

SCHEDULES

SCHEDULE 1

Article 3.

KINDS OF EMPLOYMENT ETC. REFERRED TO IN ARTICLE 3

Museums

[^{F1}Employment by the Board of Trustees of the National Museums and Galleries of Northern Ireland.]

Entries rep. by 1998 NI 2

...^{F2}

F1 1998 NI 2
F2 SR 1974/54

[^{F3} Assembly Offices

F3 SR 1974/54

Clerk to the Assembly

Clerk-Assistant of the Assembly

Second Clerk-Assistant of the Assembly

Fourth Clerk at the Table

Committee Clerk

Librarian

Assistant Librarian

Editor, Deputy Editor and Assistant Editor of Official Report of Debates

Reporter]

[^{F4}Examiner of Statutory Rules for Northern Ireland]

F4 SR 1981/379

[^{F5} Offices on the Planning Appeals Commission held under Schedule 3 to the Planning (Northern Ireland) Order 1972

F5 SRO (NI) 1973/391

Chief Commissioner

Chief Professional Commissioner

Senior Professional Commissioner

Professional Commissioner]

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[^{F6}Principal Professional Commissioner]

F6 SR 1999/108

Other Bodies

[^{F7} Police Complaints Board for Northern Ireland]

[^{F8}Employment by the Commissioner for Children and Young People for Northern Ireland.]

[^{F9}Employment in the Equality Commission for Northern Ireland]

[^{F10} Employment in the Fair Employment Agency established under the Fair Employment (Northern Ireland) Act 1976

Chairman of the Fair Employment Agency

Employment in the Labour Relations Agency established under the Industrial Relations (Northern Ireland) Order 1976

Chairman of the Labour Relations Agency

Employment in the Equal Opportunities Commission established under the Sex Discrimination (Northern Ireland) Order 1976]

[^{F11} Chairman of the Equal Opportunities Commission for Northern Ireland]

[^{F12}Employment by the Northern Ireland Assembly Commission]

[^{F13} Employment in the Northern Ireland Economic Development Office incorporated on 4 October 1978 under the Companies Act (Northern Ireland) 1960]

[^{F14}Employment in the General Consumer Council for Northern Ireland established under the General Consumer Council (NI) Order 1984]

[^{F15}Office of Director General of Electricity Supply for Northern Ireland established under the Electricity (Northern Ireland) Order 1992]

[^{F16}Office of Chairman of the Consumer Committee for Electricity]

[^{F17}Employment in Invest Northern Ireland]

[^{F18}Employment in the Northern Ireland Judicial Appointments Commission]

[^{F19}Employment in the Northern Ireland Museums Council]

[^{F20}Employment in the Commission for Racial Equality (Northern Ireland)]

[^{F21}Secretary to The Mental Health Commission]

[^{F9}Chief Commissioner of the Equality Commission for Northern Ireland]

[^{F22}Employment by the Northern Ireland Social Care Council]

[^{F23}Chief Executive to the Mental Health Commission]

[^{F24}Employment by the Northern Ireland Practice and Education Council for Nursing and Midwifery.]

[^{F25}Employment by the Northern Ireland Health and Personal Social Services Regulation and Improvement Authority.]

[^{F26}Employment in the Economic Research Institute of Northern Ireland Limited]

[^{F27}Employment in the Office of the Commissioner for Children and Young People for Northern Ireland]

