*i*) if a practitioner has undertaken national service, and that service is reckonable as a period of service under these regulations by virtue of regulation 15 (5), that service shall be treated as if it were service as a practitioner ;

(*j*) paragraph (*c*) of regulation 18 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 8, proviso (ii) to paragraph (4) of regulation 8, item (*iii*) of proviso (ii) to regulation 12, paragraphs (1) and (2) of regulation 8 as substituted by sub-paragraph (*e*) of this paragraph and item (i) of sub-paragraph (*f*) of this paragraph, if it exceeds six months, be treated as a year, and in any other case be disregarded ;

(*k*) the proviso to regulation 18 shall not apply in the case of a practitioner ;

(*l*) for the purposes of regulation 24 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 ; and

(*m*) 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 Executive Council in writing within three months after the appointed day, or, being a person rendering specialist services pursuant to section 3 of the Act, if he so requested the Minister within three months after the first day of August, 1949, and the Minister agreed that he should not, so long as he continued to be a practitioner, become subject to the 1947 regulations, except regulation 38 (3) (*m*) thereof, the Minister shall, subject to such terms and conditions as he may have determined, continue to pay to the practitioner 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, namely, in the definition of remuneration in regulation 1 (3), in line 1, after the word " means " there shall be inserted the words " the whole or such part as the Minister may approve of ", in line 2 the word " including " shall be substituted for the words " and includes ", and in line 4, the words " but not including " shall be substituted for the words " but does not include ".

(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 3 of the Act, shall have effect subject to the modifications contained in paragraph (3) of this regulation, other than the modifications contained in sub-paragraphs (*h*) and (*l*) thereof.

PART III

OFFICERS OF LOCAL HEALTH AUTHORITIES

Application

47.—(1) This part of these regulations shall apply to any employee of a local health authority who is—

(*a*) a contributory employee or local Act contributor on the medical or nursing staff of the authority ;

(*b*) a contributory employee or local Act contributor falling within such class or description of persons as the Minister may designate, after consultation with associations of local authorities appearing to him to be concerned ; or

(*c*) a person (other than such a person as is mentioned in either of the two preceding sub-paragraphs) who was transferred under the Act to their employment, and who immediately before being so transferred was a contributory employee or local Act contributor:.

Provided that this part shall not apply to—

(i) a person who exercised an option under the Act of 1937 or a local Act scheme as modified by regulation 40 (2) or 42 of the 1947 regulations to retain rights corresponding with those previously enjoyed by him or who gave the notice referred to in the proviso to regulation 51 of these regulations so long as he has remained and continues to remain without a break of more than twelve months at any one time in the employment of a local health authority or a local education authority ; or

(ii) a person who has exercised an option (which has not ceased to have effect) under regulation 22 of the 1947 regulations or under regulation 28 of these regulations to retain rights corresponding with those enjoyed under the Act of 1937 or a local Act scheme, and who has entered the employment of a local health authority in circumstances in which regulation 53 applies, so long as he remains without a break of more than twelve months at any one time in the employment of a local health authority or a local education authority.

(2) A person who by virtue of a single appointment under any authority which is a local health authority is engaged in services in respect of which he is an officer to whom this part applies and also in other services shall not be treated as an officer to whom this part applies unless in such appointment he is mainly engaged in such services as are first hereinbefore mentioned.

Extension and modification of the Act of 1937 *and local Act schemes*

48.—(1) The Act of 1937 or relevant local Act scheme shall apply in relation to any officer to whom this part applies by virtue of his being such a person as is mentioned in sub-paragraph (*a*) or (*b*) of regulation 47 (1) as if, in consideration of the contributions required thereby, there were substituted for any title accruing in respect of service reckonable thereunder to a superannuation allowance, lump sum retiring allowance, injury allowance or death gratuity a title to such benefits as are conferred by regulations 7 to 9 inclusive, as modified by regulation 34, and regulation 12, and there were conferred by the Act or scheme in addition, or in substitution for any similar benefits to which an officer might become entitled thereunder, in respect of service reckonable under the Act or scheme, the benefits conferred by regulations 10, 11 and 13, and the Act of 1937 and any local Act scheme shall

have effect accordingly, with any necessary modifications, including the modification in relation to a local Act scheme that references to contributing service in any of the said regulations shall be read as references to service, and references to non-contributing service shall be disregarded:

Provided that in the application of any regulation in part I of these regulations for the purposes of this paragraph, references to pensionable age shall be construed as references to the age of compulsory retirement, references in regulations 6 (1) (*a*) and 19 (1) to such an age as is thereinafter mentioned shall be construed as references to the age of compulsory retirement and references to forty-five years or forty-five-eightieths respectively shall be construed as references to forty years and forty-eightieths respectively.

(2) (*a*) The Act of 1937 or relevant local Act scheme shall be further modified, in relation to any such officer as is mentioned in paragraph (1) of this regulation who was in the employment of a local health authority on the appointed day, and who immediately before that day was a contributory employee or local Act contributor, but who did not exercise the option referred to in regulation 40 (2) of the 1947 regulations, so as to confer on him rights corresponding with those conferred by regulation 29 on officers to whom that regulation applies.

(*b*) The Act of 1937 or relevant local Act scheme shall be further modified, in relation to any such officer as is mentioned in paragraph (1) of this regulation who has become such an officer after leaving employment as an officer of an employing authority, if in that employment he was a person to whom regulation 29 of these regulations or regulation 23 of the 1947 regulations applied and he is entitled to reckon that employment as service for the purposes of the Act of 1937 or the local Act scheme by virtue of regulation 53, so as to confer on him rights corresponding with those conferred by regulation 29 on officers to whom that regulation applies.

(3) The Act of 1937, in its application to any such officer as aforesaid, shall be further modified to confer a right on him by making payments similar to those provided for by the third schedule to reckon any period of non-contributing service as a period of contributing service, and shall have effect as if the provisions of the third schedule were incorporated therein with the modification that the reference therein to the calculation of interest at the rate of two and one-half per cent., with yearly rests, shall be construed as a reference to the calculation of interest at the rate of three per cent. per annum, with half-yearly rests, and with any other necessary modifications.

(4) Any pension or injury allowance to which any such officer as aforesaid becomes entitled in consequence of this regulation shall be granted subject to the conditions contained in regulations 23 and 24, with any necessary modifications, in lieu of any similar conditions contained in corresponding provisions of the Act of 1937 or any local Act scheme:

Provided always that where the officer is re-employed by any local authority and is in his new employment a contributory employee or local Act contributor, regulation 5 of the Local Government Superannuation (Reduction and Adjustment of Superannuation Allowance) Regulations, 1939(a), shall apply, with any necessary modifications.

(a) S.R. & O. 1939 (No. 53) II, p. 2623.

(5) The Act of 1937 or relevant local Act scheme shall, if not otherwise applicable, apply in relation to any officer to whom this part applies by virtue of his being such a person as is mentioned in sub-paragraph (*c*) of regulation 47 (1), and if the officer has exercised an option under the Act of 1937 or a local Act scheme, as modified by regulation 40 (5) of the 1947 regulations, to retain rights corresponding with those enjoyed by him immediately before the appointed day under the Act of 1937 or a local Act scheme, and the option has not ceased to have effect, that option shall continue to have effect so long as he is such a person as aforesaid.

Special provision relating to added years

49.—(1) Any number of years added under paragraph (1) of regulation 40A of the 1947 regulations to the service of a person who was transferred under the Act to the employment of a local health authority on the appointed day shall be deemed to be a number of years which was reckonable immediately before the date of transfer as contributing service for the purposes of the Act of 1937 or as service for the purposes of the local Act scheme.

(2) Where the amount of any transfer value has been increased in consequence of the exercise of any power conferred on a local authority by paragraph (1) of the said regulation 40A, the local authority shall repay any amount of the said increase to the superannuation fund out of which the transfer value was payable which has not already been repaid thereto.

Application to voluntary organisations of the Act of 1937 *and local Act schemes*

50.—(1) If application for the purpose is made to a local health authority by a voluntary organisation engaged in the provision in the area of the authority of services under Part III of the Act or under the Mental Deficiency Acts, 1913 to 1938, or under Part III of the National Assistance Act, 1948(**a**), the authority or, in the case of an authority who are not an administering authority or local Act authority, the administering authority shall admit any members of such classes of employee of the organisation and on such terms and conditions as may be approved by the Minister to participate in the benefits of the superannuation fund maintained by them, and in that event the Act of 1937, as modified by these regulations in any case in which that Act as so modified is applicable, shall have effect in relation to the organisation and any employee so admitted as if the organisation were a local authority and the employee were a contributory employee, and any local Act scheme, as modified by these regulations in any case in which that scheme as so modified is applicable, shall have effect as if the employee were a local Act contributor, and the organisation shall in either case have all such powers as may be necessary for the purpose of giving effect to the terms and conditions approved by the Minister:

Provided that the terms and conditions of any such admission as aforesaid may contain provision that any previous period of employment by the organisation of an employee so admitted as aforesaid shall only be reckonable as service in such manner and to such extent as may be agreed between the local health authority and the organisation.

