that those things leading to the issue, variation, cancellation or surrender of certificates of non-participation, which apart from the regulations would fall to be done by or to the employer, are to be done by or to the Ministry.

1960. No. 102 [NC]

FACTORIES

Employment of Women in Bakehouses

ORDER, DATED 23RD JUNE, 1960, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE UNDER SECTION 23 OF THE FACTORIES ACT (NORTHERN IRELAND), 1959.

As this Order, being of a temporary character, has been exempted from printing by virtue of Reg. 5(1)(*b*) of S.R. & O. 1958, No. 195, made under the Statutory Rules Act (Northern Ireland), 1958, it is not printed at length in this volume.

1960. No. 103 [C]

HEALTH SERVICES (SUPERANNUATION) AMENDMENT

REGULATIONS*, DATED 24TH DAY OF JUNE, 1960, 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.

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(**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) Regulations (Northern Ireland), 1960, and shall come into operation on the first day of August, 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**), and the Health Services (Superannuation) (Amendment) Regulations (Northern Ireland), 1959(**e**), shall be construed as one and may be cited together as the Health Services (Superannuation) Regulations (Northern Ireland), 1954 to 1960.

(**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.

*A draft of these Regulations was approved by resolutions of the Senate and of the House of Commons on the 21st day of June, 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;

"schedule" means schedule to the principal regulations;

"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 the principal regulations any period prior to the date of the coming into operation of these regulations, being a period during which he was an officer or was subject to any regulations for the time being in force under section 67 of the National Health Service Act, 1946(**a**), section 66 of the National Health Service (Scotland) Act, 1947(**b**), or section 54 of the National Health Services (Isle of Man) Act, 1948 (an Act of Tynwald), and has not since the date of coming into operation of these regulations been engaged in any employment mentioned in sub-paragraphs (*b*) or (*c*) of paragraph (3) of regulation 14 of the principal regulations other than employment in which he was subject to regulations under any of the said provisions of the aforesaid Acts:

Provided that for the purpose of this definition no account shall be taken of any service which becomes reckonable by the making of additional contributory payments.

2.—(1) Subject to the provisions of this regulation, there shall be paid by every employing authority in respect of every officer for whom the authority are liable to contribute under regulation 5 of the principal regulations a contribution, supplementary to that payable under the said regulation 5, equal to one and one-half per cent. of the officer's remuneration which is for the time being taken into account for the purposes of the said regulation 5, being remuneration which is paid or is deemed to have been paid after the coming into operation of these regulations.

(2) The provisions of proviso (*ii*) to paragraph (1)(*a*) and paragraphs (6) and (7) of the said regulation 5 (which relate to the mode of payment of contributions, and the payment of contributions during periods of national service) shall apply in relation to the supplementary contribution payable under paragraph (1) of this regulation as they apply in relation to contributions payable under the said regulation 5.

(3) Paragraph (1) of this regulation shall not require the payment of supplementary contributions by the governing body of any hospital to whom the principal regulations apply by virtue of an agreement entered into under subsections (1B), (1C), and (1D) of section 61 of the Health Services Act (Northern Ireland), 1948.

3. Regulation 18 of the principal regulations (which provides for the return of contributions in certain circumstances) shall cease to apply to any person who is not an excepted officer, and in relation to any such person the said regulation 18 shall apply as amended and set out hereunder:—

"**18.**—(1) The following persons shall be entitled to receive from the Ministry a sum equal to the amount of their contributions together with compound interest thereon—

(**a**) 9 & 10 Geo. 6. c. 81. (**b**) 10 & 11 Geo. 6. c. 27.

(*a*) every officer who, before becoming entitled to a pension, retiring allowance, injury allowance or short service gratuity, ceases to be employed by an employing authority for any reason other than his voluntary resignation or his resignation or dismissal in consequence of inefficiency or an offence of a fraudulent character or misconduct, and who holds no other employment in which he is an officer; and

(*b*) every person (other than a person to whom paragraph (2) of regulation 6 applies) who, though not ceasing to be employed, ceases (otherwise than at his own request) to be an officer to whom these regulations apply:

Provided that if any of the contributions were made under an enactment or scheme in the benefits of which the person participated before being an officer, and the officer has ceased to be employed in circumstances in which under that enactment or scheme those contributions would not have been returnable, or would have been returnable or might have been returned without interest, no interest shall be calculated on the contributions so made up to the date on which he became an officer.

(2) The following persons shall be entitled to receive from the Ministry a sum equal to the amount of their contributions—

(*a*) every officer who, before becoming entitled to a pension, retiring allowance, injury allowance or short service gratuity, ceases to be employed by an employing authority by reason of his voluntary resignation or his resignation or dismissal in consequence of inefficiency or an offence of a fraudulent character or misconduct, not being such an offence or grave misconduct in connection with the duties of, or otherwise in relation to, his employment and who holds no other employment in which he is an officer; and

(*b*) every person (other than a person to whom paragraph (2) of regulation 6 applies) who, though not ceasing to be employed, ceases at his own request to be an officer to whom these regulations apply.