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- [^{F27}Commissioner for Children and Young People for Northern Ireland]
- [^{F28}Employment by the Police Service of Northern Ireland as a civilian direct recruit]
- [^{F29}Employment in the office of the Chief Electoral Officer for Northern Ireland]
- [^{F30}Chief Electoral Officer for Northern Ireland]
- [^{F31}Employment in the Agri-food and Biosciences Institute]
- [^{F32}Employment by the [^{F33}Commission] for Victims and Survivors for Northern Ireland.]
- [^{F34}the Regional Health and Social Care Board]
- [^{F35}the Regional Agency for Public Health and Social Well-being]
- [^{F36}the Regional Business Services Organisation]
- [^{F37}Employment by the Police Ombudsman for Northern Ireland.]
- [^{F38}Employment by the Chief Inspector of Criminal Justice in Northern Ireland]
- [^{F39}Employment by the Northern Ireland Law Commission.]
- [^{F40}Employment by the Commissioner for Older People for Northern Ireland.]
- [^{F41}the Director of Public Prosecutions for Northern Ireland]
- [^{F42}the Deputy Director of Public Prosecutions for Northern Ireland]
- [^{F43}any person appointed to act as Deputy Director of Public Prosecutions for Northern Ireland.]
- [^{F44}the office of Commissioner for Older People for Northern Ireland]
- [^{F45}the office of Chief Inspector of Criminal Justice in Northern Ireland]
- [^{F46}the office of Police Ombudsman for Northern Ireland]
- [^{F47}the office of Commissioner of the Northern Ireland Law Commission]
- [^{F48}employment in the Charity Commission for Northern Ireland]
- [^{F49}the office of member of the Commission for Victims and Survivors for Northern Ireland]

- F7 [1977 NI 2](#)
- F8 [2003 NI 11](#)
- F9 SR 2000/391
- F10 SR 1977/289
- F11 SR 1980/169
- F12 SR 2000/392
- F13 SR 1979/174
- F14 SR 1985/141
- F15 SR 1992/297
- F16 SR 1993/181
- F17 SR 2002/211
- F18 [2002 c. 26](#)
- F19 SR 1994/51
- F20 SR 1998/278
- F21 SR 1999/438
- F22 [2001 c. 3 \(NI\)](#)
- F23 SR 2001/69
- F24 [2002 c. 9 \(NI\)](#)
- F25 [2003 NI 9](#)
- F26 SR 2004/27

