1959 No. 1923

The Superannuation (Imperial Institute and Civil Service) Transfer Rules, 1959

Made - - - -	16*th November*, 1959
Laid before Parliament	19*th November*, 1959
Coming into Operation	20*th November*, 1959

The Lords Commissioners of Her Majesty's Treasury, in exercise of the powers conferred upon them by section 2 of the Superannuation Act, 1957(**a**), and of all other powers enabling them in that behalf, hereby make the following Rules:—

1.—(1) Where a person either—

(*a*) was, on the first day of April, 1949, taken into the civil service of the State as an officer of the Colonial Office after having been employed in the Mineral Resources Department or the Plant and Animal Products Department of the Imperial Institute, or

(*b*) was, not earlier than the first day of April, 1948, or not later than the first day of March, 1951, taken into the civil service of the State as an officer of the Central Office of Information after having been employed in the Central Film Library of the Imperial Institute, or

(*c*) was, on the first day of October, 1929, taken into the civil service of the State as an officer of the Department of Scientific and Industrial Research after having been employed as a member of the Timber Mechanics Staff of the Imperial Institute,

and his employment by that Institute was, in the opinion of the Treasury, of the same nature and for the same purpose as his employment in the service of the State, his service in employment by that Institute before the date on which he was taken into the civil service of the State but not before the first day of January, 1919, shall be reckoned for the purposes of the Superannuation Acts as employment in an unestablished capacity within the meaning of section 3 of the Superannuation Act, 1935(**b**).

(2) Where the said Institute has paid, or is liable to pay, a gratuity to a person to whom paragraph (1) of this Rule applies in respect of his service with that Institute it shall be a condition of the making of any payment under the Superannuation Acts in respect of that person's service, so far as that payment is dependent on the provisions of paragraph (1) of this Rule, that there has been paid to the Exchequer a sum equal to the amount of such gratuity.

(3) Where a person to whom paragraph (1) of this Rule applies was, before he was taken into the civil service of the State, a participant in a pension scheme under which employer's contributions were payable in respect of him it shall be a condition of the making of any payment under the Superannuation Acts in respect of that person's service, so far as that payment is dependent on the provisions of paragraph (1) of this Rule,

(a) 5 & 6 Eliz. 2. c. 37.

(b) 25 & 26 Geo. 5. c. 23.

that there has been paid to the Exchequer a sum equal to the aggregate amount of the employer's contributions paid in respect of him while he was a participant in the said pension scheme together with compound interest thereon calculated from the date on which each such contribution became payable at the rate of three per cent. per annum with yearly rests.

(4) These Rules shall not have effect so as to authorise an increase in an annual superannuation allowance or pension so far as the allowance or pension is payable in respect of a period before the twenty-first day of November, 1957.

2.—(1) In these Rules the expression "the Superannuation Acts" means the Superannuation Acts, 1834 to 1950, and any Act amending those Acts.

(2) The Interpretation Act, 1889(**a**), shall apply for the interpretation of these Rules as it applies for the interpretation of an Act of Parliament.

3. These Rules may be cited as the Superannuation (Imperial Institute and Civil Service) Transfer Rules, 1959, and shall come into operation on the twentieth day of November, nineteen hundred and fifty-nine.

Dated this 16th day of November, 1959.

R. Brooman-White,
P. E. O. Bryan,
Two of the Lords Commissioners of Her Majesty's Treasury.

EXPLANATORY NOTE

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

These Rules provide for service in certain branches of the Imperial Institute (after the age of 18) of employees who were taken into the Civil Service to be reckoned, subject to certain conditions, as unestablished civil service for the purposes of the Superannuation Acts. The officers covered by the Rules are (*a*) those employed in the Mineral Resources Department or the Plant and Animal Products Department who transferred to the Colonial Office on 1st April, 1949, (*b*) those employed in the Central Film Library who transferred to the Central Office of Information after 31st March, 1948 and before 2nd March, 1951, and (*c*) those employed as members of the Timber Mechanics Staff who transferred to the Department of Scientific and Industrial Research on 1st October, 1929.

(a) 52 & 53 Vict. c. 63.