1962. No. 236

As this Order has been classified as local it is not printed at length in this volume. A summary is given in the List of Statutory Rules and Orders of a Local Character under the heading GAS.

1962. No. 237 **[C]**

HEALTH SERVICES

Superannuation

REGULATIONS*, DATED 20TH DECEMBER, 1962, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT WITH THE APPROVAL OF THE MINISTRY OF FINANCE UNDER SUB-SECTION (1) OF SECTION 61 OF THE HEALTH SERVICES ACT (NORTHERN IRELAND), 1948.

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*A draft of these regulations was approved by resolution of the Senate on the 18th day of December, 1962, and by resolution of the House of Commons on the 19th day of December, 1962.

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The Ministry of Health and Local Government, in exercise of the powers conferred on it by sub-section (1) of section 61 of the Health Services Act (Northern Ireland), 1948, and of all other powers enabling it in that behalf, and with the approval of the Ministry of Finance, hereby makes the following regulations:—

PART I

PRELIMINARY

Citation and commencement

1. These regulations may be cited as the Health Services (Superannuation) Regulations (Northern Ireland), 1962, and shall come into operation on the 31st day of December, 1962.

Interpretation

2.—(1) In these regulations, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them:—

"the Act" means the Health Services Act (Northern Ireland), 1948;

"the Act of 1865" means the Union Officers Superannuation (Ireland) Act, 1865;

"the Act of 1869" means the Local Officers Superannuation Act (Ireland), 1869;

"the Act of 1909" means the Asylums Officers' Superannuation Act, 1909;

"the Act of 1937" means the Local Government Superannuation Act, 1937, or the Local Government Superannuation (Scotland) Act, 1937, as the case may be;

"the Act of 1943" means the Belfast Corporation Act (Northern Ireland), 1943;

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

"the Act of 1953" means the Local Government Superannuation Act, 1953;

"the Superannuation Acts" means the Superannuation Acts, 1834 to 1919, as applied to the civil service of Northern Ireland, and the Superannuation Acts (Northern Ireland), 1921 to 1958;

"the Teachers Act" means the Teachers (Superannuation) Act (Northern Ireland), 1950;

"the 1948 regulations" means the Health Services (Superannuation) Regulations (Northern Ireland), 1948;

"the 1954 regulations" means the Health Services (Superannuation) Regulations (Northern Ireland), 1954;

"the previous regulations" means any regulations heretofore made under sub-section (1) of section 61 of the Act;

"the English or Scottish Local Government regulations, 1954" means the Local Government Superannuation (Benefits) Regulations, 1954, or, as the case may be, the Local Government Superannuation (Benefits) (Scotland) Regulations, 1954;

"the Local Government Superannuation Regulations" means the Local Government (Superannuation) Regulations (Northern Ireland), 1962;

"1923 Act scheme" has the same meaning as in the Teachers Act;

"the Belfast Corporation Superannuation Scheme" means the superannuation scheme made by the council of the county borough of Belfast under section 5A of the Local Government (Superannuation) Act (Northern Ireland), 1950;

"added years", in relation to any person, means any additional years of service reckonable by him under—

(*a*) regulation 26 of the Belfast Corporation Superannuation Scheme or regulation 26 of the Local Government Superannuation Regulations;

(*b*) regulation 12 of the English or Scottish Local Government regulations, 1954;

(*c*) any corresponding provision of a local Act scheme, or scheme approved by the Ministry under sub-paragraph (*e*)(vi) of paragraph (3) of regulation 16; or

(*d*) the said regulation 12 or any such provision as aforesaid as applied by regulations made under the Third or Fourth Schedule to the Act of 1953,

and includes any additional years of service which, having been granted under any such provision or under any similar provision contained in

any other enactment or scheme, have subsequently become reckonable under or by virtue of any enactment by a contributory employee, a local Act contributor or a person subject to the Belfast Corporation Superannuation Scheme, the Local Government Superannuation Regulations or a scheme approved by the Ministry under sub-paragraph (*e*)(vi) of paragraph (3) of regulation 16;

"additional contributory payment" means any payment made for the purposes of regulation 22, paragraphs (3) and (5) of regulation 24 and regulations 25 and 26 and any payment made for the purposes of the corresponding provisions of the previous regulations;

"appointed day" means the 5th day of July, 1948;

"approved course of study or training", in relation to any person, means a course of study or training approved for the purposes of these regulations by the Ministry on the written application of that person made before or within three months after the commencement of the course or within such longer period as the Ministry may in any particular case allow;

"assistant practitioner" means an employee of a medical practitioner or dental practitioner on the list of the Board, being himself a medical practitioner or dental practitioner wholly or mainly engaged in assisting his employer in the actual discharge of his duties as such practitioner, other than an employee of a medical practitioner for whose employment the consent of the Board is not required;

"average remuneration" has the meaning assigned to it by regulation 29;

"contributing service" means service which is reckonable as contributing service in accordance with regulation 24, 25 or 26 and includes any added years reckonable in accordance with regulation 27;

"contributory employee" has the same meaning as in the Act of 1937;

"death gratuity" means a death gratuity payable under regulation 12;

"employing authority" means the Authority, the Board or the Joint Nursing and Midwives Council for Northern Ireland, and any such other body constituted under the Act as the Ministry may approve;

"employment in the health service of England and Wales, Scotland or the Isle of Man" means employment in which a person is subject to any regulations for the time being in force under section 67 of the National Health Service Act, 1946, section 66 of the National Health Service (Scotland) Act, 1947, or section 54 of the National Health Service (Isle of Man) Act, 1948 (an Act of Tynwald);

"enactment" includes an Act of the Parliament of the United Kingdom and any provision contained in an order, regulation, rule, scheme or other instrument having effect by virtue of such an Act;

"established service" means service in the capacity of a civil servant for the purposes of the Superannuation Acts and the term "established civil servant" shall be construed accordingly;

"excepted officer" means a person who at the date when he ceases to be employed or ceases to be an officer without ceasing to be employed is entitled to reckon as service for the purpose of these regulations any period prior to the first day of August, 1960, being a period during which he was an officer or was in employment in the health service of England and Wales, Scotland or the Isle of Man, and has not since the said date been engaged in any employment mentioned in