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- F27** SR 2004/28
- F28** SR 2004/29
- F29** Sch. 1: entry in list of "Other Bodies" inserted (28.4.2006 with effect as mentioned in art. 2 of the amending S.R.) by Superannuation (Chief Electoral Officer for Northern Ireland) Order (Northern Ireland) 2006 (S.R. 2006/181), **art. 2**
- F30** Sch. 1: entry in list of "Other Bodies" inserted (28.4.2006 with effect as mentioned in art. 3 of the amending S.R.) by Superannuation (Chief Electoral Officer for Northern Ireland) Order (Northern Ireland) 2006 (S.R. 2006/181), **art. 3**
- F31** Sch. 1: entry in list of "Other Bodies" inserted (15.5.2006 with effect as mentioned in art. 2 of the amending S.R.) by Superannuation (Agri-food and Biosciences Institute) Order (Northern Ireland) 2006 (S.R. 2006/188), **art. 2**
- F32** Sch 1: entry in "Other Bodies" inserted (15.2.2007) by Victims and Survivors (Northern Ireland) Order 2006 (S.I. 2006/2953 (N.I. 17)), arts. 1(3), 4(3), **Sch. para. 5(6)**; S.R. 2007/96, art. 2
- F33** Sch. 1: word substituted in the entry "Employment by the Commissioner for Victims and Survivors for Northern Ireland" by S.I. 2006/2953 (N.I. 17), Sch. para. 7(4) (as substituted (23.5.2008) by Commission for Victims and Survivors Act (Northern Ireland) 2008 (c. 6), s. 1(3), **Sch. 1**)
- F34** Sch.1: entry in list of "Other Bodies" added (24.4.2009 with effect as mentioned in art. 2 of the amending S.R.) by Superannuation (Health and Social Care Bodies) Order (Northern Ireland) 2009 (S.R. 2009/150), **art. 2(a)**
- F35** Sch.1: entry in list of "Other Bodies" added (24.4.2009 with effect as mentioned in art. 2 of the amending S.R.) by Superannuation (Health and Social Care Bodies) Order (Northern Ireland) 2009 (S.R. 2009/150), **art. 2(b)**
- F36** Sch.1: entry in list of "Other Bodies" added (24.4.2009 with effect as mentioned in art. 2 of the amending S.R.) by Superannuation (Health and Social Care Bodies) Order (Northern Ireland) 2009 (S.R. 2009/150), **art. 2(c)**
- F37** Sch. 1: words in list of "Other Bodies" inserted by Police (Northern Ireland) Act 1998 (c. 32), Sch. 3 para. 3(2A) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 5, **Sch. 3 para. 39(5)(a)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- F38** Sch. 1: words in list of "Other Bodies" inserted by Justice (Northern Ireland) Act 2002 (c. 26), Sch. 8 para. 3(2A) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 11, **Sch. 13 para. 24(4)(b)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- F39** Sch. 1: words in list of "Other Bodies" inserted by Justice (Northern Ireland) Act 2002 (c. 26), Sch. 9 para. 4(2A) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 11, **Sch. 13 para. 25(4)(b)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- F40** Sch. 1: entry inserted (9.2.2011) by Commissioner for Older People Act (Northern Ireland) 2011 (c. 1), ss. 1(4), 28(1)(a), **Sch. 1 para. 5(6)**
- F41** Sch. 1: office added (11.4.2011 with effect from 12.4.2010) by Superannuation (Office of the Director and Deputy Director of Public Prosecutions) Order (Northern Ireland) 2011 (S.R. 2011/116), **art. 2(a)**
- F42** Sch. 1: office added (11.4.2011 with effect from 12.4.2010) by Superannuation (Office of the Director and Deputy Director of Public Prosecutions) Order (Northern Ireland) 2011 (S.R. 2011/116), **art. 2(b)**
- F43** Sch. 1: office added (11.4.2011 with effect from 12.4.2010) by Superannuation (Office of the Director and Deputy Director of Public Prosecutions) Order (Northern Ireland) 2011 (S.R. 2011/116), **art. 2(c)**
- F44** Sch. 1: office added (30.12.2011 with effect from 8.2.2011) by Superannuation (Commissioner for Older People for Northern Ireland) Order (Northern Ireland) 2011 (S.R. 2011/410), **art. 2**
- F45** Words in Sch. 1 added (with effect in accordance with art. 2 of the amending Rule) by Superannuation (Chief Inspector of Criminal Justice in Northern Ireland) Order (Northern Ireland) 2012 (S.R. 2012/49), arts. 1, **2**
- F46** Words in Sch. 1 added (with effect in accordance with art. 2 of the amending Rule) by Superannuation (Police Ombudsman for Northern Ireland) Order (Northern Ireland) 2012 (S.R. 2012/50), arts. 1, **2**

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- F47** Words in Sch. 1 added (with effect in accordance with art. 2 of the amending Rule) by [Superannuation \(Commissioner of the Northern Ireland Law Commission\) Order \(Northern Ireland\) 2012 \(S.R. 2012/51\)](#), arts. 1, 2
- F48** Words in Sch. 1 added (with effect in accordance with art. 1 of the amending Rule) by [Superannuation \(Charity Commission for Northern Ireland\) Order \(Northern Ireland\) 2012 \(S.R. 2012/285\)](#), arts. 1, 2
- F49** Words in Sch. 1 added (with effect in accordance with art. 1 of the amending Rule) by [Superannuation \(Commission for Victims and Survivors for Northern Ireland\) Order \(Northern Ireland\) 2012 \(S.R. 2012/393\)](#), arts. 1, 2

SCHEDULE 2

Article 4.

THE EXISTING CIVIL SERVICE SUPERANNUATION PROVISIONS

PART I

ACTS

The Superannuation Act (Northern Ireland) 1967 , except sections 38, 39, 43(1), 87, 89, 90, 95(2) and 97, paragraphs 8 and 9 of Schedule 9 and Schedule 10.

Sections 6 and 8 of the Superannuation (Miscellaneous Provisions) Act (Northern Ireland) 1969 .

PART II

INSTRUMENTS

Any rules, regulations, orders, schemes or warrants made, or having effect as if made, under any provision of an Act listed in Part I.