(2) An admission agreement made under subsection (5) of section 5 of the Act of 1937 and continued in force under regulation 41 (2) of the 1947 regulations with any modifications and adaptations made thereunder shall continue in force as if made under this regulation.

(**a**) 11 & 12 Geo. 6. c. 29.

PART IV

Officers of Local Education Authorities

Application of Part III

51. Part III of these regulations shall also apply, with the necessary modifications, to any contributory employee or local Act contributor employed by a local education authority for the purposes of the school health service on the medical or nursing staff of the authority, or who is an officer falling within such class or description as the Minister may designate after consultation with associations of local authorities appearing to him to be concerned:

Provided that this part shall not apply in the case of an officer who was in the employment of a local education authority on the appointed day and who immediately before that day was a contributory employee or local Act contributor, if within three months after the appointed day he gave notice in writing to the local education authority that he did not wish part IV of the 1947 regulations to apply to him, and he has remained and continues to remain without a break of more than twelve months at any one time in the employment of a local education authority or local health authority.

PART V

Miscellaneous

Officers holding other employment

52.—(1) If an officer in the employment of an employing authority, being an officer to whom part I applies (other than an officer who has exercised an option under regulation 22 of the 1947 regulations or regulation 28 of these regulations which has not ceased to have effect or who has exercised an option with the Minister's agreement under paragraph (5) of regulation 43 of the 1947 regulations), is simultaneously employed in any other employment in which, but for the provisions of this regulation, he would be a contributory employee or local Act contributor, then, if the total time spent by him in those employments is wholly or mainly devoted to health services (including the school health service), and he is not a person who exercised such option as is mentioned in proviso (i) to regulation 47 (1) or the proviso to regulation 51, the provisions of part I of these regulations shall also apply to him in relation to such other employment as aforesaid in lieu of the provisions of the Act of 1937 or the local Act scheme, as the case may be, as if the authority or body by whom he is employed were an employing authority.

(2) Where a person becomes subject to the provisions of part I of these regulations by virtue of the preceding paragraph in any employment in which he was a contributory employee or local Act contributor immediately before becoming so subject, then, for the purposes of these regulations, he shall be treated as having entered such employment at the date on which he becomes so subject, and a transfer value shall be payable to the Minister in accordance with the provisions of regulation 56.

(3) Where a person ceases to be subject to the provisions of part I of these regulations in relation to any such other employment as is mentioned in paragraph (1) of this regulation by virtue of that paragraph having ceased to apply, and he becomes in that employment a contributory employee or local Act contributor, as the case may be, he shall be treated for the purposes of these regulations as having become a contributory employee or local Act contributor in that employment immediately after ceasing to be employed by an employing authority, and a transfer value shall be payable by the Minister in accordance with the provisions of regulation 58.

(4) Paragraph (1) of this regulation shall not apply to any person who having been entitled to exercise an option under regulation 43 (4) of the 1947 regulations did not do so, or to any other person unless, within three months after the date on which, but for this provision, it would be applicable in relation to him, he requests the Minister in writing and the Minister agrees that the said paragraph shall apply to him.

Reckoning of service on transfer to local government, civil service or teaching service

53.—(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 a contributory employee, local Act contributor, established civil servant or a person in contributory service under the Teachers Acts otherwise than under any scheme made under section 21 (1) (*a*) of the Act of 1925, and otherwise than by virtue of section 13 (2) (*g*) of that Act, he shall be entitled :—

(*a*) if he is a contributory employee, 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 for the purposes of these regulations or the 1947 regulations in relation to his employment under the employing authority immediately before he ceased to be employed by them, and as contributing service 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 ;

(*b*) if he is a local Act contributor, to reckon his previous service and any period of national service after so ceasing to be employed in such manner as the Minister may approve with a view to securing, so far as is reasonably practicable, that he shall enjoy rights under the local Act scheme applicable to him substantially similar to those which he would have enjoyed under the last preceding sub-paragraph had he been a contributory employee ; and

(*c*) if he is an established civil servant or a person in such contributory service under the Teachers Acts as aforesaid, to reckon as established service or contributory service, as the case may be, all periods of employment, war service or national service which for the purposes of these regulations or the 1947 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, or as qualifying service for the purposes of the Teachers Acts, 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 or the 1947 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 paid to his employer or, if he is an established civil servant, repaid to the Minister or, if he is a person in such contributory service under the Teachers Acts as aforesaid, paid to the Minister of Education, an amount equal to any sum paid to him by way of a 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 sub-paragraph (*c*) 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 to whom sub-paragraph (*c*) of the last preceding paragraph applies ceases to be employed 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 Minister a sum equal to the amount to which he would have been so entitled as aforesaid.

(3) Where an officer of an employing authority has become a person in contributory service under the Teachers Acts, and the provisions of paragraph (1) of this regulation do not apply to him, then, without prejudice to the proviso to section 12 (2) of the Act of 1925, as amended by the 1947 regulations, any period of employment, war service or national service which would have been reckonable under sub-paragraph (*c*) of that paragraph had that paragraph applied to him shall be treated as qualifying service for the purposes of the Teachers Acts.

(4) Where a person to whom paragraph (1) of this regulation applies was in the employment he has left a person to whom sub-paragraph (*b*) of either paragraph (1) or paragraph (2) of regulation 35 of these regulations or regulation 29 of the 1947 regulations applied and is in the employment he has entered an employee of a local health authority or a local education authority to whom part III or part IV of these regulations applies, the Act of 1937 or local Act scheme in its application to him shall be modified so as to confer upon him rights corresponding with those conferred by the said sub-paragraph so long as he is such an employee without a break in employment of more than twelve months at any one time, during no part of which he is an officer of an employing authority.

Special provision relating to employees of local authorities

54.—(1) Where an employee of a local authority, being a person to whom part III or part IV of these regulations applies, was within twelve months before entering their employment an officer of an employing authority participating in the scheme mentioned in paragraph (1) of regulation 30 or participating in any other scheme of a similar character which was being carried out by the Minister in relation to him as such officer under paragraph (2) of regulation 24 of the 1947 regulations or paragraph (5) of regulation 30 of

these regulations, the local authority shall, if the employee has so requested in writing within three months after entering their employment, treat the employee in the same way as if he were an officer in the employment of an employing authority, and in that event the employee shall not be subject to the Act of 1937 or any local Act scheme:

Provided that, if the consent of and arrangements made with a body administering a superannuation scheme are necessary in order that this paragraph may be complied with, this paragraph shall not apply, if that consent is not given and those arrangements cannot be made.

(2) Where contributions are paid by a local authority under paragraph (1) of this regulation in respect of any employee, that authority shall deduct from the remuneration payable to the employee the amount of any contributions payable by the employee.

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

55.—(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 Minister, he may within three months thereafter notify the Minister that he desires the provisions of this paragraph to apply to him, and, in that event, the Minister 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 Minister dispenses with this requirement, to comply with the provisions of the next succeeding paragraph, pay to that body a sum not exceeding at his discretion either the amount of the transfer value which would have been payable under regulation 58 had he become a contributory employee in circumstances in which that regulation applied, or the amount of a transfer value calculated in accordance with the provisions of the sixth schedule.

(2) If a person to whom the provisions of the preceding paragraph or paragraph (1) of regulation 46 of the 1947 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 1947 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 Minister an amount equal to the sum paid by the Minister 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 Minister, 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 Minister.

(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 1947 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 Minister under regulation 15 (3) (*d*) (v).

(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 46 of the 1947 regulations or of this regulation has been applied, and unless in the case of a person who entered that employment before the date of the coming into operation of these regulations he has already done so, apply to the Minister within three months after entering that employment to approve the employment for the purposes of this paragraph, and if the employment is so approved or has been approved under regulation 46 (4) of the 1947 regulations and—

(*a*) if he ceases to hold that employment or any other employment approved by the Minister for the purposes of this paragraph or of paragraph (4) of regulation 46 of the 1947 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 1947 regulations, the Minister 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 Minister for the purposes of this paragraph 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 Minister 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 1947 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 Minister 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 1947 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 Minister 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 eighth 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 Minister 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 1947 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 1947 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.

