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Transferred Irish Officers

RULES, DATED 11TH OCTOBER, 1950, MADE BY THE MINISTRY OF FINANCE UNDER SUB-SECTION (1) (*c*) OF SECTION FORTY-SEVEN OF THE SUPERANNUATION ACT (NORTHERN IRELAND), 1949.

1950. No. 174

WHEREAS it is provided by sub-section (1) (*c*) of section forty-seven of the Superannuation Act (Northern Ireland), 1949 (**a**), that that Act shall in relation to persons who are transferred Irish Officers (as defined in section four of the Superannuation Act, 1921) have effect subject to such adaptations and modifications as may be prescribed by rules made by the Ministry of Finance (hereafter in these rules referred to as " the Ministry ").

AND WHEREAS the said sub-section further provides that rules made thereunder may contain provisions modifying in relation to the persons affected by the rules any other enactment relating to the pensions or other benefits payable to or in respect of them.

NOW, THEREFORE, the Ministry in exercise of the powers conferred by the said sub-section hereby makes the following Rules :—

PART I — GENERAL

1.—(1) These Rules may be cited as the Superannuation Act (Northern Ireland) (Application to Transferred Irish Officers) Rules, 1950, and shall come into operation on the 16th October, 1950.

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

" transferred Irish Officer " means a transferred Irish Officer as defined in section four of the Superannuation Act, 1921 (**b**) ;

" the Act of 1920 " means the Government of Ireland Act, 1920 (**c**) ;

" the Act of 1925 " means the Superannuation Act (Northern Ireland), 1925 (**d**) ;

" the Act " means the Superannuation Act (Northern Ireland), 1949 ;

(**a**) 1949 c. 13. (**b**) 12 Geo. 5. c. 3. (N.I.)
(**c**) 10 & 11 Geo. 5. c. 67. (**d**) 15-6 Geo. 5, c. 28.

" the United Kingdom Act " means the Superannuation Act, 1949 (a) passed by the Parliament of the United Kingdom, as that Act applies to existing Irish Officers within the meaning of the Government of Ireland Act, 1920, by virtue of the United Kingdom Order, and

" The United Kingdom Order " means the Superannuation Act (Application to Existing Irish Officers) Order, 1949 (b).

(3) The Interpretation Act, 1889 (c), shall apply for the purposes of the interpretation of these rules 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.

PART II

Adaptations and modifications of the Act as respects transferred Irish Officers to whom the United Kingdom Act applies.

2.—(1) For the purposes of this part of these Rules, the expression " the specified provisions " means the following provisions of the Act :—

(*a*) the provisions of Parts I and II, except sections seven, eight, twenty and twenty-one,

(*b*) in Part III, sections thirty-three and thirty-seven,

(*c*) in Part IV, sections forty-one to forty-three, sub-sections (4) and (5) of section forty-four, sections forty-five to forty-seven and sections fifty to fifty-five,

(*d*) the First Schedule, and so far as it is related to the provisions mentioned in the foregoing provisions of this paragraph, the Third Schedule.

(2) The specified provisions of the Act shall, so far as capable of such application, apply in relation to superannuation allowances by way of supplemental grants under section four of the Act of 1925 (which relates to the superannuation of transferred Irish Officers) as if for references in the said Parts to superannuation allowances (as defined for the purposes of the said Parts) there were substituted references to such first-mentioned superannuation allowances.

(3) Except as provided in the preceding paragraphs of this Rule, the Act shall not have effect in relation to transferred Irish officers who are existing Irish officers to whom the United Kingdom Act applies by virtue of the United Kingdom Order.

(4) In relation to transferred Irish officers who are such existing Irish officers as aforesaid the specified provisions of the Act shall have effect subject to the adaptations and modifications specified in Rule 4 of these Rules.

3. Notwithstanding anything contained in the Act, a transferred Irish officer who is an existing Irish officer to whom the United Kingdom Act applies by virtue of the United Kingdom Order shall not be

(a) 12 & 13 Geo. 6. c. 44. (b) S.I. 1949 No. 1835.
(c) 52 & 53 Vict. c. 63. (d) 12 Geo. 5. c. 4 (N.I.)