The National Insurance (Modification of the Superannuation Acts) Regulations (Northern Ireland) 1948 .

The National Insurance (Modification of the Superannuation Acts) (Amendment) Regulations (Northern Ireland) 1949 .

The National Insurance (Modification of the Superannuation Acts) Regulations (Northern Ireland) 1961 .

The National Insurance (Modification of the Superannuation Acts) Regulations (Northern Ireland) 1963 .

The National Insurance (Modification of the Superannuation Acts) (Amendment) Regulations (Northern Ireland) 1966 .

The National Insurance (Modification of the Superannuation Acts) (Amendment) Regulations (Northern Ireland) 1969 .

The National Insurance (Modification of the Superannuation Acts) (Amendment) Regulations (Northern Ireland) 1971 .

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SCHEDULE 3

Articles 9, 11, 12, 19.

PROVISIONS WHICH MAY BE INCLUDED IN CERTAIN REGULATIONS

1. Provision as to the means by which the cost of providing the benefits for which the regulations provide is to be defrayed, including provision for the making of contributions or other payments by persons entitled to participate in such benefits and by the employers of those persons or such other persons as may be prescribed by the regulations.

2. Provision for the establishment and administration of superannuation funds, the management and application of the assets of such funds, the amalgamation of all or any of such funds, and the winding up of, or other dealing with, any such fund.

3. Provision for the payment and receipt of transfer values or in lieu thereof for the transfer or receipt of any fund or part of a fund or policy of insurance.

4. Provision for reckoning in respect of a person to whom the regulations apply any service in employment or as the holder of an office (other than service in respect of which benefits are payable under the regulations) as service in respect of which such benefits are payable, either unconditionally or subject to such conditions as may be prescribed by the regulations and either as respects the whole of the service or as respects such fraction thereof as may be so prescribed. In this paragraph “employment” includes engagement in any service.

5. Provision for the making by such persons as may be prescribed by the regulations of payments towards the provision (otherwise than under the regulations) of pensions, allowances or gratuities in such cases as may be determined in accordance with the regulations.

6. Provision as to the circumstances in which contributions paid by any person in accordance with the regulations, or any part thereof, may be repaid with or without interest.

7. Provision for securing that where—

- (a) the regulations provide for the payment to or in respect of a person of a pension in consequence of his having become incapacitated, or having died, as a result of an injury sustained, or disease contracted, in circumstances prescribed by the regulations; and
- (b) any damages in respect of the injury, disease or death in consequence of which the pension is paid are recovered by or on behalf of the person to whom the pension is paid,

the amount of any payments made to that person in respect of the pension before the right to or amount of such payments is finally determined, or such part of those payments as may be determined in accordance with the regulations, may be recovered from that person in such circumstances and subject to such conditions as the regulations may provide.

In this paragraph “pension” includes allowance and gratuity.

8. Provision authorising the payment, without probate or other proof of title, of any sum due under the regulations in respect of a person who has died to his personal representatives or such other persons as may be prescribed by the regulations.

9. Provision rendering void any assignment of or charge on, or any agreement to assign or charge, any benefit under the regulations, and provision that on the bankruptcy of a person entitled to such a benefit no part thereof shall pass to any trustee or other person acting on behalf of the creditors except in accordance with an order made by a court in pursuance of any statutory provision specified in the regulations.

10. Provision for the determination of all questions arising under the regulations and for any decision which falls to be taken by a government department in accordance with the regulations to be final.

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11. Provision for conferring on such persons as may be prescribed by the regulations such functions as the government department making the regulations considers necessary or expedient for purposes of the regulations.

12. Provision repealing or amending any transferred provision where it appears to the government department making the regulations that that provision is inconsistent with, or has become unnecessary or requires modification in consequence of, the regulations.

13. Such incidental, supplementary, consequential and transitional provisions as appear to the government department making the regulations to be necessary or expedient.

SCHEDULE 4

Article 17.

