HEALTH SERVICES (SUPERANNUATION)

REGULATIONS*, DATED THE 11TH DAY OF JUNE, 1954, 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.

1954. No. 83.

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation and Interpretation.
2. Revocation.

PART I

PROVISIONS RELATING TO OFFICERS EMPLOYED BY BODIES CONSTITUTED UNDER THE ACT AND OTHER OFFICERS ENGAGED IN HEALTH SERVICES OTHERWISE THAN IN THE EMPLOYMENT OF HEALTH AUTHORITIES OR OTHER LOCAL AUTHORITIES.

3. Application.
4. Participation in superannuation benefits.
5. Contributions.
6. Officer's pension and retiring allowance.
7. Scales of pension and retiring allowance.
8. Injury allowance.
9. Short service gratuity.
10. Allocation of part of pension or injury allowance to spouse or dependant.
11. Death gratuity.
12. Widow's pension.
13. Power to compound small annual benefits.
14. Meaning of service.
15. Reckoning of contributing service and non-contributing service.
16. Method of calculating service, contributing service and non-contributing service.
17. Meaning of average remuneration.
18. Return of contributions.
19. Calculation of interest on contributions.
20. Conditions attaching to grant of pension or injury allowance.
21. Pensioner accepting further employment.

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*A draft of the above regulations was approved by resolution of the House of Commons on the 3rd day of June, 1954, and by resolution of the Senate on the 10th day of June, 1954.

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24. Re-employment of pensioner by employing authority.
25. Benefits of officers who have exercised option to retain rights corresponding with those previously enjoyed.
26. Benefits of officers who did not exercise option to retain previous rights or in whose case options have ceased to have effect.
27. Persons subject to non-statutory superannuation schemes and arrangements.
28. Supplementary payments in the case of special classes of officers.
29. Benefits in case of late entrants.
30. Holders of joint appointments.
31. Female Nurses and Physiotherapists, Midwives and Health Visitors.
32. Mental Health Officers.
33. Modification of benefits and obligations under these regulations in connection with the National Insurance Act (Northern Ireland), 1946.
34. Avoidance of duplicate, and non-assignability of, benefits.
35. Forfeiture of rights.
36. Special provisions relating to employees of the Northern Ireland Tuberculosis Authority.
37. Application to other officers engaged in health services.
38. Accounts and actuarial investigations.

PART II

MEDICAL AND DENTAL PRACTITIONERS

39. Application of regulations with modifications.
40. Special provisions relating to service before the appointed day as dispensary medical officers and hospital officers.

PART III

MISCELLANEOUS

41. Rights on transfer to other employment, and provisions relating to approved employment.
42. Reckoning of service on transfer to employment as an established civil servant.
43.
44. Transfer values payable to the Ministry.
45. Transfer values payable by the Ministry.
46. Persons engaged on war service or national service.
47. Determination of questions.
48. Amendment of the Pensions (Increase) Act (Northern Ireland), 1944.
49. Repeals.

SCHEDULES

FIRST SCHEDULE —Allocation of part of pension or injury allowance.
SECOND SCHEDULE —Additional contributory payments.
THIRD SCHEDULE —Provisions for the calculation of transfer values payable to the Ministry in respect of service under the Act of 1865 or the Act of 1869, and directions for the use of the subjoined Table in connection therewith.
FOURTH SCHEDULE —Provisions which may be used for the calculation of certain transfer values payable by the Ministry, and directions for the use of the subjoined Tables in connection therewith.
FIFTH SCHEDULE —Reduction of pension under regulation 33(3).
SIXTH SCHEDULE —Reduction of pension and retiring allowance under regulation 41(5).
SEVENTH SCHEDULE—Enactment repealed.

The Ministry of Health and Local Government for Northern Ireland, in exercise of the powers conferred on it by sub-section (1) of section 61 of the Health Services Act (Northern Ireland), 1948(a), as amended by section 11 of and the Schedule to the Health Services Act (Northern Ireland), 1953(b), and of all other powers enabling it in that behalf, and with the approval of the Ministry of Finance for Northern Ireland, hereby makes the following regulations:—

Citation and Interpretation

1.—(1) These regulations may be cited as the Health Services (Superannuation) Regulations (Northern Ireland), 1954, and shall come into operation on the first day of the month next following the month in which the draft thereof was approved by Parliament.

