REGULATIONS,* DATED 22ND DECEMBER, 1950, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER SECTION 2 OF THE LOCAL GOVERNMENT (SUPERANNUATION) ACT (NORTHERN IRELAND), 1950.

1950. No. 225

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 of the Local Government (Superannuation) Act (Northern Ireland), 1950, hereby makes the following Regulations :—

1.—(1) These Regulations may be cited as the Local Government (Superannuation) (Amendment) Regulations (Northern Ireland), 1950, 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), shall be construed as one.

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

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

" regulation " means regulation contained in the principal regulations.

(4) The Interpretation Act, 1921, applies for the purpose of the interpretation of these regulations in like manner as it applies for the interpretation of an Act of the Parliament of Northern Ireland.

2. In Regulation 1, in paragraph (3) thereof —

(*a*) in the definition of " existing officer " —

(i) after the word " officer " the words " qualified to receive a superannuation allowance " shall be omitted, and the words " employed by an employing authority immediately before the appointed day, and holding an office pensionable " shall be inserted ;

(ii) after the word " Act ", where it last occurs, there shall be added the words " and who has not attained the age of sixty years on the appointed day." ;

(*b*) in the definition of " pensionable age," there shall be substituted for the words " physiotherapist, midwife or mental health officer ", the words " health visitor, physiotherapist or midwife " ; and

(a) S. R. & O. (N.I.) 1950, No. 103.

* A draft of these Regulations was approved by resolution of the Senate on the 19th day of December, 1950, and by resolution of the House of Commons on the 21st day of December, 1950.

(*c*) after the definition of " pensionable age ", the following definition shall be inserted :—

" registration officer " means a superintendent registrar or registrar of births and deaths appointed prior to 5th July, 1948, pursuant to the Births and Deaths Registration Acts (Northern Ireland), 1863 to 1947, and a superintendent registrar or registrar of marriages appointed prior to 5th July, 1948, pursuant to the Registration of Marriages (Ireland) Act, 1863.

3. In Regulation 2 —

(*a*) in paragraph (3) (*a*) thereof there shall be added after the word " fund " the words " and separate accounts shall be kept in respect of contributions and benefits of manual workers " ; and

(*b*) in paragraph (8) thereof there shall be substituted for the words " disposing of " the word " using ".

4. In Regulation 3 —

(*a*) at the end of the first paragraph there shall be inserted after the words " Regulation 5 " the words " provided that an officer other than an existing officer as defined in these regulations 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 18 years, or, subject to the provisions of Regulation 15 (7), in the case of an officer referred to in sub-paragraph (*c*) or (*f*) of Regulation 3, unless or until the period of two years therein mentioned has expired " ;

(*b*) in sub-paragraphs (*a*) and (*d*) thereof, after the word " professional " the word " technical " shall be inserted ;

(*c*) in sub-paragraphs (*c*) and (*f*) thereof, the second comma shall be omitted ;

(*d*) the following sub-paragraph shall be added —

" (*g*) Every registration officer 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 ; " and

(*e*) after the added sub-paragraph (*g*) thereof, the following proviso shall be added :—

" Provided that these regulations shall not apply to an officer, other than an existing officer as defined in these

regulations, who is such a professional or technical officer as is hereinafter mentioned, or who became an officer by virtue of sub-paragraphs (*b*), (*c*), (*e*) or (*f*), if he gives written notice to that effect to his employing authority not later than

(1) in the case of any such officer to whom sub-paragraph (*c*) or (*f*) applies, the 31st day of January, 1951, or three months after the date upon which the regulations would, but for this proviso, have applied to him;

(2) in the case of any other such officer

(i) if he was in the employment of that employing authority at the appointed day, the 31st day of January, 1951;

(ii) if he enters the employment of that employing authority after the appointed day, the 31st day of January, 1951, or three months after the commencement of his employment, whichever shall be the later.

For the purposes of the foregoing provision "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 character of his employment with the authority, be entitled to elect that the regulations shall not apply to him."

