EXPLANATORY NOTE

(This note does not form part of the Scheme, but is intended to indicate its general purport.)

This Scheme provides a means for comparative testing of point-of-lay pullets from Accredited Poultry Farms and other poultry breeders.

1961. No. 47 **[C]**

NATIONAL INSURANCE

Modification of the Superannuation Acts

REGULATIONS, DATED 1ST MARCH, 1961, MADE BY THE MINISTRY OF FINANCE UNDER THE NATIONAL INSURANCE ACTS (NORTHERN IRELAND), 1946 TO 1959.

The Ministry of Finance, having determined under sub-section (4) of section 66 of the National Insurance Act (Northern Ireland), 1946(**a**), that it is the appropriate Government department in relation to the scheme for the provision of pensions established by the Superannuation Acts, and in exercise of the powers conferred upon it by the said sub-section as extended by section 14 of the National Insurance Act (Northern Ireland), 1959(**b**), and of all other powers enabling it in that behalf, hereby makes the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the National Insurance (Modification of the Superannuation Acts) Regulations (Northern Ireland), 1961, and shall come into operation on the 3rd day of April, 1961.

(2) In these regulations—

"the Act of 1959" means the National Insurance Act (Northern Ireland), 1959;

"graduated contributions" means graduated contributions under the Act of 1959;

"graduated retirement benefit" means graduated retirement benefit under the Act of 1959;

"non-participating employment" has the meaning assigned to it by sub-section (2) of section 6 of the Act of 1959;

"non-participating service" means, in relation to any person, so much of his service in a non-participating employment after the 5th day of April, 1961, as is either—

(*a*) service in the civil service, or

(*b*) other service which is reckonable service;

"notional graduated retirement benefit" means, in relation to any person, the amount, expressed as a yearly rate, of the graduated retirement benefit which would be payable to him in return for an amount of graduated contributions equal to one such contribution paid in each

(**a**) 1946. c. 23. (**b**) 1959. c. 21.

week of the period of his non-participating service in respect of a weekly payment of remuneration of fifteen pounds;

"pensionable age" has the meaning assigned to it by sub-section (1) of section 74 of the National Insurance Act (Northern Ireland), 1946;

"reckonable service" means, in relation to any person, service which is reckonable for the purpose of determining the amount of his superannuation allowance;

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

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

"superannuation allowance" includes any annual superannuation, compensation or retiring allowance payable under the Superannuation Acts, but does not include any annual allowance granted in the case of injury arising from service in accordance with the terms of a warrant made by the Ministry of Finance under section 39 of the Superannuation Act (Northern Ireland), 1949(**a**);

"modification provision" means, in relation to any pension scheme, any provision, the effect of which is that pensions under that scheme are to be reduced in connection with the operation of the provisions of the Act of 1959, relating to the payment of graduated retirement benefit, or the provisions of the National Insurance Act, 1959, or the National Insurance (Isle of Man) Act, 1961, relating to the payment of similar benefit.

Curtailment of power to terminate or suspend a superannuation allowance

2. Where a superannuation allowance is granted under the Superannuation Acts to a person who, immediately before he ceased to be employed in the civil service, was employed in a non-participating employment, so much of his superannuation allowance as is equal to the amount of his notional graduated retirement benefit shall, notwithstanding anything in the Superannuation Acts, not be capable of being terminated or suspended except for causes prescribed by regulations made by the Ministry of Labour and National Insurance under paragraph (*c*) of sub-section (1) of section 7 of the Act of 1959.

Limitation of amount of pension which may be allocated

3.—(1) Where a person who is employed in the civil service in a non-participating employment, or who, immediately before he ceased to be employed in the civil service, was employed in a non-participating employment, surrenders part of a superannuation allowance under section 2 of the Superannuation Act (Northern Ireland), 1935(**b**), the part of the allowance surrendered by him shall, notwithstanding anything in that section or any Rules made thereunder, not exceed the difference between the amount of the allowance and his notional graduated retirement benefit.

(2) Where a person who, immediately before he ceased to be employed in the civil service, was employed in a non-participating employment surrenders part of a superannuation allowance under section 33 of the Superannuation Act (Northern Ireland), 1949, the part of the allowance surrendered by him under that section, together with any part thereof surrendered under section 2 of the Superannuation Act (Northern Ireland), 1935, shall, notwithstanding

(**a**) 1949. c. 13.

(**b**) 26 Geo. 5 & 1 Edw. 8 (N.I.) c. 2.