1968. No. 68 **[C]**

SUPERANNUATION

Transfers between the Civil Service and Agricultural Research Organisations

RULES, DATED 13TH MARCH 1968, MADE BY THE MINISTRY OF FINANCE UNDER SECTIONS 33 AND 34 OF THE SUPERANNUATION ACT (NORTHERN IRELAND) 1967.

The Ministry of Finance in exercise of the powers conferred on it by sections 33 and 34 of the Superannuation Act (Northern Ireland) 1967(a), and of all other powers enabling it in that behalf, hereby makes the following rules:—

PART I

GENERAL

Citation and commencement

1. These rules may be cited as the Superannuation (Civil Service of Northern Ireland and Agricultural Research Organisations) Transfer Rules (Northern Ireland) 1968 and shall come into operation on 1st April 1968.

Interpretation

2. In these rules—

"agricultural research organisation" means any of the bodies specified in the Schedule;

"civil servant" has the meaning assigned to it by section 91(2) of the Superannuation Act;

"pension" has the meaning assigned to it by section 33(7) of the Superannuation Act;

"relevant pension scheme" means, in relation to employment by the Agricultural Research Council, the Superannuation Scheme administered by that Council for members of its Clerical and Technical Staff, and, in relation to employment by any other agricultural research organisation, the similar Superannuation Scheme administered by that organisation for members of its Clerical and Technical Staff or for members of its Laboratory Assistant, Clerical and Typing Staff;

"the Superannuation Act" means the Superannuation Act (Northern Ireland) 1967.

PART II

PERSONS TRANSFERRING FROM AN AGRICULTURAL RESEARCH ORGANISATION TO THE NORTHERN IRELAND CIVIL SERVICE

Application

3.—(1) This part shall apply to any person who becomes employed as a civil servant within twelve months after ceasing to be employed by an agricultural research organisation in employment in which he was a participant in a relevant pension scheme, or within such longer period thereafter as the Ministry of Finance may allow in any particular case.

(a) 1967. c. 24 (N.I.).

(2) This part shall apply to such person as aforesaid notwithstanding that he ceased to be employed by an agricultural research organisation or became employed as a civil servant before the coming into operation of these rules:

Provided that—

(*a*) he ceased to be employed by the agricultural research organisation on or after the 1st April 1950; and

(*b*) he has not ceased to be employed as a civil servant before the coming into operation of these rules; and

(*c*) he does not within six months after the date of the coming into operation of these rules notify the Department in which he is then employed that he does not desire this part to apply to him.

Reckoning of service with an Agricultural Research Organisation as qualifying service for Civil Service superannuation benefits

4. The period of continuous service in respect of which, immediately before a person to whom this part applies ceased as aforesaid to be employed by an agricultural research organisation, contributions were paid in his case under a relevant pension scheme shall, for the purpose only of the provisions of the Superannuation Act with respect to the minimum periods of service which qualify for the benefit of that Act, be treated as service in the capacity of a civil servant.

Modification of Civil Service ill-health retirement provisions

5. Section 5 of the Superannuation Act (which provides for an increase of certain allowances in cases of retirement for ill-health with less than twenty years' service) shall have effect in relation to a person to whom this part applies as if for the references in subsections (1) and (2) of that section to twenty years there were substituted references to a period equivalent to the amount by which twenty years exceeds such period of that person's continuous service as is referred to in rule 4:

Provided that where the period so substituted is shorter than the period of his service as a civil servant the said section 5 shall not apply to him.

Part III

Persons transferring from the Northern Ireland Civil Service to an Agricultural Research Organisation

Application

6.—(1) This part shall apply to any person who—

(*a*) within twelve months after ceasing to be employed as a civil servant or within such longer period thereafter as the Ministry of Finance may allow in any particular case, becomes employed by an agricultural research organisation in employment in which he is a participant in a relevant pension scheme; and

(*b*) has before or after changing his employment as aforesaid obtained from the Department in which he ceased to be employed consent to his employment by the agricultural research organisation; and

(*c*) has not become eligible for a pension under the Superannuation Act; and

(*d*) within three months after the date on which he becomes employed as aforesaid by an agricultural research organisation or within six months