1965. No. 219 **[C]**

PENSIONS

The Federated Superannuation System for Universities (Pensions Increase) Regulations (Northern Ireland) 1965

REGULATIONS, DATED 25TH OCTOBER, 1965, MADE BY THE MINISTRY OF FINANCE UNDER SECTION 5(3) OF THE SUPERANNUATION ACT (NORTHERN IRELAND) 1947, BY THAT SUBSECTION AS APPLIED BY SECTION 2 OF THE PENSIONS (INCREASE) ACT (NORTHERN IRELAND) 1952 AND SECTION 7 OF THE PENSIONS (INCREASE) ACT (NORTHERN IRELAND) 1956, BY SECTION 3(2) OF THE PENSIONS (INCREASE) ACT (NORTHERN IRELAND) 1959 AND BY THAT SUBSECTION AS APPLIED BY SECTION 4(2) OF THE PENSIONS (INCREASE) ACT (NORTHERN IRELAND) 1963.

The Ministry of Finance (hereinafter referred to as "the Ministry"), in exercise of the powers conferred on it by section 5(3) of the Superannuation Act (Northern Ireland) 1947(**a**), by that subsection as applied by section 2 of the Pensions (Increase) Act (Northern Ireland) 1952(**b**) and section 7 of the Pensions (Increase) Act (Northern Ireland) 1956(**c**), by section 3(2) of the Pensions (Increase) Act (Northern Ireland) 1959(**d**) and by that subsection as applied by section 4(2) of the Pensions (Increase) Act (Northern Ireland) 1963(**e**) and of all other powers enabling it in that behalf, hereby makes the following Regulations:—

Citation and Commencement

1. These Regulations may be cited as the Federated Superannuation System for Universities (Pensions Increase) Regulations (Northern Ireland) 1965 and shall come into operation on 1st December, 1965.

Interpretation

2. In these Regulations—

"the Act of" any specified year means the Pensions (Increase) Act (Northern Ireland) of that year;

"F.S.S.U. scheme" means a superannuation scheme operated under the Federated Superannuation System for Universities;

"the civil service" means the civil service of Northern Ireland;

"civil servant" has the meaning assigned to it by section 53(2) of the Superannuation Act (Northern Ireland) 1949(**f**);

"the Superannuation Acts" means the Superannuation Acts (Northern Ireland) 1921 to 1958 and includes any enactments thereby applied to the civil service;

"date of retirement" means in relation to a person retiring from the civil service the date of such retirement and in relation to a person who retires from an employment which is approved employment within the meaning of section 4 of the Superannuation Act 1914(**g**) and to whom Regulation 3(1)(*a*)(iv) applies, the date of his retirement from that employment;

(**a**) 1947. c. 18.
(**b**) 1952. c. 25.
(**c**) 1956. c. 7.
(**d**) 1959. c. 10.
(**e**) 1963. c. 3 (N.I.).
(**f**) 1949. c. 13.
(**g**) 4 & 5 Geo. 5. c. 86.

"period of F.S.S.U. service" means, in relation to any person, the period in respect of which, while he was employed in the civil service, contributions were paid in his case under an F.S.S.U. scheme, but does not include any period in respect of which the employer's contributions paid in his case have been refunded by him, and for this purpose any contributions refunded by him shall be taken to be those employer's contributions which were last paid in his case before he ceased to be subject to an F.S.S.U. scheme;

"accumulated contributions" means, in relation to any person, the total sum which would have accumulated at the date of his retirement, if, in respect of each year of his period of F.S.S.U. service and any uncompleted part of a year at the end of such period, a sum equal to fifteen per cent. of the annual rate of the salary to which he was entitled at the beginning of such year (or, in the case of any such uncompleted part of a year, fifteen per cent. of a proportionate part of such annual rate) had been accumulated with compound interest at three per cent. per annum calculated with yearly rests from the beginning of such year or uncompleted part of a year as aforesaid until the date of his retirement;

