3. In their application to any person who becomes employed as a civil servant after ceasing to be in the pensionable employment of one of the bodies mentioned in the last preceding rule the principal rules shall have effect as if:—

(*a*) the references to the date of the making of the principal rules in sub-paragraphs (*d*) and (*e*) of paragraph (1) of rule 3 of the principal rules were references to the date of the making of these rules; and

(*b*) the references to the coming into operation of the principal rules in paragraph (2) of rule 3 of the principal rules were references to the coming into operation of these rules.

4. In their application to any person who enters the pensionable employment of one of the bodies mentioned in rule 2 of these rules after ceasing to be employed as a civil servant the principal rules shall have effect as if:—

(*a*) the reference to the date of the making of the principal rules in sub-paragraph (*e*) of paragraph (1) of rule 7 of the principal rules were a reference to the date of the making of these rules; and

(*b*) the references to the coming into operation of the principal rules in paragraph (2) of rule 7 of the principal rules were references to the coming into operation of these rules.

Dated this 15th day of July, 1952.

T. G. D. Galbraith,
Edward Heath,
Two of the Commissioners of Her Majesty's Treasury.

EXPLANATORY NOTE

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

These Rules add three further Public Boards to the Schedule of the Superannuation (Transfers between the Civil Service and Public Boards) Rules, 1950. The new Boards are the North of Scotland Hydro-Electric Board, the National Dock Labour Board and the Commonwealth Telecommunications Board. The principal Rules provide for the aggregation of service and for a single superannuation award in cases where a person transfers from pensionable service under one of the specified Public Boards to an established post in the Civil Service or vice versa.

1952 No. 917

The Superannuation (Transfers from the Civil Service to the Fire Services) Rules, 1952

Made - - - -	*5th May*, 1952
Laid before Parliament	*9th May*, 1952
Coming into Operation	*16th May*, 1952

The Lords Commissioners of Her Majesty's Treasury, in exercise of the powers conferred upon Them by sections 2 and 15 of the Superannuation (Miscellane-

ous Provisions) Act, 1948(a), and of all other powers enabling Them in that behalf, hereby make the following Rules:—

1.—(1) These Rules may be cited as the Superannuation (Transfers from the Civil Service to the Fire Services) Rules, 1952.

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

(3) These Rules shall come into force on the sixteenth day of May, 1952.

2.—(1) In these Rules, unless the context otherwise requires:—

(*a*) the following expressions have the meanings hereby respectively assigned to them:—

"the Act" means the Superannuation (Miscellaneous Provisions) Act, 1948;

"fire authority" has the same meaning as in the Fire Services Act, 1947(c);

"fireman" means a member of a fire brigade of a class prescribed by the Firemen's Pension Scheme for the purposes of Section 2 of the Fire Services Act, 1951(d); and

"the Superannuation Acts" means the Superannuation Acts, 1834 to 1950;

(*b*) the following expressions have the meanings respectively assigned to them by the Act:—

"civil servant"; and

"pension".

(2) 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.—(1) These Rules shall apply to any person who—

(*a*) ceases to be employed as a civil servant in order to enter employment as a fireman; and

(*b*) enters such employment; and

(*c*) has, before changing his employment as aforesaid, obtained the consent of the Head of the Department in which he ceased to be employed; and

(*d*) has not become eligible for a pension under the Superannuation Acts; and

(*e*) within three months after the date on which he enters such employment as aforesaid or within six months after the date of the making of these Rules, whichever period last expires, notifies the fire authority by whom he is then employed that he desires these Rules to apply to him.

(2) These Rules shall apply to such person as aforesaid notwithstanding that he ceased to be employed as a civil servant or became a fireman before the coming into operation of these Rules or before the passing of the Act:

(a) 11 & 12 Geo. 6. c. 33. (b) 52 & 53 Vict. c. 63. (c) 10 & 11 Geo. 6. c. 41. (d) 14 & 15 Geo. 6. c. 27.

Provided that:—

(*a*) he has not ceased to be a fireman before the coming into operation of these Rules otherwise than on transfer from one fire brigade to another with the consent of the authority maintaining the brigade from which he transferred ; and

(*b*) the Treasury consent.

(3) In these Rules a person to whom these Rules apply is referred to as " the officer ".

4.—(1) Upon these Rules becoming applicable to the officer the Treasury may pay to the fire authority by whom the officer is then employed a transfer value calculated in accordance with paragraph (2) of this Rule.

(2) The transfer value shall be of an amount equal to the transfer value which would have been payable under the regulations for the time being in force by virtue of section 29 of the Local Government Superannuation Act, 1937(**a**), if the officer at the date when he ceased to be employed as a civil servant had ceased to be a contributory employee under one local authority and had within twelve months after such date become a contributory employee under another local authority, and if his service which for the purposes of the Superannuation Acts is reckonable as service in the capacity of a civil servant had been service as a contributory employee of a local authority within the meaning of the said Act.

5. Where the officer was in course of paying, but had not completed paying, to the Treasury sums equal to additional contributions in consideration of his service being treated for pension purposes as increased by an additional period, there shall be deducted from the transfer value payable under Rule 4 of these Rules the value of the sums which he would have been liable to pay to the Treasury had he continued to be employed as a civil servant.

Dated this 5th day of May, 1952.

H. R. Mackeson,
Edward Heath,
Two of the Lords Commissioners
of Her Majesty's Treasury.

EXPLANATORY NOTE

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

These Rules provide for the payment of a transfer value when a person transfers from the permanent civil service to the fire services. When such a transfer value is paid, Article 19C of the Firemen's Pension Scheme, 1952, enables prior civil service to reckon (as to three-quarters) as pensionable fire service. Transfer from the fire services to the permanent civil service is already covered by the Fire Services (Pensionable Employment) (No. 2) Regulations, 1949(**b**), and the Fire Services (Pensionable Employment (Scotland) (No. 2) Regulations, 1948(**c**).

(a) 1 Edw. 8 & 1 Geo. 6. c. 68. (b) S.I. 1949/2216; 1949 I, p. 1658.
(c) S.I. 1948/2688; Rev. VII, p. 882; 1948 I, p. 1090.