STATUTORY INSTRUMENTS

1971 No. 1726

PENSIONS

The Superannuation (Pest Infestation Laboratory and Civil Service) Transfer Rules 1971

Made - - - -	*26th October* 1971
Laid before Parliament	*2nd November* 1971
Coming into Operation	*17th November* 1971

The Minister for the Civil Service, in exercise of the powers conferred on him by section 33 of the Superannuation Act 1965(a), and of all other powers enabling him in that behalf, hereby makes the following Rules:—

1. These Rules may be cited as the Superannuation (Pest Infestation Laboratory and Civil Service) Transfer Rules 1971, and shall come into operation on 17th November 1971.

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

3.—(1) Subject to the provisions of paragraph (3) below, where a person was on 1st November 1970 taken into the civil service of the State as an officer of the Ministry of Agriculture, Fisheries and Food or of the Ministry of Public Building and Works after having been employed by the Agricultural Research Council in their Pest Infestation Laboratory, and his employment by the Council was, in the opinion of the Minister for the Civil Service, of the same nature and for the same purpose as his employment in the service of the State, his service in employment by the Council, not being service before he attained the age of eighteen years, may be reckoned for the purposes of the Superannuation Acts 1965 and 1967(c) as employment in an unestablished capacity within the meaning of section 99(1) of the Superannuation Act 1965.

(2) Where a person to whom the foregoing paragraph applies was, before he was taken into the civil service of the State, subject to a superannuation scheme operated under the Federated Superannuation System for Universities or subject to the Superannuation Scheme administered by the Agricultural Research Council for members of its Clerical and Technical Staff, it shall be a condition of the making of any payment under the Superannuation Acts 1965 and 1967 in respect of that person's service, so far as that payment is dependant on the provisions of the foregoing paragraph, that any policies of insurance purchased in respect of him under either of those Superannuation Schemes have, within three months after the coming into operation of these Rules or within such longer period as the Minister for the Civil Service may allow in any particular case, been assigned to such person and in such manner as the Minister may direct.

(a) 1965 c. 74. (b) 1889 c. 63.
(c) 1965 c. 74; 1967 c. 28.

(3) These Rules shall not apply to a person who

(*a*) had the opportunity, while he was employed by the Agricultural Research Council, to become a member of the Superannuation Scheme administered by the Agricultural Research Council for members of its Clerical and Technical Staff, but refused to become a member of that Scheme; or

(*b*) was, immediately prior to his employment by the Agricultural Research Council, employed in an established capacity in the civil service of the State and while so employed exercised an option to remain subject to a superannuation scheme operated under the Federated Superannuation System for Universities, and remained subject to that scheme while he was employed by the Agricultural Research Council; or

(*c*) was employed in the civil service of the State immediately prior to his employment by the Agricultural Research Council and during the whole of both such employments was eligible for superannuation benefits under, or by reference to, the Superannuation Acts 1965 and 1967.

(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 coming into operation of these Rules.

Given under the official seal of the Minister for the Civil Service on 26th October 1971.

K. H. McNeill,
Authorised by the Minister
for the Civil Service.

EXPLANATORY NOTE

(*This Note is not part of the Rules.*)

These Rules provide for service (after the age of 18) in the Pest Infestation Laboratory of the Agricultural Research Council of certain employees, who were taken into the Civil Service on 1st November 1970, to be reckoned on certain conditions as unestablished civil service for the purposes of the Superannuation Acts 1965 and 1967.