BODIES TO WHOM ARTICLE 17 RELATES

Body	Transferred provision under which determination made
Belfast Harbour Commissioners	Belfast Harbour Act (Northern Ireland) 1956, section 44(1).
An industrial training board	Industrial Training Act (Northern Ireland) 1964, Schedule 1, paragraph 12(3)
Northern Ireland Training Executive	Industrial Training Act (Northern Ireland) 1964, Schedule 2, paragraph 9(3).
Warrenpoint Harbour Authority	Warrenpoint Harbour Authority Order (Northern Ireland), Article 7(2)(e).

SCHEDULE 5

Article 18.

PERSONS REFERRED TO IN ARTICLE 18

1. A person to whom section 6(5) of the Summary Jurisdiction and Criminal Justice Act (Northern Ireland) 1935 applies.

Para. 2 rep. by SR 1979/103

Schedule 6 rep. by 1996 NI 16

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SCHEDULE 7

SRO Article 23.

SAVINGS AND TRANSITIONAL PROVISIONS

Provisions relating to civil servants, etc.

1.—(1) The repeal of any transferred provision by this Order shall not affect any pension, allowance or gratuity granted before the commencement of this Order under the Superannuation Acts (Northern Ireland) 1967 and 1969 or any pension, allowance or gratuity deemed by paragraph 1 of Schedule 9 to the Superannuation Act (Northern Ireland) 1967 to have been granted under that Act, and, subject to sub-paragraph (2), the pension, allowance or gratuity shall be deemed to have been granted under the principal civil service pension scheme within the meaning of Article 4.

(2) Without prejudice to Article 18, sub-paragraph (1) shall not apply in relation to a pension, allowance or gratuity granted under the said Acts of 1967 and 1969 to a person who, immediately before the pension, allowance or gratuity was granted to him, was a person listed in Schedule 5.

2.—(1) Any determination, decision, surrender, election, release or nomination made, certificate, direction, notice or approval given, contribution paid or other thing done under any provision of the Superannuation Acts (Northern Ireland) 1967 and 1969 which is repealed by this Order shall not be affected by the repeal but shall have effect as if made, given, paid or done under the corresponding provision of the principal civil service pension scheme within the meaning of Article 4.

(2) Article 5 shall apply in relation to payments made before the commencement of this Order in accordance with a warrant under section 18 of the Superannuation Act (Northern Ireland) 1967 or a warrant issued by virtue of section 7 of the Administrative and Financial Provisions Act (Northern Ireland) 1965 as it applies in relation to payments made in accordance with a scheme made under Article 3.

(3) Article 6(1) shall apply in relation to any person to whom a payment was made under section 87 of the Superannuation Act (Northern Ireland) 1967 as it applies in relation to any person to whom a payment is made under Article 6(1).

3. Any reference in any transferred provision or any document to the Superannuation Act (Northern Ireland) 1967, to the Superannuation Acts (Northern Ireland) 1967 and 1969 or to any provision of the said Act of 1967, or any reference which is to be construed as such a reference, shall be construed as, or as including, a reference to the principal civil service pension scheme within the meaning of Article 4 or to the corresponding provision of that scheme, as the case may be.

Provisions relating to persons employed in local government service, etc.

4. The repeal of any transferred provision by this Order shall not affect any superannuation benefit granted before the commencement of this Order under the Local Government (Superannuation) Acts (Northern Ireland) 1950 to 1966.

5. The repeal by this Order of sections 6, 6A and 6B of, the proviso to section 9 of, and Schedule 2 to, the Local Government (Superannuation) Act (Northern Ireland) 1950 (extension and preservation of rights of certain officers under enactments repealed by that Act) shall not affect the operation of those enactments in relation to the officers in question.

