5. Except in a case in which the referees dispense with a hearing in accordance with the last foregoing rule the Ministry shall fix the time and place of the hearing and shall give not less than twenty-one days' notice thereof to the Board, the Committee and the practitioner affected.

6. The Ministry and each of the parties upon whom notice has been served shall be entitled to appear at the hearing either personally, or by a representative duly authorised in that behalf, or by counsel or solicitor and the Ministry and the practitioner affected may produce such evidence as in the opinion of the referees may be relevant to the matters at issue.

7. The referees shall, as soon as may be after the hearing or after determining a case summarily, report to the Ministry and to the practitioner affected the decision at which they have arrived.

Superannuation

REGULATIONS, DATED THE 24TH DAY OF JUNE, 1948, 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.

1948. No. 161

ARRANGEMENT OF REGULATIONS

Amended 1949 SR&O (N.I.) 9 - 215
1950 No 115 p 350
1951 No 131 p 216
1952 No 101 p 191

Regulation

1. Citation and Interpretation.

PART I

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

2. Application.
3. Participation in superannuation benefits.
4. Contributions.
5. Officer's pension and retiring allowance.
6. Scales of pension and retiring allowance.
7. Injury allowance.
8. Short service gratuity.
9. Allocation of part of pension or injury allowance to spouse or dependant.
10. Death gratuity.
11. Widow's pension.
12. Power to compound small annual benefits.

13. Meaning of service.
14. Reckoning of contributing service and non-contributing service.
15. Special provisions relating to service under the Act of 1909.
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.
22. Option to transferred officers to retain rights corresponding with those enjoyed prior to transfer.
23. Benefits of transferred officers who do not exercise option to retain previous rights.
24. Persons subject to non-statutory superannuation schemes and arrangements.
25. Supplementary payments in the case of special classes of officers.
26. Benefits in case of late entrants.
27. Holders of joint appointments.
28. Female Nurses and Physiotherapists, and Midwives.
29. Mental Health Officers.
30. Modification of benefits and obligations under these regulations in connection with the National Insurance Act (Northern Ireland), 1946.
31. Special conditions as to benefits.
32. Forfeiture of rights.
33. Application to employees of the Northern Ireland Tuberculosis Authority.
34. Application to other officers engaged in health services.
35. Accounts and actuarial investigations.

PART II

MEDICAL AND DENTAL PRACTITIONERS

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

PART III

MISCELLANEOUS

38. Rights on transfer to non-statutory superannuation schemes and approved employment.
39. } Transfer values payable to the Ministry.
40. }
41. Transfer values payable by the Ministry.
42. Persons engaged on war service.

43. Determination of questions.
44. Amendment of the Pensions (Increase) Act (Northern Ireland), 1944.
45. Repeals and Savings.

SCHEDULES

FIRST SCHEDULE —Allocation of part of pension or injury allowance.
SECOND SCHEDULE —Table A— Reduction of widows' pension.
Table B —Increase of widows' pension.
THIRD SCHEDULE —Additional contributory payments.
FOURTH 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.
FIFTH SCHEDULE —Provisions for the calculation of transfer values payable to the Ministry in respect of service under the Act of 1909, and directions for the use of the subjoined Tables in connection therewith.
SIXTH SCHEDULE —Provisions for the calculation of transfer values payable by the Ministry, and directions for the use of the subjoined Tables in connection therewith.
SEVENTH SCHEDULE —Reduction of pension.
EIGHTH SCHEDULE —Enactments 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, 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), 1948.

(2) The Interpretation Act, 1921, applies to the interpretation of these regulations as it applies to 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, as amended or extended by any other enactment ;

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

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

" the Authority " means the Northern Ireland Hospitals Authority ;

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

" additional contributory payment " means any payment made for the purposes of Regulation 13 (7) or 14 (4) ;

" appointed day " means such day as the Ministry may appoint under Section 87 (2) of the Act, being the day appointed for the coming into operation of subsection (1) of section 58 of the Act ;

" 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 ;

" contributing service " means service which is reckonable as contributing service in accordance with Regulation 14 or 15 ;

" employing authority " means the Authority or the Board and any such other body constituted under the Act as the Ministry may approve ;

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

" mental health officer " means an officer on the medical or nursing staff of a hospital used wholly or partly for the treatment of mental patients, or an institution so used for the treatment of defectives, who devotes the whole or substantially the whole of his time to the treatment or care of such patients or defectives and such other classes or descriptions of officers employed in such hospitals or institutions as aforesaid as the Ministry may designate ;

" non-contributing service " means service which is reckonable as non-contributing service in accordance with regulation 14 (3) ;

" pensionable age " in relation to a female nurse or physiotherapist, midwife, or mental health officer means the age of

60 years, in relation to a medical practitioner or dental practitioner on the list of the Board means the age of 65 years or such later age as the Ministry may in any particular case allow, and in relation to any other officer, means the age of 65 years ;

" practitioner " means a medical practitioner or dental practitioner on the list of the Board, and includes an assistant practitioner and a person rendering part-time specialist services pursuant to section 21 of the Act, unless, in the case of a person who devotes substantially the whole of his time to the performance of those services, the Ministry otherwise directs ;

" remuneration " means all salary, wages, fees and other payments paid or made to an officer as such for his own use, and includes the money value of any apartments, rations, or other allowances in kind appertaining to his employment, but does not include payments for overtime or any allowance paid to him to cover the cost of providing office or laboratory accommodation or clerical or other assistance, or any travelling or subsistence allowance or other monies to be spent, or to cover expenses incurred by him, for the purposes of his employment ;

" service " has the meaning assigned to it by Regulation 13 ;

" transfer value " has the same meaning as " accrued superannuation value " as that expression is defined in section 86 of the Act ; and

" war service " means war service within the meaning of the Local Government Staffs (War Service) Act (Northern Ireland), 1939, or service in any of the naval, military, or air forces of the Crown, or employment for war purposes, within the meaning of the Superannuation Schemes (War Service) Act (Northern Ireland), 1941.

(4) Where a person holds under an employing authority two or more separate employments of such a nature that he can cease to hold one without ceasing to hold the other or others, the provisions of these regulations shall, unless the context otherwise requires, apply as respects him in relation to each of the separate employments as if the other or others were an employment or employments held by him under another authority.

(5) Unless the context otherwise requires, references in these regulations to officers of an employing authority include references to persons who are deemed for the purposes of these regulations to be in the employment of an employing authority or of a body which is deemed to be an employing authority, and any other provisions relating to employment by or under an employing authority shall be construed accordingly.