(3) If an officer ceases to be employed by an employing authority by reason of his resignation or dismissal in consequence of an offence of a fraudulent character or of grave misconduct, being such an offence or such misconduct in connection with the performance of the duties of, or otherwise in relation to, his employment and is not entitled to a pension, retiring allowance, injury allowance or short service gratuity, the Ministry may, if it thinks fit, return to him or pay to his spouse or any dependant a sum equal to the whole or a part of his contributions.

(4) If an officer dies, and no death gratuity is payable in respect of his death, his personal representatives shall be entitled to receive from the Ministry a sum equal to the amount of his contributions together with compound interest thereon.

(5) In this regulation the word "contributions" has the meaning assigned to it by paragraph (6) of regulation 1, but only in so far as any sums included in that definition have not been returned to and retained by the person and are attributable to service which might have been reckoned under these regulations in relation to the employment he has ceased to hold or in which he has ceased to be an officer or has died."

4.—(1) Subject to the provisions of this regulation, the second schedule to the principal regulations (which contains provisions for the making of

payments by persons desiring to reckon periods of non-contributing service as contributing service) shall be amended as follows:—

(*a*) in sub-paragraph (*a*) of paragraph 3, for the words "two and one-half per cent." there shall be substituted the words "three and one-quarter per cent.";

(*b*) in sub-paragraph (3) of paragraph 6, for the reference to Table I(*a*), I(*b*), II, III, IV or V there shall be substituted a reference to Table I(*a*), I(*b*), II(*a*), II(*b*), III, IV(*a*) or IV(*b*);

(*c*) in sub-paragraph (5) of paragraph 6, for the reference to Table VI there shall be substituted a reference to Table V;

(*d*) for the Tables following paragraph 6 there shall be substituted the Tables set out in the first schedule to these regulations.

(2) Where before the date of coming into operation of these regulations, an officer has notified the employing authority of his intention to make a payment under the second schedule to the principal regulations, the payment shall be made or, if it has been made in part, shall be completed, as if paragraph (1) of this regulation had not been made.

5.—(1) Subject to the provisions of this regulation, in regulation 16 of the principal regulations (which provides for the method of calculating service, contributing service and non-contributing service) after the words "second schedule" there shall be inserted the words "or the fourth schedule".

(2) Subject to the provisions of this regulation, the fourth schedule to the principal regulations (which provides for the calculation of certain transfer values payable by the Ministry) shall be amended as follows:—

(*a*) for paragraphs 3 and 4 there shall be substituted the following paragraphs:—

"3.—(1) The sum to be calculated by reference to a person's contributing service shall be ascertained in accordance with the provisions of this paragraph.

(2) The amounts shown under the heading "contributing service" in the appropriate column of the relative Table in relation to an age which corresponds with that of the person at the material date are to be multiplied respectively by the number of years, and of months aggregating less than one year, of contributing service reckonable at the material date.

(3) The sum of the two products aforesaid is an amount appropriate in respect of one hundred pounds of remuneration.

(4) A total amount is to be calculated proportionately by reference to the remuneration of the person.

(5) Where a person's service has not been continuous and each of two or more periods thereof consists of or includes a period of contributing service of less than one month, then, if a sum falls to be calculated under sub-paragraph (2) of this paragraph the periods of contributing service of less than one month shall be aggregated and, of the aggregate, each period of thirty days shall be counted as one month, and any number of days smaller than thirty shall be disregarded.

(6) Where a person has less than one month's contributing service the transfer value payable in respect of that service shall be the aggregate of the contributions paid or payable by him and by the employing authority in respect of that service.

4.—(1) The sum to be calculated by reference to a person's non-contributing service shall be ascertained in accordance with the provisions of this paragraph.

(2) The amount shown in the column under the heading "non-contributing service" in the relative Table in relation to an age which corresponds with that of the person at the material date is to be multiplied by the number of years of non-contributing service reckonable at the material date. For this purpose a period of six months or more of an uncompleted year shall be treated as a completed year, and any shorter period shall be disregarded.

(3) The product aforesaid is an amount appropriate in respect of one hundred pounds of remuneration.

(4) A total amount is to be calculated proportionately by reference to the remuneration of the person.

(5) Where a person's service has not been continuous and each of two or more periods thereof consists of or includes a period of non-contributing service of less than one month, the periods of non-contributing service of less than one month shall be aggregated and, of the aggregate, each period of thirty days shall be counted as one month, and any number of days smaller than thirty shall be disregarded."

(*b*) in paragraph 5 for the reference to Table VI there shall be substituted a reference to Table V;

(*c*) for the Tables following paragraph 5 there shall be substituted the Tables set out in the second schedule to these regulations.

(3) Where before the date of coming into operation of these regulations, a person has notified the Ministry that he desires the provisions of paragraph (1) of regulation 41 of the principal regulations to apply to him but no transfer value has been paid before that date, the amount of the transfer value shall be calculated as if this regulation had not been made.

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland this 24th day of June, 1960, in the presence of

(L.S.)

J. L. O. Andrews,
Minister of Health and Local Government.

The Ministry of Finance hereby approves the foregoing regulations.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 27th day of June, 1960, in the presence of

(L.S.)

Terence O'Neill,
Minister of Finance.