6.—(1) Notwithstanding any repeal made by this Order the provisions of—

- (a) sections 1, 2(2), 3, 4, 5 and 5A, and, so far as applicable, section 8(1), of, and Schedule 1 to, the Local Government (Superannuation) Act (Northern Ireland) 1950,
- (b) section 9 of the New Towns Act (Northern Ireland) 1965 ,
- (c) sections 14, 15 and 22 of the Local Government Act (Northern Ireland) 1966 , and

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- (d) any instrument made under the Local Government (Superannuation) Acts (Northern Ireland) 1950 to 1966,

shall, as from the commencement of this Order, have effect, with the necessary adaptations and modifications, as provisions of regulations made under Article 9, and may be revoked or amended accordingly.

(2) Any reference in any transferred provision or document to any such section or Schedule of an Act, or any such instrument, or any provision of such a section, Schedule or instrument, as is mentioned in sub-paragraph (1) shall be construed as a reference to so much of regulations made under Article 9 as by virtue of that sub-paragraph consists of that section, Schedule, instrument or provision.

7. Any appointment, election, application, determination or surrender made, certificate or approval given, contribution paid or other thing done under any section, Schedule, instrument or provision such as is mentioned in paragraph 6(1) shall not be affected by the repeal of the sections and Schedule there mentioned, but shall have effect as if made, given, paid or done under the corresponding provision of regulations made under Article 9.

Provisions relating to teachers

8. The repeal of any transferred provision by this Order shall not affect—
- (a) any pension or annual allowance which began to accrue, or
 - (b) any additional allowance or gratuity which became payable, or
 - (c) any liability to pay contributions in respect of the person to or in respect of whom any such pension, allowance, or gratuity is or was granted which accrued,

before the commencement of this Order under the Teachers Superannuation Acts (Northern Ireland) 1950 to 1967.

- 9.—(1) Notwithstanding any repeal made by this Order—
- (a) the Teachers Superannuation Acts (Northern Ireland) 1950 to 1967, and
 - (b) the provisions of any instrument made under those Acts,

shall, as from the commencement of this Order, have effect, with the necessary adaptations and modifications, as provisions of regulations made under Article 11, and may be revoked or amended accordingly.

(2) Any reference in any transferred provision or document to any such Act, or any such instrument, or any provision of such an Act or instrument, as is mentioned in sub-paragraph (1) shall be construed as a reference to so much of regulations made under Article 11 as by virtue of sub-paragraph (1) consists of that Act, instrument or provision.

10. Any surrender, election or release made, direction, consent or approval given, contribution paid or other thing done under any Act, instrument, or provision such as is mentioned in paragraph 9(1) shall not be affected by the repeal of the Acts there mentioned, but shall have effect as if made, given, paid or done under the corresponding provision of regulations made under Article 11.

Provisions relating to persons engaged in [^{F50}health care], etc.

F50 Sch. 7: word in cross-heading substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(c. 1\), ss. 32, 34\(3\)](#), [Sch. 6 para. 1\(1\)\(b\)](#) (with [Sch. 6 para. 1\(2\)\(3\)](#)); S.R. 2009/114, [art. 2](#)

11. Regulations or directions made or given or deemed to be made or given under section 67 of, and Schedule 8, to, the Health Services Act (Northern Ireland) 1971 and in force immediately before the commencement of this Order shall be deemed to be regulations or directions made or

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given under Article 12 and shall continue to have effect notwithstanding the repeal by this Order of the said section 67 and Schedule 8.

12. The repeal by this Order of any transferred provision contained in the Health Services Act (Northern Ireland) 1971 shall not affect any pension, allowance or gratuity granted before the commencement of this Order under that provision or preserved by that provision.

Provisions relating to certain rules

13. Nothing in this Order shall affect the operation of any rules made under section 38 or 43(1) of the Superannuation Act (Northern Ireland) 1967 and any such rules in force at the commencement of this Order shall, unless and until revoked, but subject to any amendments made therein in exercise of the power to vary them, continue to have effect as if this Order had not been made.

Saving for Interpretation Act

14. Nothing in this Order shall affect the provisions of sections 28 and 29 of the Interpretation Act (Northern Ireland) 1954 (effect of repeals and of substituting provisions).

Schedule 8—Repeals

Status:

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