5. In Regulation 5 —

(*a*) in paragraph (1) thereof, after the words "has not attained" the words "pensionable age" shall be omitted and the words "such an age as is hereinafter mentioned" shall be inserted;

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

"(1.A) The age referred to in the preceding paragraph is, subject as hereinafter provided, an age greater by five years than pensionable age or, in the case of a person who before attaining such greater age has completed forty-five years contributing service or forty-five years contributing service and non-contributing service, the non-contributing service being reckoned at half its actual length, his age at the date on which he completed such service:

Provided that the age aforesaid is pensionable age in relation to any person who is or was over pensionable age on the date on which he first became an officer;" and

(*c*) in paragraph (6) thereof —

(*a*) there shall be added after the word "refunded" the words "or was entitled to have refunded";

(*b*) there shall be substituted for the words " three months " the words " twelve months or such longer period as the Committee may in any particular case allow " ;

(*c*) there shall be added after the word " returned " the words " or returnable " ; and

(*d*) the words " towards pension " shall be omitted and the following words inserted :—
" in relation to the employment in which he is an officer ".

6. In Regulation 6 —

(*a*) in paragraph (1) thereof, after the word " fund " there shall be added " (*a*) " ; and

(*b*) for " (2) " there shall be substituted " (*b*) " and for " (3) ", " (2) ".

7. In Regulation 8 in the proviso to paragraph (1) thereof, there shall be added after the word " exceed " the words " the smaller of £2,000 or ".

8. In Regulation 11 —

(*a*) in paragraph (1) thereof, the words " other than a married male officer in respect of whose services a widow's pension may become payable under these regulations " shall be omitted ;

(*b*) in paragraph (2) thereof, the words " other than such a married male officer as aforesaid ", wherever they occur, shall be omitted ; and

(*c*) in paragraph (2) thereof, there shall be substituted for the word " forty-five ", wherever it occurs, the word " forty".

9. In Regulation 15 —

(*a*) for paragraph 1 (*b*) the following paragraph shall be substituted :—
" All continuous employment under that authority after the appointed day of :—
(i) any existing officer as defined in these regulations ;
(ii) any other officer, except one referred to in paragraphs 3 (*c*) and 3 (*f*) of these regulations, after attaining the age of 18 years ;
(iii) any officer referred to in paragraphs 3 (*c*) and 3 (*f*) of these regulations after the expiration of the period of two years after attaining the age of 18 years therein mentioned." ;

(*b*) in paragraph (3) thereof, there shall be substituted for the words " paragraph (3) of Regulation 32 ", the words " paragraph (5) of Regulation 33 " ;

(*c*) at the end of paragraph (3) the following words shall be added :—

"Provided that a transfer value in accordance with the provisions of Regulation 33 (5) has been paid to the Committee by the body administering such scheme." ;

(*d*) in paragraph (4) thereof, there shall be substituted for the word "their" the word "such" and for the words "that Authority" the words "the Committee" ;

(*e*) in paragraphs (4) and (9) thereof, there shall be added after the word "within" the words "twelve months of the appointed day or" ;

(*f*) in paragraph (7) thereof, there shall be added after the word "day", where it secondly occurs, the words "and after attaining the age of eighteen years" and after the words "Regulation 3 (*c*)" the words "and 3 (*f*)" ; and

(*g*) in paragraph (8) thereof —

(i) there shall be substituted for the words "three months" the words "twelve months" ; and

(ii) there shall be added the following proviso :—

"Provided that in the case of an existing officer who, between the 1st day of April, 1939, and the appointed day, transferred, without a break in service of more than twelve months, from another employing authority to the employing authority in whose employment he was immediately before the appointed day, the payments in respect of service with the former employing authority which, but for such transfer, would have been reckonable for superannuation under any of the Acts mentioned in Regulation 15 (1) (*a*) shall be one-half of the appropriate amounts, or alternatively, the said period of service with the former employing authority shall be reckoned as non-contributing."

10. In Regulation 18 —

(*a*) for the words "pensionable age, the date of his death", there shall be substituted "such age as hereinafter mentioned, the date of his death, or, if he attained that age before ceasing to be an officer or dying, the date on which he attained that age" ;

(*b*) in proviso (*e*) thereto, there shall be substituted for the word "whole-time", where it first occurs, the words "any other", and for the words "the whole-time" the words "that other" ; and

(*c*) the following new paragraph shall be added —

"(2) The age referred to in the preceding paragraph is, subject as hereinafter provided an age greater by