1969. No. 161 [C]

HEALTH SERVICES SUPERANNUATION

Pensions Increase—Approved Schemes

REGULATIONS, DATED 23RD JUNE 1969, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES WITH THE CONSENT OF THE MINISTRY OF FINANCE UNDER SECTION 3(2)(*b*)(i) AND (3) OF THE PENSIONS (INCREASE) ACT (NORTHERN IRELAND) 1966.

The Ministry of Health and Social Services, in exercise of the powers conferred on it by section 3(2)(*b*)(i) and (3) of the Pensions (Increase) Act (Northern Ireland) 1966(**a**), and of all other powers enabling it in that behalf, and with the consent of the Ministry of Finance, hereby makes the following regulations:—

Citation and Commencement

1. These regulations may be cited as the Pensions Increase (Approved Schemes) (Health Services) Regulations (Northern Ireland) 1969, and shall come into operation on 14th July 1969.

Interpretation

2. In these regulations—

"the Act of 1966" means the Pensions (Increase) Act (Northern Ireland) 1966;

"average remuneration", in relation to a person, means the annual average of his remuneration as it would have been calculated if he had been superannuable under the Regulations in respect of his reckonable service;

"civil service" means the civil service as defined in the Superannuation Act 1965(**b**) and the Superannuation Act (Northern Ireland) 1967(**c**);

"dependant", in relation to a woman, means a person who is to the satisfaction of the Ministry wholly or mainly supported by that woman and who either has not attained the age of 16 years or is receiving instruction or undergoing training as referred to in section 1(6) of the Pensions (Increase) Act (Northern Ireland) 1959(**d**) (as applied by section 1(3) of the Act of 1966);

"employing authority" means an authority which is, or is deemed to be, an employing authority for the purposes of the Regulations;

"minimum pensionable age", in relation to a person, means the earliest age at which he could have become entitled to a pension (other than a pension payable consequent on physical or mental infirmity) if he had been superannuable under the Regulations;

"the Ministry" means the Ministry of Health and Social Services;

"notional pension", in relation to a person, has the meaning assigned to it by regulation 5;

"reckonable service", in relation to a person, has the meaning assigned to it by the schedule;

(a) 1966. c. 5 (N.I.).
(b) 1965. c. 74.
(c) 1967. c. 24 (N.I.).
(d) 1959. c. 19.

"the Regulations" means the Health Services (Superannuation) Regulations (Northern Ireland) 1962(e) as amended(f);

"statutory pension increases" means the benefits conferred by—

(i) section 1 of the Pensions (Increase) Act (Northern Ireland) 1952(g);

(ii) section 1 of the Pensions (Increase) Act (Northern Ireland) 1956(h);

(iii) section 1 of the Pensions (Increase) Act (Northern Ireland) 1959;

(iv) sections 1 and 2 of the Pensions (Increase) Act (Northern Ireland) 1963(i);

(v) section 1 of the Act of 1966; and

(vi) section 1 of the Pensions (Increase) Act (Northern Ireland) 1969(j),

on persons whose superannuation benefits are regulated under the Superannuation Act (Northern Ireland) 1967;

"superannuation scheme" means the Federated Superannuation Scheme for Nurses and Hospital Officers and any other scheme approved by the Ministry of Finance for the purposes of section 3 of the Act of 1966;

"superannuable under the Regulations", in relation to a person, means entitled to participate in the superannuation benefits provided by the Regulations (other than regulations 36 and 38).

Effect of these regulations

3. These regulations shall apply for the payment to persons described in regulation 4 of the allowances described in regulation 6, being allowances which appear to the Ministry to be appropriate having regard to the statutory pension increases.

Persons to whom the regulations apply

4.—(1) These regulations shall apply to any person who—

(*a*) has ceased to be employed by an employing authority on or after attaining minimum pensionable age or on account of physical or mental infirmity; and

(*b*) immediately before ceasing to be so employed—

(i) was subject to a superannuation scheme; and

(ii) had completed 10 years' reckonable service; and

(*c*) has received or has become entitled to receive payment of any retirement benefit under a superannuation scheme; and

(*d*) either—

(i) has attained the age of 60 years; or

(ii) has retired on account of physical or mental infirmity, or is to the satisfaction of the Ministry disabled by physical or mental infirmity or permanently incapacitated by such infirmity from engaging in any regular full-time employment; or

(iii) is a woman who has at least one dependant.

(2) For the purposes of the preceding paragraph, a person who was entitled to receive, and received, payment of any retirement benefit under a superannuation scheme within 12 months of minimum pensionable age shall be deemed to have attained that age.

(e) S.R. & O. (N.I.) 1962, No. 237.
(f) S.R. & O. (N.I.) 1967, No. 55.
(g) 1952, c. 25.
(h) 1956, c. 7.
(i) 1963, c. 3 (N.I.).
(j) 1969, c. 5 (N.I.).