"notional annuity" means—

(*a*) in the case of a person to whom neither Regulation 3(1)(*b*)(iii) nor 3(1)(*b*)(v) applies and whose superannuation benefits are provided by means of an insurance policy, the annuity (calculated in accordance with the guaranteed rates of the insurance company with whom the policy is taken out) which would have been payable to that person if he had elected to take the benefits payable under the policy at the date of his retirement in the form of an annuity, and

(*b*) in the case of a person to whom neither Regulation 3(1)(*b*)(iii) nor 3(1)(*b*)(v) applies and whose superannuation benefits are provided not by means of an insurance policy but by means of the investment and accumulation of contributions, the annuity (calculated in accordance with the tables which would have applied for the purchase of Government annuities at the date of his retirement if the power to grant such annuities had not been repealed) which would have been payable to that person if he had elected to take the benefits payable to him at the date of his retirement in the form of an annuity, and

(*c*) in the case of a person to whom either Regulation 3(1)(*b*)(iii) or 3(1)(*b*)(v) applies the annuity (calculated in accordance with the tables which would have applied for the purchase of Government annuities at the date of his retirement if the power to grant such annuities had not been repealed) which his accumulated contributions would purchase for him at the date of his retirement;

Provided that in each case the annuity to be calculated as aforesaid shall—

(i) be calculated only in respect of the person's period of service in the civil service, and

(ii) for the purpose of calculating any allowance payable under these Regulations in respect of a period prior to 1st January, 1963 be reduced by twenty per cent.

Application

3.—(1) These Regulations shall apply to any person who—

(*a*) either—

(i) retires from the civil service after attaining the age of sixty years, or

(ii) having retired from the civil service not earlier than 11th August, 1949, after attaining the age of fifty years, attains the age of sixty years, or

(iii) retires from the civil service on account of physical or mental infirmity, or

(iv) having been transferred with the consent of the Head of his Department from employment in the civil service to employment which is approved employment within the meaning of section 4 of the Superannuation Act 1914 and in which he is subject to an F.S.S.U. scheme; retires from the latter employment or from a subsequent employment which is approved employment within the meaning of the said section 4 and in which he is subject to an F.S.S.U. scheme in such circumstances that he is eligible for a superannuation allowance, additional allowance or gratuity under the said section 4 or would be so eligible if he were a person to whom that section applies and, unless he retires on account of physical or mental infirmity, has before retirement attained or thereafter attains the age of sixty years; and

(*b*) either—

(i) is at the date of his retirement from the civil service subject to an F.S.S.U. scheme, or

(ii) having been employed in the civil service and subject to an F.S.S.U. scheme, has before the date of his retirement from the civil service ceased to be so subject and has become subject to the Superannuation Acts by reason of his transferring from one appointment to another in the civil service, or

(iii) having been employed in the civil service and subject to an F.S.S.U. scheme, has before the date of his retirement from the civil service ceased to be so subject and has become subject to the Superannuation Acts otherwise than by reason of his transferring from one appointment to another in the civil service and has at some time after becoming subject to the Superannuation Acts been a civil servant, or

(iv) being such a person as is referred to in sub-paragraph (*a*)(iv) was at the date of his transfer from the civil service subject to an F.S.S.U. scheme, or

(v) being such a person as is referred to in sub-paragraph (*a*)(iv) was at some time during the period of his employment in the civil service subject to an F.S.S.U. scheme and had before the date of his transfer from the civil service ceased to be so subject and had become subject to the Superannuation Acts; and

(*c*) has not refunded the whole amount of the employer's contributions paid, during the period of his employment in the civil service, in his case under an F.S.S.U. scheme.

(2) A person to whom these Regulations apply is hereinafter referred to as an "officer".

Benefits corresponding to those of the Acts of 1944 *and* 1947

4.—(1) This Regulation shall apply to an officer who was employed in the civil service and subject to an F.S.S.U. scheme during a period which began before 1st July, 1944.

(2) Subject to the provisions of these Regulations, the Ministry may in respect of any period beginning on or after 1st April, 1960, pay to an officer