one exception a medical board shall consist of two members) a medical board to which there is referred any question to which this Part of these regulations applies may consist of three members and the decision of such a board, if not unanimous, shall be that of the majority of such members.

EXPLANATORY NOTE

(This note is not part of the regulations, but is intended to indicate their general purport.)

These regulations amend the National Insurance (Industrial Injuries) (Prescribed Diseases) Regulations (Northern Ireland), 1948, so as to enable a claimant to appeal from, or the Ministry to refer, a decision of a medical board on a diagnosis or recrudescence question relating to any prescribed disease other than pneumoconiosis or byssinosis. Hitherto the decision of a medical board on such a question has been final. The appeal or reference is to a medical appeal tribunal and the right will apply to decisions given on or after the date of the coming into operation of these regulations. The regulations also make provision for the review of decisions made by medical appeal tribunals on such questions.

1959. No. 10

This Order has been exempted from printing by regulations (S.R. & O. 1958, No. 195) made under the Statutory Rules Act (Northern Ireland), 1958. A summary is given in the List of Statutory Rules of a Local Character under the heading PUBLIC HEALTH.

1959. No. 11 **[C]**

LOCAL GOVERNMENT (SUPERANNUATION) AMENDMENT

REGULATIONS*, DATED THE 28TH DAY OF JANUARY, 1959, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER SECTION 2 OF THE LOCAL GOVERNMENT (SUPERANNUATION) ACT (NORTHERN IRELAND), 1950.

The Ministry of Health and Local Government for Northern Ireland in exercise of the powers conferred on it by sub-section (1) of Section 2 and sub-section (2) of Section 6B of the Local Government (Superannuation) Act (Northern Ireland), 1950, hereby makes the following Regulations:—

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* A draft of these Regulations was approved by resolutions of the Senate and of the House of Commons on the 27th day of January, 1959.

1.—(1) These Regulations may be cited as the Local Government (Superannuation) (Amendment) Regulations (Northern Ireland), 1959, and shall be deemed to have come into operation on the appointed day.

(2) These Regulations and the Local Government (Superannuation) Regulations (Northern Ireland), 1950(**a**), the Local Government (Superannuation) (Amendment) Regulations (Northern Ireland), 1950(**b**) and the Local Government (Superannuation) (Amendment) Regulations (Northern Ireland), 1952(**c**) shall be construed as one and may be cited together as the Local Government (Superannuation) Regulations (Northern Ireland), 1950 to 1959.

(3) The Local Government (Superannuation) (Amendment) Regulations (Northern Ireland), 1954(**d**), are hereby revoked.

(4) In these Regulations, unless the context otherwise requires, the following expressions have the meaning hereby assigned to them—

"the principal regulations" means the Local Government (Superannuation) Regulations (Northern Ireland), 1950, and

"regulation" means regulation contained in the principal regulations.

2. In regulation 1—

(*a*) after the definition of "appointed day" there shall be inserted the following definition:—

"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;

(*b*) after the definition of "average remuneration" there shall be inserted the following definition:—

"Belfast Corporation" means the Council of the County Borough of Belfast;

(*c*) for the definition of "existing officer" there shall be substituted the following definition:—

"existing officer" means any officer employed by an employing authority immediately before the appointed day and holding an office pensionable under the Act of 1865, the Act of 1869, the Act of 1875, the Act of 1919, or any local Act, or any officer of the Northern Ireland Fire Authority other than a fire officer or fireman who before being appointed such an officer was an officer of a fire authority constituted under the Fire

(**a**) S.R. & O. (N.I.), 1950, No. 103.
(**b**) S.R. & O. (N.I.), 1950, No. 225.
(**c**) S.R. & O. (N.I.), 1952, No. 113.
(**d**) S.R. & O. (N.I.), 1954, No. 78.

Services Act (Northern Ireland), 1947, and who had not attained the age of sixty years on the appointed day;

(*d*) after the definition of "local authority" there shall be inserted the following definitions:—

"national service", in relation to any person, means service of a description specified in the First Schedule to the Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951(a) and includes any period immediately following the termination thereof during which the person, with the consent of the employing authority by whom he was employed before undertaking such service, continues in similar service;

"national service pay", in relation to the remuneration to which any person would have been entitled if he had continued in any former employment during the period of his national service, means his pay (including marriage, family and other similar allowances) in respect of his national service or, in the case of a person who immediately before he entered upon national service was employed not only in that employment but also in any other employment or employments in relation to which it is necessary to ascertain his pay in respect of his national service, an amount which bears the same proportion to his pay (including marriage, family and other similar allowances) in respect of his national service as the remuneration to which he would have been entitled if he had continued in the first mentioned employment bears to the total remuneration to which he would have been entitled if he had continued in both or all such employments as aforesaid;

