1960. No. 186 **[C]**

HEALTH SERVICES (SUPERANNUATION) AMENDMENT

REGULATIONS*, DATED THE 23RD DAY OF NOVEMBER, 1960, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT WITH THE APPROVAL OF THE MINISTRY OF FINANCE UNDER SECTION 61 OF THE HEALTH SERVICES ACT (NORTHERN IRELAND), 1948.

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

1.—(1) These regulations may be cited as the Health Services (Superannuation) (Amendment) (No. 2) Regulations (Northern Ireland), 1960, and shall come into operation on the first day of December, 1960.

(2) These regulations, the Health Services (Superannuation) Regulations (Northern Ireland), 1954(**b**), the Health Services (Superannuation) (Amendment) Regulations (Northern Ireland), 1957(**c**), the Health Services (Superannuation) (Amendment) (No. 2) Regulations (Northern Ireland), 1957(**d**), the Health Services (Superannuation) (Amendment) Regulations (Northern Ireland), 1959(**e**), and the Health Services (Superannuation) (Amendment) Regulations (Northern Ireland), 1960(**f**), shall be construed as one and may be cited together as the Health Services (Superannuation) Regulations (Northern Ireland), 1954 to 1960.

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

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

"regulation" means regulation contained in the principal regulations; and

"schedule" means schedule to the principal regulations.

2. In regulation 1—

(1) in paragraph (3) thereof there shall be inserted the following new definitions:—

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

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

(2) in sub-paragraph (*c*) of paragraph (6) thereof after the words "the Act of 1909" there shall be inserted the words "the Teachers Act or a 1923 Act scheme".

3. In regulation 14—

(1) after proviso (*c*) to paragraph (2) thereof, there shall be inserted the following proviso:—

(**a**) 1948. c. 3.
(**b**) S.R. & O. (N.I.) 1954, No. 83.
(**c**) S.R. & O. (N.I.) 1957, No. 116.
(**d**) S.R. & O. (N.I.) 1957, No. 253.
(**e**) S.R. & O. (N.I.) 1959, No. 95.
(**f**) S.R. & O. (N.I.) 1960, No. 103.
(**g**) 1950. c. 33.

*A draft of these Regulations was approved by resolutions of the Senate and of the House of Commons on the 22nd day of November, 1960.

"(*cc*) in the case of a person who before entering the employment in which he is an officer was employed in such employment as is mentioned in sub-paragraph (*bb*) of paragraph (3) of this regulation—

(i) for the purposes of the foregoing provisions of this paragraph, the term "period of employment" shall include any period treated as a period of employment in contributory service or as a period of contributory service under the Teachers Act and any period reckonable as recognised service for the purposes of the said Act;

(ii) any period of contributory service under a scheme made under section 42 of the Teachers Act and any period of approved external service within the meaning of that Act or by virtue of rules made under section 22 of the Teachers (Superannuation) (Amendment) Act (Northern Ireland), 1956(a), or any period of service which is treated under a scheme made under section 42 of the Teachers Act in the same manner as such approved external service shall not be reckonable as service under these regulations except for the sole purpose of determining whether he is entitled to any benefit thereunder; and

(iii) any period of employment which was qualifying service within the meaning of the Teachers Act and any period of employment in respect of which the person received a return of contributions (not being a return of contributions after last ceasing to be employed in contributory or recognised service within the meaning of the said Act) which he has not subsequently repaid to the Ministry of Education under the proviso to sub-section (2) of section 10 of the said Act shall be disregarded";

(2) in proviso (*d*) to paragraph (2) thereof before the words "the next succeeding paragraph" there shall be inserted the words "sub-paragraph (*a*), (*b*) or (*c*) of";

(3) in proviso (*i*) to paragraph (2) thereof before the words "employment in which he was a contributory employee" there shall be inserted the words "such employment as is mentioned in sub-paragraph (*bb*) of paragraph (3) of this regulation or in";

(4) in proviso (*j*) to paragraph (2) thereof before the words "the employment in which he was a contributory employee" there shall be inserted the words "such employment as is mentioned in sub-paragraph (*bb*) of paragraph (3) of this regulation or";

(5) in proviso (*k*) to paragraph (2) thereof before the words "the employment in which he was a contributory employee" there shall be inserted the words "such employment as is mentioned in sub-paragraph (*bb*) of paragraph (3) of this regulation or";

(6) after sub-paragraph (*b*) of paragraph (3) thereof there shall be inserted the following sub-paragraph:—

"(*bb*) employment as a person in contributory service under the Teachers Act or in recognised service within the meaning of that Act other than employment reckonable as contributory service under a scheme made under section 42 of the said Act or as contributory service by virtue of paragraph (*g*) of sub-section (2) of section 13 of the said Act (which relates to approved external service);".

(a) 1956, c. 22.