# The Superannuation (Civil Servants and Teachers) Amending Rules, 1951

## 1951 No. 141

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| *Made* - - - - | *29th January*, 1951 |
| *Laid before Parliament* | *30th January*, 1951 |
| *Coming into Operation* | *5th February*, 1951 |

The Treasury and the Minister of Education jointly in the exercise of the powers conferred upon them by Sections 2 and 15 of the Superannuation (Miscellaneous Provisions) Act, 1948(**a**), hereby make the following rules:—

**1.** These rules may be cited as the Superannuation (Civil Servants and Teachers) Amending Rules, 1951, and shall come into operation on the fifth day of February, 1951.

**2.** The existing rules hereby amended, in these rules called " the principal rules ", are the Superannuation (Civil Servants and Teachers) Rules, 1950(**b**).

**3.** Rule 5 (1) (*b*) of the principal rules, which provides for the period within which sums shall be paid to the Treasury on account of contributions in respect of war service or national service, shall have effect with the addition of the following words after the words " the later date "—

" or within such longer period as the Treasury may allow in any particular case ".

**4.** Paragraph (1) of rule 8 of the principal rules which entitles a person, and paragraph (2) of that rule which entitles the legal personal representatives of a deceased person, to receive from the Treasury a sum equal to the balance of that person's or deceased person's contributions as the case may be shall each have effect as if contributions under a Scheme made under Section 21 (1) (*a*) of the Act of 1925 were excluded from the sum in question.

**5.** Rule 10 of the principal rules shall have effect with:—

(*a*) the addition of the following paragraph after paragraph (1)—

" (1.A.) Where a person having previously been employed in recognised or contributory service becomes employed in service in the Isle of Man which by virtue of the Scheme made on 2nd May, 1928(**c**), under Section 21 (1) (*c*) of the Act of 1925 is treated in the same manner as service in Scotland which is approved external service for the purposes of Section 13 (1) (*a*) of the Act of 1925 and subsequently becomes employed in established service and is entitled to reckon his said service in the Isle of Man as established service under rules made by the Treasury under Section 2 of the Act, his recognised service (if any) and his contributory service, other than service in respect of which he has had a return of contributions or service under any scheme made under Section 21 (1) (*a*) of the Act of 1925, shall be reckoned as established service unless he notifies the Treasury in writing that he does not wish this Part of these rules to apply to him."; and

(**a**) 11 & 12 Geo. 6. c. 33. (**b**) S.I. 1950 (No. 216), II, p. 227.
(**c**) S.R. & O. 1928 (No. 338) p. 474.

(*b*) the substitution of the following words for the words " becomes employed in established service " in the fifth line of paragraph (3)—

" becomes employed in recognised or contributory service and subsequently becomes employed in established service ".

**6.** Part III, comprising rules 12, 13 and 14, of the principal rules, which prescribes the conditions as to pensions payable to persons transferring from established service to contributory service, is hereby amended as follows:—

(*a*) the following paragraph is added to rule 12:—

" (5) Where the contributory service of any such person as is mentioned in paragraphs (1) and (2) of this rule has ceased on or after the date of the passing of the Act but before the date of the coming into operation of these rules and that person has become entitled to a teacher's pension but not to a civil service pension, he shall be entitled as from the date on which his teacher's pension became payable to such an adjustment of that pension as would have been effected if these rules had been in operation on the said last-mentioned date."; and

(*b*) the said Part III, as amended by paragraph (*a*) of this rule, is hereby extended, with any necessary modifications, so as to apply to persons who transferred from established service to recognised service; provided that any reference in that Part to the date of the coming into operation of the principal rules shall be construed as a reference to the date of the coming into operation of these rules.

**7.** These rules shall be read as one with the principal rules.

*Charles Royle,*
*W. A. Wilkins,*
Two of the Lords Commissioners of His Majesty's Treasury.

26th January, 1951.

Given under the Official Seal of the Minister of Education this 29th day of January, 1951.

(L.S.)

*Geo. Tomlinson,*
Minister of Education.

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## EXPLANATORY NOTE

*(This Note is not part of these Rules, but is intended to indicate their general purport.)*

These Amending Rules extend the provisions of the principal Rules dealing with the transfer of pension rights from the Civil Service to teaching to persons who transferred before April, 1926, and make certain other amendments of a minor character.