Transfer values payable to the Minister

56.—(1) Where a person has become an officer of an employing authority within twelve months after ceasing to be a contributory employee or local Act contributor 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 become entitled to any benefit under the Act of 1937 or local Act scheme other than a return of contributions, the like transfer value shall be payable to the Minister out of the fund in relation to which the person was a contributor by the authority maintaining that fund as would have been payable under the regulations for the time being in force by virtue of section 29 of the Act of 1937 had the person as such officer become a contributory employee, less an amount equal to any sum which the trustees of the fund may become liable to pay by way of income tax in respect of the amount transferred by way of transfer value:

Provided that—

(*a*) in the case of a person to whom regulation 28 (4) applies, the transfer value shall be increased by such amount as the Minister shall determine to be actuarially equivalent to the liability of which the fund therein referred to is relieved as a result of that person ceasing to be a contributor thereto, and such amount as aforesaid shall be paid out of that fund;

(*b*) where an authority maintaining a superannuation fund under the Act of 1937 has been dissolved, any transfer value which under the provisions of this paragraph would otherwise have been payable out of that fund shall be paid by the local authorities who appointed the first mentioned authority;

(*c*) in calculating the transfer value, any service which was reckonable for the purposes of the Act of 1937 by virtue of section 17 thereof shall be disregarded; and

(*d*) where a person has been successively a contributory employee or local Act contributor in the employment of more than one local authority within twelve months before becoming an officer of an employing authority, the transfer value payable under this paragraph shall be paid out of the fund to which he was last a contributor.

(2) The provisions of the last preceding paragraph requiring the payment of a transfer value shall apply in relation to a person to whom regulation 15 (14) applies as if he had become an officer of an employing authority within twelve months after ceasing to be a contributory employee or local Act contributor:

Provided that the transfer value payable in respect of the person shall be calculated by reference to his age at the date on which he became an officer.

(3) Where on the appointed day more than one transfer value became payable out of a superannuation fund by any authority under paragraph (1) of regulation 47 of the 1947 regulations, then, in so far as action has not been taken under paragraph (2) thereof—

(*a*) any transfer value payable may, with the Minister's consent, be paid by instalments of equal amounts spread over a period of not more than ten 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;

(*b*) if the Minister so directs, or the authority so requests, the actuary making the next actuarial investigation of the fund after the appointed day shall certify in accordance with the provisions of the fourth schedule the liability of which the fund was relieved on the appointed day in consequence of persons who had been contributors thereto having become on that day officers of any employing authority;

(*c*) if the amount of the liability so certified is less than the amount already paid on account of transfer values, the Minister shall repay the excess to the superannuation fund, together with compound interest thereon, calculated at the rate of three per cent. per annum, with half-yearly rests, on any sum overpaid, as from the date of payment;

(*d*) if the amount of the liability so certified exceeds the amount of the transfer values, and—

(i) if such transfer values were paid in a lump sum or, having been payable by instalments, have been fully paid, the authority shall pay to the Minister out of the fund the amount of the deficiency, together with compound interest thereon, calculated as aforesaid, as from the appointed day; or

(ii) if such transfer values were being paid by instalments, the liability in respect of any instalments remaining unpaid shall be adjusted in such manner as the actuary shall certify to be appropriate; and

(*e*) if nothing has been paid on account of transfer values, the amount of the liability so certified shall be paid to the Minister, either in a lump sum, together with compound interest thereon, calculated as aforesaid, as from the appointed day, or by such instalments as are mentioned in sub-paragraph (*a*) of this paragraph.

(4) Where any such person as is mentioned in paragraph (1) of this regulation, had, before becoming a contributory employee or local Act contributor, been subject to the Act of 1909, and the body by whom he was last employed while subject to that Act would, if he had become entitled to a superannuation allowance as such contributory employee or local Act contributor, have been liable to contribute to that allowance, that body, or if that body has been dissolved or has ceased to exercise functions as such, the appropriate authority in relation to that body, shall pay a transfer value to the Minister in accordance with the provisions of part I of the fifth schedule.

(5) Where the body mentioned in the last preceding paragraph would in the circumstances therein mentioned have had, in respect of any such contribution to a superannuation allowance as is therein mentioned, a right of contribution from any other body, that other body, or if that other body has been dissolved or has ceased to exercise functions as such, the appropriate authority in relation to that other body, shall also pay a transfer value to the Minister in accordance with the provisions of part II of the fifth schedule.

(6) Where a person having been subject to the Act of 1909 ceased to be so subject in order to undertake war service, and within six months after the termination of that service, and without having become entitled to any benefit under the Act of 1909, other than a return of contributions, and without having become a contributory employee or local Act contributor, he has become an officer, the body by whom he was last employed under the Act of 1909, and any other body who would have been liable to contribute towards a superannuation allowance in respect of him under the Act of 1909 had he become entitled to such an allowance on ceasing to be subject to the Act of 1909, or if any such body has been dissolved or has ceased to exercise functions as such, the appropriate authority in relation to such body, shall pay a transfer value to the Minister in accordance with the provisions of part III of the fifth schedule.

(7) A transfer value payable under proviso (*b*) to paragraph (1) of this regulation may, with the Minister's consent, be paid by instalments of equal amounts spread over a period of not more than ten years after the date on which the person in respect of whom it is payable became an officer, the first instalment to become payable on that date.

(8) Where any such person as is mentioned in paragraph (1) or (6) of this regulation or paragraph (1) or (5) of regulation 47 of the 1947 regulations received a return of contributions on or after ceasing to be a contributory employee, local Act contributor or subject to the Act of 1909, as the case may be, and he has not made a payment to the employing authority in accordance with proviso (*a*) to regulation 15 (2) of these regulations or to regulation 13 (2) of the 1947 regulations, the Minister shall, if he has not already done so, refund any transfer value or any payment on account of a transfer value received in respect of the person.

(9) Where a transfer value under proviso (*b*) to paragraph (1) or under paragraph (4), (5) or (6) 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 Minister.

(10) In the calculation of any transfer value under paragraph (1) or (6) of this regulation, or in the certification under paragraph (3) thereof of any liability of which any superannuation fund has been relieved, account shall be taken of any number of years that may have been added to a person's service under the provisions of regulation 17 of these regulations or regulation 15 of the 1947 regulations as if that number of years had been reckonable as a number of years of contributing service or service, as the case may be, for the purposes of the Act of 1937, the local Act scheme or the Act of 1909 immediately before he ceased to be a contributory employee, local Act contributor or person subject to the Act of 1909.

(11) Where the amount of any transfer value payable out of a superannuation fund under paragraph (1) of this regulation or the amount of any liability to be certified under paragraph (3) thereof is increased in consequence of the exercise by a local authority of any power conferred upon them by regulation 17 of these regulations or regulation 15 of the 1947 regulations, the local authority or, if that authority has been dissolved, the local authorities who appointed that authority, shall repay the amount of the said increase to the superannuation fund out of which the transfer value is payable or in relation to which the liability is to be certified.

(12) Where a person has become an officer of an employing authority within twelve months after ceasing to be a contributory employee in the employment of any local authority, and a scheme modifying the Act of 1937 conferred a discretion on the local authority by whom he was formerly employed to increase in respect of any period of service the rate for the calculation of any benefit to which he might have become entitled on ceasing to be employed, and that period of service was or would but for the provisions of this paragraph be reckonable at a fraction of its actual length for the purpose of calculating the transfer value payable by the authority under this regulation, the authority may, within three months after the person becomes such an officer, resolve that that period of service shall for that purpose be reckonable at its full length, and the authority shall repay to the superannuation fund maintained by them the amount of any increase in the transfer value in consequence of their exercise of the power conferred by this paragraph.

(13) Notwithstanding anything in the Act of 1937 or any local Act scheme, no payment shall be made thereunder by way of a return of contributions to any person in relation to whom a transfer value has become payable under this regulation.

(14) Where a transfer value has become payable to the Minister under these regulations or the 1947 regulations in respect of any person and thereafter regulation 15 (17) becomes applicable in relation to him, the transfer value shall be re-calculated to take account of any period of employment which becomes reckonable as service under that regulation.

