(*b*) are the spouses or dependants of persons referred to in paragraph (*a*) of this Regulation ; or

(*c*) are persons to whom reciprocal arrangements made under the National Insurance Act (Northern Ireland), 1946 apply.

8. General Medical Services, Pharmaceutical Services and General Dental Services (so far as concerns dental treatment for the relief of pain or other urgent symptoms) shall be available to persons who are ordinarily resident in the Isle of Man.

9. The classes of persons referred to in Regulation 5 and Regulation 8 shall be exempt from any charges (other than the charges referred to in sub-section (8) of Section 21 and sub-section (2) of Section 29 of the Act) made by the Northern Ireland Hospitals Authority or a health authority under the provisions of sub-section (1) of Section 75 of the Act.

10. In determining for the purposes of the Act and of these Regulations whether a person (or the spouse or dependants of that person) is or is not ordinarily resident in Northern Ireland, Great Britain or the Isle of Man, the absence of such person from Northern Ireland, Great Britain or the Isle of Man in the service of the Crown or the absence, in consequence thereof, of the spouse or dependants as aforesaid shall be disregarded.

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland this twenty-sixth day of April, one thousand nine hundred and fifty, in the presence of

(L.S.) *L. G. P. Freer*,
Secretary.

Superannuation

REGULATIONS,* DATED THE 28TH DAY OF JUNE, 1950, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT WITH THE APPROVAL OF THE MINISTRY OF FINANCE UNDER SUB-SECTION (1) OF SECTION SIXTY-ONE OF THE HEALTH SERVICES ACT (NORTHERN IRELAND), 1948.

1950. No. 115.

The Ministry of Health and Local Government for Northern Ireland, in exercise of the powers conferred on it by sub-section (1) of Section sixty-one of the Health Services Act (Northern Ireland), 1948 (a), and with the approval of the Ministry of Finance for Northern Ireland, hereby makes the following Regulations :—

(a) 1948, c.3.

* A draft of these Regulations was approved by resolutions of the House of Commons and of the Senate on the 27th day of June, 1950.

1.—(1) These Regulations may be cited as the Health Services (Superannuation) (Amendment) Regulations (Northern Ireland), 1950, and shall, except where otherwise provided, come into operation on the first day of July, 1950.

(2) These Regulations and the Health Services (Superannuation) Regulations (Northern Ireland), 1948 (**a**), and the Health Services (Superannuation) (Amendment) Regulations (Northern Ireland), 1949 (**b**), shall be construed as one and may be cited together as the Health Services (Superannuation) Regulations (Northern Ireland), 1948 to 1950.

(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), 1948, as amended by the Health Services (Superannuation) (Amendment) Regulations (Northern Ireland), 1949 ;

" regulation " means regulation contained in the principal regulations ; and

" the Act of 1943 " means the Belfast Corporation Act (Northern Ireland), 1943 (**c**) ;

(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, in the definition of " pensionable age " after the word " means ", where it first occurs, there shall be inserted the words " for the purposes of the proviso to Regulation 6 (1) the age of sixty-five years and for all other purposes ".

3. In Regulation 2 —

(*a*) in paragraph (*c*) and (*d*) thereof, references to a person being transferred under the Act shall be construed as including references to his entering employment under an employing authority in consequence of the acquisition by the Authority under Section 67 of the Act of any premises at or for the purposes of administering the services provided at which he was employed at the date of acquisition ;

(*b*) in paragraph (*f*) thereof, after the words " employing authority " insert the words " local authority " ; and

(*c*) at the end of the regulation there shall be added the following new paragraph —

" (2) Notwithstanding anything in the foregoing provisions of this regulation, this part of these regulations shall not apply to any officer of an employing authority who is in receipt of a pension payable

(a) S. R. & O. (N.I.), 1948, No. 161. (b) S. R. & O. (N.I.), 1949, No. 9.
(c) 1943, c. i.

out of public funds to which he became entitled on retirement after the attainment of a specified age and which is not liable to be reduced or suspended in consequence of his employment under that authority :

Provided that this paragraph shall not apply to a person who has become an officer of an employing authority before the first day of August, 1950."

4. In Regulation 4 —

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

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

" (1A) 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 or, if that age is less than pensionable age, then pensionable age :

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, not being a person who before becoming an officer was entitled to a pension or injury allowance payable out of public funds otherwise than under the National Insurance Acts (Northern Ireland), 1946, or who apart from this paragraph might become entitled to a pension under these regulations " ; and

(*c*) in paragraph (2) thereof, the following proviso shall be added —

" Provided that the provisions of this paragraph shall not apply, or shall cease to apply to an officer who has suffered a reduction in his remuneration in the circumstances aforesaid, if at the time of such reduction, or within twelve months thereafter he entered or enters other employment in circumstances in which a transfer value was or is payable in respect of him ".

