(5) JOINT ISLE OF MAN AND CIVIL SERVICE

The Superannuation (Civil Service and Isle of Man Service) Rules, 1949

1949 No. 2115

Made - - - -	16*th November*, 1949
Laid before Parliament	17*th November*, 1949
Coming into Operation	18*th November*, 1949

The Lords Commissioners of His Majesty's Treasury, in exercise of the powers conferred upon Them by Sub-Section (1) of Section 54 of the Superannuation Act, 1949(**a**), and of all other powers enabling Them in that behalf, hereby make the following Rules:—

1.—(i) These Rules may be cited as The Superannuation (Civil Service and Isle of Man Service) Rules 1949.

(ii) The Interpretation Act, 1889(**b**), shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

(iii) These Rules shall come into force on the 18th day of November, 1949.

2.—(i) In these Rules, unless the context otherwise requires, the following expressions have the meanings hereunder respectively assigned to them—

(*a*) "The Act" means the Superannuation Act, 1949.

(*b*) "Officer" means a person who, whether before or after he is a civil servant, serves in the permanent civil service of the Isle of Man.

(*c*) The Isle of Man (Officers) Acts means the Isle of Man (Officers) Acts, 1876(**c**) and 1882(**d**).

(ii) Any reference in these Rules to the provisions of any enactment shall be construed, unless the context otherwise requires, as a reference to those provisions as amended or re-enacted by any subsequent enactment.

3.—(i) Part 1 and Part 2 of the Act shall apply to an officer subject to the adaptations and modifications specified in these Rules.

(ii) References in Part 1 and in Part 2 of the Act to a person being, serving as, or ceasing to be, a civil servant shall, unless the context otherwise requires, be construed as including references to him being, serving as, or ceasing to be, an officer to whom these Rules apply.

4. For the purposes of the application of Part 1 and Part 2 of the Act to an officer references therein to the rate of the superannuation allowance of the deceased or of the nominator shall be deemed to be references to the annual rate of the superannuation allowance for which a deceased officer has become eligible (whether such an allowance at that or any other rate had actually been granted or not), or, as the case may be, for which he would or might have become eligible, under the Isle of Man (Officers) Acts, any abatements falling to be made under regulations made under Sub-Section (4) of Section 69 of the National Insurance Act, 1946(**e**), being left out of account.

(**a**) 12, 13 & 14 Geo. 6. c. 44. (**b**) 52 & 53 Vict. c. 63.
(**c**) 39 & 40 Vict. c. 43. (**d**) 45 & 46 Vict. c. 46.
(**e**) 9 & 10 Geo. 6. c. 67.

5. Where any widow's, children's, or dependants' pension becomes payable under Part 1 or Part 2 of the Act in respect of an officer, the proviso to Section 1 of the Isle of Man (Officers) Act, 1876 (which requires the Treasury to determine the portion of every allowance and pension payable pursuant to that Act which is payable on account of service in a permanent office in the civil service of the Isle of Man, and for the portion so determined to be paid as part of the necessary expenses attending the government of the Isle of Man) shall apply in relation to such widow's, children's, or dependants' pension as if it were a superannuation allowance or pension to which the said Section 1 applies.

6. Where a contribution is made in respect of an officer under Section 9 or Section 22 of the Act the amount thereof shall be apportioned between the Exchequer and the Treasurer of the Isle of Man in the like proportions that the superannuation allowance or pension to which the officer had, would or might have become eligible under the Isle of Man (Officers) Acts is, would be or might be apportionable between them under the proviso to section 1 of the Isle of Man (Officers) Act, 1876.

7. Section 8 and Section 21 of the Act (which relate to the return of the periodical contributions made under the Act) shall not apply in the case of any person who ceases to be a civil servant in order to become employed in the permanent civil service of the Isle of Man.

Dated this 16th day of November, 1949.

R. J. Taylor,
Wm. Hannan,
Two of the Lords Commissioners of
His Majesty's Treasury.

EXPLANATORY NOTE

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

These Rules provide that where a person with joint service in the Civil Service of the State and the Permanent Civil Service of the Isle of Man is a participant in the Widows' or Dependants' Pension Schemes under Parts I or II of the Superannuation Act 1949, the contributions and pensions payable under those Schemes are to be apportioned between the two Civil Services on a basis proportionate to the length of service with each.

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(6) NATIONAL INSURANCE

The National Insurance (Modification of the Superannuation Acts) (Amendment) Regulations, 1949

1949 No. 1620

Made - - - -	29*th August*, 1949
Laid before Parliament	30*th August*, 1949
Coming into Operation	31*st August*, 1949

The Lords Commissioners of His Majesty's Treasury in exercise of the powers conferred upon Them by subsection (4) of section 69 of the National