(15) In this regulation the term " appropriate authority " in relation to a body means—

(*a*) in the case of a visiting committee appointed by a local authority other than a joint mental hospitals board, the local authority ;

(*b*) in the case of a visiting committee appointed by a joint mental hospitals board, the local authorities who appointed the board ;

(*c*) in the case of the managers of a certified institution, the local authority who were the managers ; and

(*d*) in the case of a joint mental hospitals board or any other joint board or a joint committee, the local authorities who appointed the joint board or joint committee.

57. 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 Minister under regulation 15 (3) (*d*) (v), 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 Minister so requires, pay to the Minister a transfer value of such amount as the Minister 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 Minister

58.—(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 a contributory employee or local Act contributor, the like transfer value shall be payable by the Minister to the authority maintaining the fund in relation to which the person has become a contributory employee or local Act contributor as would have been payable under the regulations for the time being in force by virtue of section 29 of the Act of 1937 had the person as such officer as aforesaid ceased to be a contributory employee, had his contributing service and his non-contributing service (if any) been contributing service and non-contributing service within the meaning of the Act of 1937, had the person's contributing service, if he is such a person as is mentioned in regulation 53 (4), included any additional years of contributing service which he is entitled to reckon by virtue of that regulation, had his remuneration, if he is a practitioner, been the annual average of his remuneration in respect of all periods of service as a practitioner, and had the person, if a female physiotherapist entering the employment of a local health authority or a local education authority, been a health visitor within the meaning of those regulations, and the authority maintaining the fund aforesaid shall pay the transfer value received into that fund:

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.

(2) Where a transfer value has become payable under regulation 49 of the 1947 regulations but has not been paid, the amount of the transfer value shall be calculated in accordance with the provisions of the preceding paragraph.

(3) Where a person who, on or after leaving the employment of an employing authority, received a return of contributions, has not made a payment to his employer in accordance with proviso (i) to regulation 53 (1) of these regulations or to regulation 44 (1) of the 1947 regulations, any transfer value received in respect of him shall be refunded, if it has not already been refunded.

Persons engaged on war service or national service

59.—(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 28 (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 the acquisition by the Minister under section 58 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 Minister.

Determination of questions

60. Any question 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 Minister.

Special provisions affecting local authorities in relation to officers who have served as teachers

61.—(1) Where an officer of an employing authority who before becoming such an officer was in contributory service under the Teachers Acts, and in whose case any period of employment in full time service before the first day of April, 1926, is, by virtue of proviso (*c*) to regulation 15 (2), not reckonable or reckonable at half its actual length, ceases to be employed, and any benefit other than a return of contributions becomes payable to or in respect of him under these regulations, the local education authority by whom he was last employed may pay to or in respect of him the amounts by which the said benefits would have been increased if the said service had been reckonable in full.

(2) Where an officer of an employing authority who before becoming such an officer was in contributory service under the Teachers Acts, and in whose case any period of employment before the first day of April, 1930, is, by virtue of paragraph (*b*) of subsection (5) of section 124 of the Local Government Act, 1929(**a**), and these regulations, reckoned as service, ceases to be employed, and any benefit becomes payable to or in respect of him under these regulations, the council to whom he was transferred by the said Act of 1929 shall, either by means of a single payment, or by means of such periodical payments as the Minister may determine, pay to the Minister such sum as may be determined by him to represent, after taking into account

(a) 19 & 20 Geo. 5. c. 17.

any sum previously paid on account of the officer under this provision, the present value of such part of the sums payable or to become payable to or in respect of him under these regulations as is attributable to the said service.

Employment of officer to be treated as approved external service or as qualifying service under the Teachers Acts in special cases

62.—(1) Where an established civil servant whose service as such is treated as approved external service under section 13 (1) (*b*) of the Act of 1925, or under the Teachers (Superannuation) Act, 1946(**a**), has become an officer of an employing authority to whom regulation 15 (2) applies, his employment under that authority shall be treated for the purposes of section 13 (1) (*b*) of the Act of 1925 in the same manner as his service as an established civil servant.

(2) Where a person in contributory service under the Teachers Acts has become an officer of an employing authority to whom regulation 15 (2) does not apply, his employment under that or any other employing authority, and any national service which is reckonable as service in relation to that employment, shall be treated as qualifying service for the purposes of the Teachers Acts.

Amendment of the Act of 1937 *and local Act schemes*

63.—(1) The provisions of section 10 of the Act of 1937, and the corresponding provisions of any local Act scheme, shall have effect in relation to a contributory employee or local Act contributor who has been an officer of an employing authority as if references therein to contributions which may be returned thereunder on such an employee or contributor ceasing to be employed or dying included references to his contributions within the meaning of these regulations or the 1947 regulations, in so far as such contributions have not been returned to and retained by him, and are attributable to service which might have been reckoned under the Act of 1937 or the local Act scheme, as the case may be, for the purposes of superannuation allowance in respect of the employment which he has ceased to hold or in which he has died, as the case may be:

Provided that interest on any contributions returnable by virtue of this provision shall be calculated in the manner provided by regulation 22 up to the date on which the person became a contributory employee or local Act contributor or, if he received a return of contributions before that date, up to the date of such return.

(2) Where a person has become an officer of an employing authority or a person to whom part III or part IV of these regulations applies after ceasing to be a person to whom either of those parts applied, and by virtue of regulation 35 (4) or 53 (4) he is entitled to reckon additional years of service, such additional years of service shall be treated as contributing service for the purposes of the regulations for the time being in force by virtue of section 29 of the Act of 1937.

Amendment of the Pensions (Increase) Act, 1944

64. The Pensions (Increase) Act, 1944(**b**), 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.

(**a**) 9 & 10 Geo. 6. c. 60. (**b**) 7 & 8 Geo. 6. c. 21.

Preservation of rights under section 2 of the Superannuation (Miscellaneous Provisions) Act, 1948

65. Where an officer of an employing authority, not being a person to whom regulation 15 (14) applies, had previously been a contributory employee or local Act contributor and on ceasing to be such an employee or contributor he entered employment in circumstances in which by virtue of rules made under section 2 of the Superannuation (Miscellaneous Provisions) Act, 1948, superannuation benefits might have been granted to or in respect of him under the Act of 1937 or a local Act scheme on his leaving that employment or on his death, then, if he became an officer within twelve months after leaving that employment, the said rules shall have effect as if any reference therein to his ceasing to hold that employment or to his becoming entitled to a pension under any pension scheme applicable to him in that employment or to his dying while still in that employment included a reference to his ceasing to be an officer or to his becoming entitled to a pension under these regulations or to his dying while still an officer.

SCHEDULES

FIRST SCHEDULE

Allocation of part of Pension or Injury Allowance

Regulation 11.

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 36 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 beneficiary.

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 11 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 11 (2) applies, a provisional estimate of the value of the pension that may become payable to him.

(2) A person to whom regulation 11 (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 Minister.

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

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

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

Provided that if for any reason a birth certificate or a marriage certificate cannot be supplied, the Minister may accept such other evidence of birth or marriage as he 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 Minister is of opinion, on a consideration of a report obtained by him under paragraph 5 of this schedule, that the person to whom the report relates is not in good health, or unless he is of opinion that the evidence produced in regard to age or marriage is not satisfactory, he 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 Minister 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 11 (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 Minister.

(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 11 (1) applies shall become null and void if the beneficiary dies before the Minister accepts the notification, and a notification given by an officer to whom regulation 11 (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

Reckoning of Service or a period of Contribution under a Local Act Scheme

Proviso (*i*) *to regulation* 16 (1) (*b*)

1. If in relation to part of any such service as is mentioned in paragraph (1) (*b*) (v) of regulation 16 (which part is in this paragraph referred to as " the said service ") the officer pursuant to the provisions of the local Act scheme had been discharging but had not fully discharged a liability subsisting at the date when he ceased to hold his previous employment to pay a sum by instalments to the superannuation fund maintained by the local Act authority as a condition of being entitled to reckon the said service for any of the purposes of the local Act scheme, then, for the purpose of the said regulation—

(*a*) subject to the provisions of sub-paragraph (*b*) of this paragraph, the said service shall be reckonable as non-contributing service ; and

(*b*) to the extent that one-half the aggregate amount paid on account of the sum due in discharge of the liability aforesaid would, if it were paid, pursuant to the provisions of the third schedule, in relation to the emoluments of his previous employment at the date when he ceased to hold that employment and to his age at that date, enable him to reckon any period of the said service as contributing service, that period shall be reckonable as contributing service.