3. For regulation 3 there shall be substituted the following—

"**3.**—(1) On and after the appointed day the following officers of an employing authority, other than fire officers and firemen of the Northern Ireland Fire Authority, or persons who are eligible for superannuation benefit under the Teachers (Superannuation) Acts (Northern Ireland), 1950 and 1951, shall be entitled to participate in the benefits of the superannuation fund maintained under these regulations and persons so entitled shall contribute to that fund in accordance with the provisions of regulation 5, provided that an officer other than an existing officer shall not be entitled to participate in the benefits of the superannuation fund or be required to contribute thereto unless or until he has attained the age of eighteen years, or subject to the provisions of regulation 15(7), in the case of an officer referred to in sub-paragraphs (*c*) and (*f*) unless or until the period of two years therein mentioned has expired—

(*a*) every whole-time officer whose duties are wholly or mainly administrative, professional, technical or clerical;

(a) 14 & 15 Geo. 6, c. 65.

(*b*) any other whole-time officer who enters their employment within twelve months after leaving any such employment as is mentioned in regulation 15(3) or if he left that employment in order to undertake war service or if immediately after leaving that employment he became engaged in national service, within six months after the termination of that service;

(*c*) any other whole-time officer, upon the expiration of a period of two years after attaining the age of eighteen years, without a break of more than one month at any one time, in the employment of that or any other employing authority, as such whole-time officer or as such a part-time officer as is mentioned in sub-paragraph (*f*);

(*d*) any part-time officer whose duties are wholly or mainly administrative, professional, technical or clerical, and who devotes the rest of his time to employment under an employing authority or to superannuable employment under an authority subject to a superannuation scheme with which interchange arrangements are in force;

(*e*) any other part-time officer who enters their employment within twelve months after leaving any such employment as is mentioned in regulation 15(3), or if he left that employment in order to undertake war service or if immediately after leaving that employment he became engaged in national service, within six months after the termination of that service, and who devotes the rest of his time to such employment as is mentioned in sub-paragraph (*d*);

(*f*) any other part-time officer who devotes the rest of his time to such employment as is mentioned in sub-paragraph (*d*), upon the expiration of a period of two years after attaining the age of eighteen years, without a break of more than one month at any one time in any of his employments as such part-time officer or as such whole-time officer as is mentioned in sub-paragraph (*c*); and

(*g*) any registration officer;

and the term " officer " shall be construed accordingly:

Provided that these regulations shall not apply to an officer, other than an existing officer, who is such a professional or technical officer as is hereinafter mentioned, or such an officer as is referred to in sub-paragraph (*b*), (*c*), (*e*) or (*f*) if he gives written notice to his employing authority that he does not wish to avail himself of the benefits provided by these regulations not later than

(i) in the case of any such officer to whom sub-paragraph (*c*) or (*f*) applies, one month after the date upon which the regulations would, but for the provisions of this proviso have applied to him;

(ii) in the case of any other such officer, three months after the commencement of his employment.

For the purposes of the foregoing proviso, "such a professional or technical officer" means a professional or technical officer who, in the opinion of the employing authority, should, by reason of the temporary nature of his employment with the authority, be entitled to elect that the regulations shall not apply to him.

Provided also that the regulations shall not apply to an officer in the employment of the Northern Ireland Fire Authority immediately before the first day of May, 1954, unless, not later than the thirtieth day of June, 1954, he elects that the regulations shall apply to him and, if he so elects, he shall thereupon be entitled, on payment into the superannuation fund of the employee's contributions calculated in accordance with regulation 5, to count as contributing service the period of employment represented by such contributions, provided that the Northern Ireland Fire Authority also pays the appropriate contributions into the fund in accordance with regulation 6.

(2) Every such officer as is mentioned in sub-paragraph (*g*) of paragraph (1) shall be deemed for the purposes of these regulations to be an officer in the employment of the employing authority discharging registration functions in relation to the district in or for which the officer acts:

Provided that nothing in these regulations shall affect any power of the Registrar-General to remove a registration officer from office."

4. In regulation 5—

(*a*) in paragraph (3) the word "sickness" shall be omitted and the word "Acts" substituted for "Act";

(*b*) After paragraph (7) the following new paragraph shall be added:—

"(8) Notwithstanding any other provisions of these regulations, a person who after leaving employment under an employing authority became engaged in national service shall, as a condition of becoming entitled to reckon any of that service for the purposes of these regulations, make the like contributions under this regulation (if any) as he would have been liable to make if he had continued to follow that employment and to have been entitled to the remuneration thereof:

Provided that—

(*a*) in the case of a person who has received a return of contributions on or after leaving such employment, nothing in this paragraph shall require the payment of contributions after the date of such return;

(*b*) nothing in this paragraph shall require the payment of contributions by a person in respect of any period of national service if his national service