
STATUTORY INSTRUMENTS

1948 No. 2434

**THE NATIONAL INSURANCE AND CIVIL
SERVICE (SUPERANNUATION) RULES, 1948.**

**PART I
GENERAL**

Citation, commencement and interpretation

1.—(1) These Rules may be cited as the National Insurance and Civil Service (Superannuation) Rules, 1948, and shall come into operation on the 16th November, 1948.

(2) In these Rules, unless the context otherwise requires—

“the Act” means the Superannuation (Miscellaneous Provisions) Act, 1948;

“the Superannuation Acts” means the Superannuation Acts, 1834 to 1946;

“the National Insurance Act” means the National Insurance Act, 1946;

“the Unemployment Insurance Act” means the Unemployment Insurance Act, 1935;

“the Health Insurance Act” means the National Health Insurance Act, 1936;

“the Minister” means the Minister of National Insurance;

“former employment” and “former emoluments” have the meanings given to those expressions in Rule 3;

“health insurance business” means business under the Health Insurance Act;

“the appointed day” means the appointed day for the purposes of the National Insurance Act;⁽¹⁾

“transferor” means, in relation to any fund or assets which, as at the appointed day, are transferred by virtue of, or in accordance with, these Rules, the person in whom such fund or assets were vested immediately before that day; and “transferee” means, in relation to any such fund or assets, the person to whom such fund or assets are so transferred;

“Civil Service retiring age” has the same meaning as “retiring age” in the Superannuation Act, 1935;

“tribunal” means a referee or board of referees appointed by the Minister of Labour and National Service, after consultation with the Lord Chancellor, or, where the proceedings are to be held in Scotland, after consultation with the Secretary of State;

“number of years” includes a fractional number;

“war service” has the meaning given to that expression in paragraph 4 of the First Schedule to these Rules;

“pension,” “pension rights” and “pensionable employment,” and (subject to the provisions of the next following paragraph) “pension scheme” and “pension fund” have the same meanings as in the Act;

⁽¹⁾ 5th July, 1948 (S.I. 1948 No. 54, *see* the title “National Insurance.”)

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and other expressions have the same meanings as in the Act, the Superannuation Acts or the National Insurance Act, as the case may be.

(3) Subject to the provisions of Rule 23, references in these Rules to a pension scheme or pension fund shall not apply to any such scheme or fund unless provision is made, either by statute relating to the scheme or fund or by trust deed, rules or other instrument made for the purposes thereof, as to the conditions upon which—

- (a) in the case of a contributory scheme or fund, persons may become and cease to be contributors; and
- (b) in every case, persons may become and cease to be entitled to benefits.

(4) References in these Rules to any enactment, rules or regulations shall include references to such enactment, rules or regulations as amended by any subsequent enactment, order, rules or regulations.

(5) The Interpretation Act, 1889, applies to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.