2. If in relation to part of any such service as is mentioned in paragraph (1) (*b*) (v) of regulation 16 (which part is in this paragraph referred to as " the said service ") the officer pursuant to the provisions of the local Act scheme would, had he not ceased to hold his previous employment, have been under a liability to make payments to the superannuation fund maintained by the local Act authority by way of a contribution of a percentage of emoluments additional to the percentage payable in respect of current service as a condition of being entitled to reckon the said service for any of the purposes of the local Act scheme, then, for the purpose of the said regulation, the provisions of sub-paragraphs (*a*) and (*b*) of the last preceding paragraph shall apply in relation to the said service with the substitution for the reference in sub-paragraph (*b*) to the sum due in discharge of the liability aforesaid of a reference to additional percentage contributions.

THIRD SCHEDULE

Additional Contributory Payments

Regulations 15 (10), (11) *and* (12) *and* 16 (3), (4) *and* (8) *and* 48 (3)

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, without in the meantime having become a local Act contributor in the whole-time employment of a local Act authority—

(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 in contributory service under the Teachers Acts, otherwise than under a scheme made under section 21 (1) (*a*) of the Act of 1925, or otherwise than by virtue of section 13 (2) (*g*) of that Act, or enters employment under a local authority in which he is a contributory employee, in which event, subject as hereinafter provided, the right to receive the balance of the debt shall be deemed to be transferred to the Minister of Education or the local authority, as the case may be, and the officer shall pay to that Minister or authority 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, and in the case of an officer who has entered employment under a local authority any outstanding instalments of the sum payable shall be deemed to be instalments of a sum payable under the regulations in force under proviso (ii) to section 8 (2) (*b*) of the Act of 1937;

(*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 Minister 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 Minister.

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 36 applies, in respect of any period of non-contributing service of which account would be taken under paragraph (3) of regulation 36 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 TABLE 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
31 and under 32	5 16	49 ,, ,, 50	7 3
32 ,, ,, 33	5 17		
33 ,, ,, 34	5 18	50 ,, ,, 51	7 6
34 ,, ,, 35	5 19	51 ,, ,, 52	7 9
		52 ,, ,, 53	7 12
35 ,, ,, 36	6 0	53 ,, ,, 54	7 16
36 ,, ,, 37	6 1	54 ,, ,, 55	8 0
37 ,, ,, 38	6 2		
38 ,, ,, 39	6 3	55 ,, ,, 56	8 4
39 ,, ,, 40	6 4	56 ,, ,, 57	8 9
		57 ,, ,, 58	8 14
40 ,, ,, 41	6 5	58 ,, ,, 59	8 19
41 ,, ,, 42	6 7	59 ,, ,, 60	9 5
42 ,, ,, 43	6 9		
43 ,, ,, 44	6 11	60 and over ...	£9 5s. less six shillings for each completed year by which the officer's age exceeds sixty years.
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		
31 ,, ,, 32	6 2	50 ,, ,, 51	8 14
32 ,, ,, 33	6 4	51 ,, ,, 52	8 18
33 ,, ,, 34	6 6	52 ,, ,, 53	9 3
34 ,, ,, 35	6 8	53 ,, ,, 54	9 7
		54 ,, ,, 55	9 12
35 ,, ,, 36	6 10		
36 ,, ,, 37	6 12	55 ,, ,, 56	9 17
37 ,, ,, 38	6 14	56 ,, ,, 57	10 2
38 ,, ,, 39	6 16	57 ,, ,, 58	10 7
39 ,, ,, 40	6 18	58 ,, ,, 59	10 13
		59 ,, ,, 60	10 19
40 ,, ,, 41	7 0		
41 ,, ,, 42	7 3	60 and over ...	£10 19s. less six shillings for each completed year by which the officer's age exceeds sixty years.
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
	£ s.
Under 36	8 9
36 and under 37	8 10
37 „ „ 38	8 11
38 „ „ 39	8 12
39 „ „ 40	8 13
40 „ „ 41	8 14
41 „ „ 42	8 16
42 „ „ 43	8 17
43 „ „ 44	8 18
44 „ „ 45	9 0
45 „ „ 46	9 2
46 „ „ 47	9 3
47 „ „ 48	9 5
48 „ „ 49	9 7
49 „ „ 50	9 10
50 „ „ 51	9 13
51 „ „ 52	9 17
52 „ „ 53	10 2
53 „ „ 54	10 7
54 „ „ 55	10 12
55 „ „ 56	10 12
56 „ „ 57	10 7
57 „ „ 58	10 2
58 „ „ 59	9 17
59 „ „ 60	9 11
60 and over	£9 5s. less six shillings for each completed year by which the officer's age exceeds sixty years.

TABLE III

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

TABLE V

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

Age	Amount appropriate in respect of each £100 of remuneration	
	Men	Women
(1)	(2)	(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 years.	10 19 less 6s. for each completed year by which the officer's age exceeds sixty years.

TABLE VI

REDUCTION OF SUM PAYABLE BY A PERSON TO WHOM REGULATION 36 (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 (including 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	—

FOURTH SCHEDULE

ASCERTAINMENT OF LIABILITIES OF WHICH SUPERANNUATION FUNDS WERE RELIEVED ON THE APPOINTED DAY

Regulation 56 (3) (*b*)

A. *Superannuation funds maintained under the Act of* 1937

1. The liability to be certified shall be such amount as is obtained by calculating in relation to such persons as are mentioned in regulation 56 (3) (*b*) the aggregate estimated capital values as at the appointed day of such proportion of all prospective superannuation allowances and returns of contributions in respect of which there was a contingent liability on the fund immediately before the appointed day as is attributable to service rendered before that day (including any number of years service that may have been added under the provisions of regulation 15 of the 1947 regulations), and deducting therefrom the aggregate estimated capital values as at that day of any sums by way of additional contributory payments which would have been payable on and after the appointed day under the Act of 1937 by the said persons.

2. Any interest required to be calculated on any sum for the purposes of this schedule shall be calculated at the rate of three per cent. per annum.

B. *Superannuation funds maintained under local Act schemes*

3. The foregoing provisions of this schedule shall apply, with any necessary modifications.

FIFTH SCHEDULE

PROVISIONS FOR THE CALCULATION OF TRANSFER VALUES PAYABLE TO THE MINISTER IN RESPECT OF SERVICE UNDER THE ACT OF 1909, AND DIRECTIONS FOR THE USE OF THE SUBJOINED TABLES IN CONNEXION THEREWITH

Regulation 56 (4), (5) *and* (6)

PART I

1. The transfer value payable by any body under regulation 56 (4) or the appropriate authority in relation to that body in respect of any person shall be a sum ascertained from the subjoined Table I (*a*) or I (*b*), as the case may require, in accordance with the following provisions:—

(*a*) the amounts shown in columns (2) and (3) of the relative Table in relation to an age which corresponds with that of the person at the date on which he ceased to be a contributory employee or local Act contributor are to be multiplied respectively by the numbers of years, and of months aggregating less than one year, of service reckonable under the Act of 1909 which he had completed at the date on which he last ceased to be subject to that Act:

Provided that the total period of service taken into account shall not exceed forty years;

(*b*) the sum of the two products aforesaid is an amount appropriate in respect of each one hundred pounds of the annual average of the salary or wages and emoluments of a person calculated in accordance with the provisions of section 16 of the Act of 1909; and

(*c*) a total amount is to be calculated proportionately in accordance with the provisions of section 16 of the Act of 1909 by reference to the annual average of the person's salary or wages and emoluments at the date on which he last ceased to be subject to that Act:

Provided that the transfer value shall be reduced by the amount of any transfer value payable under the next succeeding paragraph.

PART II

2. The transfer value payable under regulation 56 (5) by any such other body as is therein mentioned or the appropriate authority in relation to that body in respect of the service of a person under that body shall be a sum ascertained from the subjoined Table I (*a*) or I (*b*), as the case may require, in accordance with the following provisions:—

(*a*) the amounts shown in columns (2) and (3) of the relative Table in relation to an age which corresponds with that of the person at the date on which he ceased to be a contributory employee or local Act contributor are to be multiplied respectively by the numbers of years, and of months aggregating less than one year, of all the person's service reckonable under the Act of 1909 which he had completed under that body when he last ceased to be in their employment:

Provided that the total period of service taken into account shall not exceed forty years;

(*b*) the sum of the two products aforesaid is an amount appropriate in respect of each one hundred pounds of the annual average of the salary or wages and emoluments of a person calculated in accordance with the provisions of section 16 of the Act of 1909; and

(*c*) a total amount is to be calculated proportionately in accordance with the provisions of section 16 of the Act of 1909 by reference to the annual average of the person's salary or wages and emoluments at the date on which he last ceased to be in the employment of that body.