5. In Regulation 6 —

(*a*) in paragraph (2) thereof, the following proviso shall be inserted —

" (*aa*) in the case of a married male officer to whose widow a pension will not become payable because she is such a person as is mentioned in proviso (*c*) to Regulation 11 (1) the amount of the allowance shall be reduced by two-ninths thereof " ;

(*b*) in sub-paragraph (*c*) of paragraphs (3) and (4) thereof, there shall be inserted after the words " each year " and the words " that year " the words " or part of a year " ;

(*c*) in paragraph (4) thereof, the following new proviso shall be inserted —

" (iA) in the case of a married male officer to whose widow a pension will not become payable because she is such a person as is mentioned in proviso (*c*) to Regulation 11 (1) the amount of the allowance shall be reduced by two-ninths thereof " ;

(*d*) in proviso (ii) to paragraph (4) thereof, there shall be inserted after the words " each year ", where those words last occur, the words " or part of a year " ; and

(*e*) the following new paragraphs shall be added —

" (5) Where the retiring allowance paid to a married male officer has been calculated in accordance with the provisions of proviso (*a*) to paragraph (2) or proviso (i) to paragraph (4) of this regulation, and the officer's wife becomes entitled to a pension under these regulations, there shall be paid to the officer a sum equal to two-thirds of the difference between the amount of the retiring allowance so paid to him and the amount of the retiring allowance which would have been paid to him had he not been a person to whom the said provisions applied.

(6) Where an officer has become entitled to a retiring allowance, and the amount of such allowance, together with the capital value of any pension to which the officer may also have become entitled, is less than the amount of his average remuneration then, if he requests the Ministry in writing to apply this provision to his case, the Ministry may either increase the amount of the retiring allowance by the amount of the capital value of the death gratuity and of any widow's pension which would apart from this provision become payable on his death or increase the amount of any such pension as aforesaid by an equivalent annual sum, and if the Ministry exercises this discretion no death gratuity or widow's pension shall be payable in respect of him."

6. In Regulation 7 —

(*a*) in paragraph (1) thereof, there shall be substituted for the words " without his own default, and specifically attributable to the nature of his duty " the words " specifically attributable to the nature of his duty which is not wholly or mainly due to, or seriously aggravated by, his own serious and culpable negligence or misconduct, or by a disease which he has contracted and to which he was exposed by the nature of his duty, not being a disease wholly or mainly due to, or seriously aggravated by his own serious and culpable negligence or misconduct " ; and

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

" (3) If such a person as is mentioned in paragraph (1) of this regulation dies as a direct result of the injury he sustained or the disease he has contracted, the Ministry may grant to his widow such gratuity

or annual allowance as it may consider reasonable having regard to all the circumstances of the case, including any right to any benefit under the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946, or any other statutory right to benefit or compensation, or any right to superannuation benefits, whether under these regulations or otherwise."

7. In Regulation 9 —

(*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 ; and

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

8. In Regulation 10 —

(*a*) in proviso (i) thereto, there shall be added the words — " or, if the capital value of the widow's pension is less than the amount of the death gratuity which would have been payable apart from this proviso, a sum equal to the difference between such capital value and such amount, whichever of the two sums is the greater " ; and

(*b*) in item (*iii*) of proviso (ii) thereto, there shall be inserted after the words " each year " and the words " that year " the words " or part of a year ".

9. In Regulation 11 —

(*a*) in paragraph (1) thereof, for the proviso thereto there shall be substituted —

" Provided that this paragraph shall not apply —

(*a*) in the former case, if the marriage took place on or after the date on which the husband became entitled to the pension or allowance ;

(*b*) in either case, if the husband, before ceasing to be employed or, if he died while still an officer, before dying, had reached pensionable age or, not having reached pensionable age, would have been entitled to a pension on ceasing to be employed and had completed forty years contributing service, or forty years contributing service and non-contributing service, the non-contributing service being reckoned at half its actual length, and the marriage took place on or after the date on which he reached pensionable age or would have been so entitled to a pension as aforesaid ;

(*c*) if the wife was herself entitled to a pension under these regulations otherwise than as a practitioner or became so entitled on the death of her husband, or if, being an officer,