(2) The Interpretation Act, 1889(c), shall apply for the purposes of the interpretation of these regulations and the regulations hereby revoked in like manner as it applies by virtue of the Interpretation Act, 1921(d), for the purposes of the interpretation of an Act of the Parliament of Northern Ireland.

(3) 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' (Ireland) Superannuation Act, 1865(e), as amended or extended by any other enactment;

(a) 1948. c. 3.
(b) 1953. c. 6.
(c) 52 & 53 Vict. c. 63.
(d) 12 Geo. 5. c. 4.
(e) 28 & 29 Vict. c. 26.

"the Act of 1869" means the Local Officers' Superannuation Act (Ireland), 1869(a), as amended or extended by any other enactment;

"the Act of 1909" means the Asylums Officers' Superannuation Act, 1909(b), as amended by the Mental Treatment Act (Northern Ireland), 1932(c);

"the Act of 1943" means the Belfast Corporation Act (Northern Ireland), 1943(d), as amended by the Belfast Corporation (General Powers) Act (Northern Ireland), 1948(e);

"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 1951;

"the Belfast Corporation Superannuation Scheme" means the Superannuation Scheme made by the Lord Mayor, Aldermen and Citizens of the City of Belfast, acting by the Council, under section 5A of the Local Government (Superannuation) Act (Northern Ireland), 1950(f), as amended by the Local Government (Superannuation) (Amendment) Act (Northern Ireland), 1951(g);

"the Local Government Superannuation Regulations" means the Local Government (Superannuation) Regulations (Northern Ireland), 1950(h), as amended from time to time;

"the 1948 regulations" means the Health Services (Superannuation) Regulations (Northern Ireland), 1948(i), as amended by the Health Services (Superannuation) (Amendment) Regulations (Northern Ireland), 1949(j), the Health Services (Superannuation) (Amendment) Regulations (Northern Ireland), 1950(k), the Health Services (Superannuation) (Amendment) Regulations (Northern Ireland), 1951(l), and the Health Services (Superannuation) (Amendment) Regulations (Northern Ireland), 1952(m);

"the Authority" means the Northern Ireland Hospitals Authority;

"additional contributory payment" means any payment made for the purposes of regulation 13(7) or 14(4) of the 1948 regulations or regulation 14(10), 14(11), 14(12), 15(3), 15(4) or 15(6) of these regulations;

"appointed day" means the fifth day of July, 1948;

(a) 32 & 33 Vict. c. 79.
(b) 9 Edw. 7. c. 48.
(c) 22 & 23 Geo. 5. c. 15.
(d) 1943. c. 1.
(e) 1948. c. 1.
(f) 1950. c. 10.
(g) 1951. c. 9.
(h) S.R. & O. (N.I.), 1950 No. 103.
(i) S.R. & O. (N.I.), 1948 No. 161.
(j) S.R. & O. (N.I.), 1949 No. 9.
(k) S.R. & O. (N.I.), 1950 No. 115.
(l) S.R. & O. (N.I.), 1951 No. 131.
(m) S.R. & O. (N.I.), 1952 No. 101.

"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;

"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;

"average remuneration" has the meaning assigned to it by regulation 17;

"the Board" means the Northern Ireland General Health Services Board;

"contributing service" means service which is reckonable as contributing service in accordance with regulation 15;

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

"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;

"health authority" means a health authority constituted under section 1 of the Public Health and Local Government (Administrative Provisions) Act (Northern Ireland), 1946(a);

"local authority" means the council of any county, county or other borough, or urban or rural district, or the commissioners of any town not being an urban district, or the Belfast City and District Water Commissioners, and includes a local authority in their capacity as a public authority for the purposes of any enactment, a committee of a local authority, or a joint committee of more than one local authority;

"mental health officer" means an officer on the medical or nursing staff of a hospital used wholly or partly for the treatment of persons suffering from illness of a mental or kindred nature or an institution so used for the treatment of persons requiring special care within the meaning of Part III of the Mental Health Act (Northern Ireland), 1948(b), who devotes the whole or substantially the whole of his time to the treatment or special care of such persons and such other classes or descriptions of officers employed in such hospitals or institutions as aforesaid as the Ministry may designate;

(a) 1946. c. 19. (b) 1948. c. 17.