PART III

3. The transfer value payable under regulation 56 (6) in respect of any person by the body by whom the person was last employed under the Act of 1909 or the appropriate authority in relation to that body shall be a sum ascertained in accordance with the following provisions:—

(*a*) such one of the subjoined Tables as is appropriate shall be used on the basis that Tables II (*a*) and II (*b*) relate to persons who when they last ceased to be subject to the Act of 1909 were officers of the first class, Tables III (*a*) and III (*b*) relate to persons who at the date aforesaid were officers of the second class, Tables IV (*a*) and IV (*b*) relate to persons who at the date aforesaid were servants of the first class and Tables V (*a*) and V (*b*) relate to persons who at the date aforesaid were servants of the second class;

(*b*) the amounts shown in columns (2) and (3) of the relative Table in relation to an age which corresponds with that of the person at the date on which he last ceased to be subject to the Act of 1909 are to be multiplied respectively by the numbers of years, and of months aggregating less than one year, of service reckonable under the Act of 1909 which he had completed at the date on which he last ceased to be subject to that Act:

Provided that the total period of service taken into account shall not exceed thirty-three years and four months in respect of a person who was an officer or servant of the first class, and forty years in respect of a person who was an officer or servant of the second class;

(*c*) the sum of the two products aforesaid is an amount appropriate in respect of each one hundred pounds of annual salary or wages and emoluments; and

(*d*) a total amount is to be calculated proportionately by reference to the annual amount of the person's salary or wages and emoluments at the date on which he last ceased to be subject to the Act of 1909:

Provided that—

(i) if the service completed at the date on which the person last ceased to be subject to the Act of 1909 is less than four years, the transfer value shall be a sum equal to the amount of the person's contributions under that Act which were made to the body by or in relation to whom the transfer value is payable;

(ii) except where proviso (i) applies, the transfer value shall be reduced by the amount of any transfer value payable under the next succeeding paragraph; and

(iii) the transfer value shall also be reduced by an amount equal to any sum which, when the person ceased to hold the employment in relation to which the transfer value is payable, was paid to him by way of a return of contributions, and by a further amount equal to any income tax which was deducted from his contributions in respect of such payment.

4. The transfer value payable under regulation 56 (6) by any such body as is therein mentioned who would have been liable to contribute to a superannuation allowance in the circumstances therein mentioned or the appropriate authority in relation to that body in respect of the service of a person under that body shall be a sum ascertained in accordance with the following provisions:—

(*a*) such one of the subjoined Tables as is appropriate shall be used on the basis that Tables II (*a*) and II (*b*) relate to persons who when they last ceased to be subject to the Act of 1909 were officers of the first class, Tables III (*a*) and III (*b*) relate to persons who at the date aforesaid were officers of the second class, Tables IV (*a*) and IV (*b*) relate to persons who at the date aforesaid were servants of the first class and Tables V (*a*) and V (*b*) relate to persons who at the date aforesaid were servants of the second class;

(*b*) the amounts shown in columns (2) and (3) of the relative Table in relation to an age which corresponds with that of the person at the date on which he last ceased to be subject to the Act of 1909 are to be multiplied respectively by the numbers of years, and of months aggregating less than one year, of all the person's service reckonable under the Act of 1909 which he had completed under that body at the date on which he last ceased to be in their employment:

Provided that the total period of service taken into account shall not exceed thirty-three years and four months in respect of a person who was an officer or servant of the first class in his last employment under the Act of 1909, and forty years in respect of a person who in that employment was an officer or servant of the second class;

(*c*) the sum of the two products aforesaid is an amount appropriate in respect of each one hundred pounds of annual salary or wages and emoluments; and

(*d*) a total amount is to be calculated proportionately by reference to the annual amount of the person's salary or wages and emoluments at the date on which he last ceased to be in the employment of that body:

Provided that if the whole of the person's service reckonable under the Act of 1909, whether under that body or any other body, is less than four years, the transfer value shall be a sum equal to the amount of the person's contributions under that Act which were made to that body.

TABLE I

(*a*) MEN

Age (1)	Amount of transfer value appropriate in respect of each £100 of annual average salary or wages and emoluments in relation to each of the following completed periods of service, namely:—	
	Year (2)	Month (3)
	£ s.	£ s.
20 and under 21	6 7	11
21 „ „ 22	6 11	11
22 „ „ 23	6 15	11
23 „ „ 24	7 0	12
24 „ „ 25	7 5	12
25 „ „ 26	7 10	12
26 „ „ 27	7 15	13
27 „ „ 28	8 0	13
28 „ „ 29	8 5	14
29 „ „ 30	8 10	14
30 „ „ 31	8 15	15
31 „ „ 32	9 0	15
32 „ „ 33	9 5	15
33 „ „ 34	9 10	16
34 „ „ 35	9 15	16
35 „ „ 36	10 0	17
36 „ „ 37	10 5	17
37 „ „ 38	10 10	18
38 „ „ 39	10 16	18
39 „ „ 40	11 2	18
40 „ „ 41	11 8	19
41 „ „ 42	11 14	1 0
42 „ „ 43	12 0	1 0
43 „ „ 44	12 6	1 0
44 „ „ 45	12 13	1 1
45 „ „ 46	13 0	1 2
46 „ „ 47	13 7	1 2
47 „ „ 48	13 15	1 3
48 „ „ 49	14 3	1 4
49 „ „ 50	14 9	1 4
50 „ „ 51	14 14	1 4
51 „ „ 52	14 18	1 5
52 „ „ 53	15 2	1 5
53 „ „ 54	15 5	1 5
54 „ „ 55	15 9	1 6
55 „ „ 56	15 12	1 6
56 „ „ 57	15 16	1 6
57 „ „ 58	15 19	1 7
58 „ „ 59	16 3	1 7
59 „ „ 60	16 7	1 7
60 „ „ 61	16 10	1 8
61 „ „ 62	16 12	1 8
62 „ „ 63	16 14	1 8
63 „ „ 64	16 15	1 8
64 and over	16 16	1 8

(*b*) WOMEN

Age (1)	Amount of transfer value appropriate in respect of each £100 of annual average salary or wages and emoluments in relation to each of the following completed periods of service, namely:—	
	Year (2)	Month (3)
	£ s.	£ s.
20 and under 21	4 1	7
21 „ „ 22	4 4	7
22 „ „ 23	4 8	7
23 „ „ 24	4 13	8
24 „ „ 25	4 18	8
25 „ „ 26	5 5	9
26 „ „ 27	5 13	9
27 „ „ 28	6 2	10
28 „ „ 29	6 12	11
29 „ „ 30	7 3	12
30 „ „ 31	7 14	13
31 „ „ 32	8 6	14
32 „ „ 33	8 18	15
33 „ „ 34	9 11	16
34 „ „ 35	10 4	17
35 „ „ 36	10 17	18
36 „ „ 37	11 9	19
37 „ „ 38	12 1	1 0
38 „ „ 39	12 13	1 1
39 „ „ 40	13 4	1 2
40 „ „ 41	13 15	1 3
41 „ „ 42	14 6	1 4
42 „ „ 43	14 16	1 5
43 „ „ 44	15 6	1 6
44 „ „ 45	15 16	1 6
45 „ „ 46	16 5	1 7
46 „ „ 47	16 12	1 8
47 „ „ 48	16 17	1 8
48 „ „ 49	17 2	1 8
49 „ „ 50	17 6	1 9
50 „ „ 51	17 10	1 9
51 „ „ 52	17 14	1 10
52 „ „ 53	17 19	1 10
53 „ „ 54	18 3	1 10
54 „ „ 55	18 7	1 11
55 „ „ 56	18 11	1 11
56 „ „ 57	18 15	1 11
57 „ „ 58	19 0	1 12
58 „ „ 59	19 4	1 12
59 „ „ 60	19 8	1 12
60 „ „ 61	19 12	1 13
61 „ „ 62	19 15	1 13
62 „ „ 63	19 17	1 13
63 „ „ 64	19 19	1 13
64 and over	20 1	1 13

TABLE II

(*a*) MEN

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

(*b*) WOMEN

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

TABLE III

(*a*) MEN

Age (1)	Amount of transfer value appropriate in respect of each £100 of annual salary or wages and emoluments in relation to each of the following completed periods of service, namely:—	
	Year (2)	Month (3)
	£ s.	£ s.
20 and under 21	8 12	14
21 „ „ 22	8 12	14
22 „ „ 23	8 12	14
23 „ „ 24	8 12	14
24 „ „ 25	8 13	14
25 „ „ 26	8 14	14
26 „ „ 27	8 15	15
27 „ „ 28	8 17	15
28 „ „ 29	8 19	15
29 „ „ 30	9 1	15
30 „ „ 31	9 3	15
31 „ „ 32	9 5	15
32 „ „ 33	9 7	16
33 „ „ 34	9 9	16
34 „ „ 35	9 12	16
35 „ „ 36	9 15	16
36 „ „ 37	9 18	16
37 „ „ 38	10 1	17
38 „ „ 39	10 3	17
39 „ „ 40	10 5	17
40 „ „ 41	10 7	17
41 „ „ 42	10 9	17
42 „ „ 43	10 12	18
43 „ „ 44	10 16	18
44 „ „ 45	11 0	18
45 „ „ 46	11 4	19
46 „ „ 47	11 8	19
47 „ „ 48	11 13	19
48 „ „ 49	11 18	1 0
49 „ „ 50	12 3	1 0
50 „ „ 51	12 9	1 1
51 „ „ 52	12 15	1 1
52 „ „ 53	13 1	1 2
53 „ „ 54	13 7	1 2
54 „ „ 55	13 14	1 3
55 „ „ 56	14 2	1 4
56 „ „ 57	14 9	1 4
57 „ „ 58	14 17	1 5
58 „ „ 59	15 6	1 6
59 „ „ 60	15 15	1 6
60 „ „ 61	16 2	1 7
61 „ „ 62	16 7	1 7
62 „ „ 63	16 11	1 8
63 „ „ 64	16 14	1 8
64 and over	16 16	1 8

(*b*) WOMEN

Age (1)	Amount of transfer value appropriate in respect of each £100 of annual salary or wages and emoluments in relation to each of the following completed periods of service, namely:—	
	Year (2)	Month (3)
	£ s.	£ s.
20 and under 21	2 11	4
21 „ „ 22	2 17	5
22 „ „ 23	3 3	5
23 „ „ 24	3 10	6
24 „ „ 25	3 17	6
25 „ „ 26	4 6	7
26 „ „ 27	4 16	8
27 „ „ 28	5 8	9
28 „ „ 29	6 2	10
29 „ „ 30	6 17	11
30 „ „ 31	7 11	13
31 „ „ 32	8 4	14
32 „ „ 33	8 16	15
33 „ „ 34	9 8	16
34 „ „ 35	9 19	17
35 „ „ 36	10 9	17
36 „ „ 37	10 18	18
37 „ „ 38	11 6	19
38 „ „ 39	11 14	1 0
39 „ „ 40	12 2	1 0
40 „ „ 41	12 10	1 1
41 „ „ 42	12 19	1 2
42 „ „ 43	13 8	1 2
43 „ „ 44	13 17	1 3
44 „ „ 45	14 5	1 4
45 „ „ 46	14 13	1 4
46 „ „ 47	15 0	1 5
47 „ „ 48	15 6	1 6
48 „ „ 49	15 12	1 6
49 „ „ 50	15 18	1 6
50 „ „ 51	16 4	1 7
51 „ „ 52	16 10	1 8
52 „ „ 53	16 16	1 8
53 „ „ 54	17 3	1 9
54 „ „ 55	17 9	1 9
55 „ „ 56	17 15	1 10
56 „ „ 57	18 2	1 10
57 „ „ 58	18 8	1 11
58 „ „ 59	18 15	1 11
59 „ „ 60	19 1	1 12
60 „ „ 61	19 6	1 12
61 „ „ 62	19 11	1 13
62 „ „ 63	19 15	1 13
63 „ „ 64	19 18	1 13
64 and over	20 1	1 13

TABLE IV

(*a*) MEN

Age (1)	Amount of transfer value appropriate in respect of each £100 of annual salary or wages and emoluments in relation to each of the following completed periods of service, namely:—	
	Year (2)	Month (3)
	£ s.	£ s.
20 and under 21	5 7	9
21 „ „ 22	5 14	10
22 „ „ 23	6 1	10
23 „ „ 24	6 8	11
24 „ „ 25	6 15	11
25 „ „ 26	7 3	12
26 „ „ 27	7 12	13
27 „ „ 28	8 1	13
28 „ „ 29	8 11	14
29 „ „ 30	9 1	15
30 „ „ 31	9 11	16
31 „ „ 32	10 1	17
32 „ „ 33	10 12	18
33 „ „ 34	11 2	18
34 „ „ 35	11 12	19
35 „ „ 36	12 2	1 0
36 „ „ 37	12 12	1 1
37 „ „ 38	13 2	1 2
38 „ „ 39	13 11	1 3
39 „ „ 40	13 19	1 3
40 „ „ 41	14 7	1 4
41 „ „ 42	14 14	1 4
42 „ „ 43	15 1	1 5
43 „ „ 44	15 7	1 6
44 „ „ 45	15 14	1 6
45 „ „ 46	16 1	1 7
46 „ „ 47	16 9	1 7
47 „ „ 48	16 17	1 8
48 „ „ 49	17 6	1 9
49 „ „ 50	17 15	1 10
50 „ „ 51	18 3	1 10
51 „ „ 52	18 8	1 11
52 „ „ 53	18 12	1 11
53 „ „ 54	18 16	1 11
54 „ „ 55	18 19	1 12
55 „ „ 56	19 2	1 12
56 „ „ 57	19 5	1 12
57 „ „ 58	19 8	1 12
58 „ „ 59	19 11	1 13
59 „ „ 60	19 14	1 13
60 „ „ 61	19 17	1 13
61 „ „ 62	19 19	1 13
62 „ „ 63	20 1	1 13
63 „ „ 64	20 2	1 14
64 and over	20 3	1 14

(*b*) WOMEN

Age (1)	Amount of transfer value appropriate in respect of each £100 of annual salary or wages and emoluments in relation to each of the following completed periods of service, namely:—	
	Year (2)	Month (3)
	£ s.	£ s.
20 and under 21	2 4	4
21 „ „ 22	2 12	4
22 „ „ 23	3 0	5
23 „ „ 24	3 8	6
24 „ „ 25	3 16	6
25 „ „ 26	4 5	7
26 „ „ 27	4 16	8
27 „ „ 28	5 10	9
28 „ „ 29	6 5	10
29 „ „ 30	7 1	12
30 „ „ 31	7 17	13
31 „ „ 32	8 14	14
32 „ „ 33	9 10	16
33 „ „ 34	10 6	17
34 „ „ 35	11 2	18
35 „ „ 36	11 18	1 0
36 „ „ 37	12 14	1 1
37 „ „ 38	13 10	1 2
38 „ „ 39	14 6	1 4
39 „ „ 40	15 2	1 5
40 „ „ 41	15 17	1 6
41 „ „ 42	16 11	1 8
42 „ „ 43	17 4	1 9
43 „ „ 44	17 17	1 10
44 „ „ 45	18 9	1 11
45 „ „ 46	19 0	1 12
46 „ „ 47	19 9	1 12
47 „ „ 48	19 16	1 13
48 „ „ 49	20 2	1 14
49 „ „ 50	20 7	1 14
50 „ „ 51	20 13	1 14
51 „ „ 52	20 18	1 15
52 „ „ 53	21 4	1 15
53 „ „ 54	21 10	1 16
54 „ „ 55	21 16	1 16
55 „ „ 56	22 1	1 17
56 „ „ 57	22 7	1 17
57 „ „ 58	22 12	1 18
58 „ „ 59	22 18	1 18
59 „ „ 60	23 3	1 19
60 „ „ 61	23 8	1 19
61 „ „ 62	23 12	1 19
62 „ „ 63	23 16	2 0
63 „ „ 64	23 19	2 0
64 and over	24 1	2 0

TABLE V

(*a*) MEN

Age (1)	Amount of transfer value appropriate in respect of each £100 of annual salary or wages and emoluments in relation to each of the following completed periods of service, namely:—	
	Year (2)	Month (3)
	£ s.	£ s.
20 and under 21	3 13	6
21 „ „ 22	3 17	6
22 „ „ 23	4 1	7
23 „ „ 24	4 6	7
24 „ „ 25	4 11	8
25 „ „ 26	4 16	8
26 „ „ 27	5 2	8
27 „ „ 28	5 8	9
28 „ „ 29	5 14	10
29 „ „ 30	6 0	10
30 „ „ 31	6 7	11
31 „ „ 32	6 14	11
32 „ „ 33	7 1	12
33 „ „ 34	7 8	12
34 „ „ 35	7 15	13
35 „ „ 36	8 2	14
36 „ „ 37	8 8	14
37 „ „ 38	8 14	14
38 „ „ 39	9 0	15
39 „ „ 40	9 6	16
40 „ „ 41	9 11	16
41 „ „ 42	9 16	16
42 „ „ 43	10 0	17
43 „ „ 44	10 4	17
44 „ „ 45	10 8	17
45 „ „ 46	10 13	18
46 „ „ 47	10 18	18
47 „ „ 48	11 3	19
48 „ „ 49	11 9	19
49 „ „ 50	11 15	1 0
50 „ „ 51	12 1	1 0
51 „ „ 52	12 8	1 1
52 „ „ 53	12 15	1 1
53 „ „ 54	13 2	1 2
54 „ „ 55	13 9	1 2
55 „ „ 56	13 17	1 3
56 „ „ 57	14 5	1 4
57 „ „ 58	14 14	1 4
58 „ „ 59	15 3	1 5
59 „ „ 60	15 13	1 6
60 „ „ 61	16 0	1 7
61 „ „ 62	16 6	1 7
62 „ „ 63	16 11	1 8
63 „ „ 64	16 14	1 8
64 and over	16 16	1 8

(*b*) WOMEN

Age (1)	Amount of transfer value appropriate in respect of each £100 of annual salary or wages and emoluments in relation to each of the following completed periods of service, namely:—	
	Year (2)	Month (3)
	£ s.	£ s.
20 and under 21	1 15	3
21 „ „ 22	2 1	3
22 „ „ 23	2 7	4
23 „ „ 24	2 12	4
24 „ „ 25	2 17	5
25 „ „ 26	3 3	5
26 „ „ 27	3 10	6
27 „ „ 28	3 19	7
28 „ „ 29	4 9	7
29 „ „ 30	4 19	8
30 „ „ 31	5 9	9
31 „ „ 32	5 19	10
32 „ „ 33	6 9	11
33 „ „ 34	6 19	12
34 „ „ 35	7 9	12
35 „ „ 36	8 0	13
36 „ „ 37	8 11	14
37 „ „ 38	9 1	15
38 „ „ 39	9 12	16
39 „ „ 40	10 3	17
40 „ „ 41	10 13	18
41 „ „ 42	11 3	19
42 „ „ 43	11 12	19
43 „ „ 44	12 1	1 0
44 „ „ 45	12 10	1 1
45 „ „ 46	12 18	1 2
46 „ „ 47	13 5	1 2
47 „ „ 48	13 12	1 3
48 „ „ 49	13 19	1 3
49 „ „ 50	14 7	1 4
50 „ „ 51	14 14	1 4
51 „ „ 52	15 2	1 5
52 „ „ 53	15 11	1 6
53 „ „ 54	16 0	1 7
54 „ „ 55	16 9	1 7
55 „ „ 56	16 17	1 8
56 „ „ 57	17 6	1 9
57 „ „ 58	17 15	1 10
58 „ „ 59	18 4	1 10
59 „ „ 60	18 12	1 11
60 „ „ 61	19 0	1 12
61 „ „ 62	19 7	1 12
62 „ „ 63	19 13	1 13
63 „ „ 64	19 18	1 13
64 and over	20 1	1 13

SIXTH SCHEDULE

PROVISIONS WHICH MAY BE USED FOR THE CALCULATION OF CERTAIN TRANSFER VALUES PAYABLE BY THE MINISTER, AND DIRECTIONS FOR THE USE OF THE SUBJOINED TABLES IN CONNEXION THEREWITH

Regulation 55 (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 any person, other than a practitioner, means the annual remuneration of his employment under the employing authority on which contributions were payable by him on the material date, and in relation to a practitioner means the annual average of his remuneration in respect of all periods of service as a practitioner:

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 36 of these regulations or of regulation 30 of the 1947 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 36 of these regulations or of regulation 30 of the 1947 regulations in calculating the amount of the reduction of any pension to which the person might have become entitled under these regulations or the 1947 regulations shall be reduced by the sum shown in the appropriate column of Table VI set out in the third 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 (INCLUDING MENTAL HEALTH OFFICER) OR PHYSIOTHERAPIST, MIDWIFE OR HEALTH VISITOR WHO BECOMES EMPLOYED AS A FEMALE NURSE, 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	Age	Amount appropriate in respect of each £100 of remuneration
	£ s.		£ s.
Under 25 ...	8 4	45 and under 46	12 15
25 and under 26	8 12	46 " " 47	13 0
26 " " 27	8 19	47 " " 48	13 5
27 " " 28	9 5	48 " " 49	13 11
28 " " 29	9 10	49 " " 50	13 16
29 " " 30	9 15		
		50 " " 51	14 2
30 " " 31	10 0	51 " " 52	14 8
31 " " 32	10 5	52 " " 53	14 14
32 " " 33	10 10	53 " " 54	15 1
33 " " 34	10 14	54 " " 55	15 8
34 " " 35	10 18		
		55 " " 56	15 15
35 " " 36	11 2	56 " " 57	16 2
36 " " 37	11 5	57 " " 58	16 9
37 " " 38	11 8	58 " " 59	16 16
38 " " 39	11 10	59 " " 60	17 3
39 " " 40	11 13		
		60 " " 61	17 10
40 " " 41	11 16	61 " " 62	17 17
41 " " 42	12 0	62 " " 63	18 4
42 " " 43	12 3	63 " " 64	18 12
43 " " 44	12 7	64 and over ...	19 0
44 " " 45	12 11		

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

SEVENTH SCHEDULE

REDUCTION OF PENSION UNDER REGULATION 36 (3)

TABLE I

FEMALE NURSE (INCLUDING MENTAL HEALTH OFFICER) OR PHYSIOTHERAPIST, MIDWIFE OR HEALTH VISITOR

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

EIGHTH SCHEDULE

REDUCTION OF PENSION AND RETIRING ALLOWANCE UNDER REGULATION 55 (5)

PART I—PENSION

Age of person at date on which benefit under regulation 55 (5) (*b*) accrues:—	Percentage reduction to be made under proviso (i) to regulation 55 (5) by reference to the undermentioned 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 55 (5) (*b*) accrues:—	Percentage reduction to be made under proviso (i) to regulation 55 (5) by reference to the undermentioned minimum age at which the person would have been entitled to a retiring allowance 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

Given under the official seal of the Minister of Health this thirty-first day of March, nineteen hundred and fifty.

(L.S.)

Aneurin Bevan,
Minister of Health.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These regulations revoke, with a few exceptions, the regulations in force under section 67 (1) of the National Health Service Act, 1946, and reproduce their provisions with necessary drafting alterations and certain minor alterations, mainly of an administrative character.

Regulations 15 (17), 15 (18), 28 (7) and 30 (8) are the main new provisions.

Regulation 15 (17) consequentially upon the retrospective application of rules made under section 2 of the Superannuation (Miscellaneous Provisions) Act, 1948, confers additional pension rights on persons who have left pensionable employment, to which those rules have become applicable, in order to enter the health service with a preservation of previous pension rights.

Regulation 15 (18) enables the Minister to grant pension rights in respect of previous service to persons formerly subject to local government pension schemes as officers in a hospital transferred to the Minister by the Act of 1946 who were not employed therein on the appointed day but who become or have become employed therein after the appointed day in circumstances in which under the existing regulations they are not entitled to reckon their previous service for pension purposes.

Regulations 28 (7) and 30 (8) enable persons who were transferred to the health service on the appointed day and who exercised an option not to take advantage of the benefits provided by the original regulations now to take advantage of the benefits provided by these regulations.

SUPPLEMENTARY OPHTHALMIC SERVICES

The National Health Service (Supplementary Ophthalmic Services) Amendment Regulations, 1950

1950 No. 1276

Made - - - -	28*th July*, 1950
Laid before Parliament	29*th July*, 1950
Coming into Operation	14*th August*, 1950

M.H. 110521.

The Minister of Health in exercise of his powers under sections 41 and 44, of the National Health Service Act, 1946(**a**), and of all other powers enabling him in that behalf, hereby makes the following regulations :—

1.—(1) These regulations may be cited as the National Health Service (Supplementary Ophthalmic Services) Amendment Regulations, 1950, and shall come into operation on the fourteenth day of August, 1950.

(2) The Interpretation Act 1889(**b**), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

(**a**) 9 & 10 Geo. 6. c. 81. (**b**) 52 & 53 Vict. c. 63.