

SCHEDULE

(1) Petty Sessions District	(2) Times of Holding Petty Sessions		
	Day of Month and Place of Holding	Hour of Opening	
		For Juvenile Cases	For Adult Cases
COUNTY ARMAGH Keady	1st Thursday	10.30 a.m.	11.00 a.m.
COUNTY DOWN Banbridge	2nd and 4th Thursdays 3rd Thursday	10.30 a.m. —	11.00 a.m. 11.00 a.m.
Holywood	1st, 2nd and 4th Fridays	10.30 a.m.	11.00 a.m.

1965. No. 199

[C]

SUPERANNUATION

Transfers between Local Government Service and the Civil Service

RULES, DATED 27TH SEPTEMBER, 1965, MADE BY THE MINISTRY OF FINANCE JOINTLY WITH THE MINISTRY OF DEVELOPMENT UNDER SECTIONS 5 AND 10 OF THE SUPERANNUATION (MISCELLANEOUS PROVISIONS) ACT (NORTHERN IRELAND) 1951 AND BY THE MINISTRY OF FINANCE UNDER SECTIONS 6 AND 10 OF THE SAID ACT.

The Ministry of Finance and the Ministry of Development, acting jointly in exercise of the powers conferred upon them by sections 5 and 10 of the Superannuation (Miscellaneous Provisions) Act (Northern Ireland) 1951(a), and of all other powers enabling them in that behalf, hereby make the rules contained in Parts I and II hereof and the Ministry of Finance, in exercise of the powers conferred on it by sections 6 and 10 of the said Act, and of all other powers enabling it in that behalf, hereby makes the rules contained in Parts I and III hereof.

PART I

GENERAL

1. These rules may be cited as the Superannuation (Transfers between the Civil Service and Local Government) (Amendment) Rules (Northern Ireland) 1965.

2. The Superannuation (Transfers between the Civil Service and Local Government) Rules (Northern Ireland) 1952(b) (hereinafter called "the Principal Rules") shall have effect and shall be deemed always to have had effect subject to the amendments in Parts II and III.

(a) 1951. c. 28.

(b) S.R. & O. (N.I.) 1952, No. 163.

PART II

AMENDMENT OF PARTS I AND II OF PRINCIPAL RULES

3. The Principal Rules shall be amended as follows:—

(1) In rule 2(1) after the definition of “the Act of 1950” there shall be inserted the following definition:—

“‘added years’ and ‘additional contributory payments’ have the same meanings as in the Local Government (Superannuation) Regulations (Northern Ireland) 1962(a)”.

(2) In proviso (i) to rule 3(1) after the words “three months” there shall be inserted the words “or such longer period as the Ministry of Finance may in any particular case allow”.

(3) For rule 5 there shall be substituted the following rule:—

“5.—(1) Where the officer was, at the time when he ceased to be a contributory employee, in the course of making additional contributory payments as a condition of being entitled to reckon the service or employment in relation to which those payments were being made as a period of contributing service, he shall be entitled, when giving notice to the Department in pursuance of proviso (i) to rule 3(1), to elect to continue those payments in the manner provided by this paragraph and:—

(a) if he does so elect and repays forthwith to the Ministry of Finance a sum equal to any sum paid to him by way of return of such payments on or after ceasing to be a contributory employee:—

(i) he shall be liable to pay the outstanding payments to the Ministry of Finance in the manner in which they would have been payable by him if he had remained a contributory employee; and

(ii) the service or employment in respect of which they are made shall be reckonable for the purposes of the Superannuation Acts in the manner in which it would, by virtue of these rules, have been reckonable if, immediately before he ceased to be a contributory employee, he had been under no further liability in respect of such payments;

(b) if he does not so elect, or if he fails to pay any sum payable to the Ministry of Finance under sub-paragraph (a) then, for the purposes of the Superannuation Acts, account shall be taken of the service or employment in respect of which the payments were being made only to the extent, if any, to which, by virtue of these rules, account would have been taken of that service or employment if he had not been in the course of making payments as aforesaid in respect thereof at the time when he ceased to be a contributory employee.

(2) Where the officer was, at the time when he ceased to be a contributory employee, in the course of making payments in respect of added years, he shall be entitled, when giving notice to the Department in pursuance of proviso (i) to rule 3(1), to elect to continue to make the like payments to the Ministry of Finance in respect of the said added years as he would have been liable to make to the superannuation fund to which he was a contributor and, if he does so elect and repays forthwith to the Ministry of Finance a sum equal to any sum paid to him by way of return of any such payments

on or after ceasing to be a contributory employee, he shall be liable to make payments to the Ministry of Finance in respect of the said added years in the manner in which and at the times at which he would have been liable to make them under the superannuation regulations or scheme applicable to him as a contributory employee and, if he makes those payments, shall be entitled to have the added years reckoned for the purposes of the Superannuation Acts as service in the capacity of a civil servant:

Provided that:—

- (a) the said added years shall not be reckonable for the purposes of the Superannuation Acts if the officer ceased to be a contributory employee in such circumstances that in consequence of a resolution of the authority by whose consent the added years first became reckonable he ceased to be entitled to reckon the added years; and
- (b) no account shall be taken of added years for the purpose of determining whether the officer has served for the minimum period prescribed by the Superannuation Acts as necessary for any pension to be paid to or in respect of him."

PART III

AMENDMENT OF PART III OF PRINCIPAL RULES

4. The Principal Rules shall be further amended as follows:—

(1) In rule 10(1)(d) after the words "three months" there shall be inserted the words "or such longer period as the body administering the superannuation regulations or scheme applicable to him as a contributory employee may in any particular case allow".

(2) Rule 13 shall be deleted.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 27th day of September, nineteen hundred and sixty-five.

(L.S.)

James V. Morrison,
Assistant Secretary.

Sealed with the Official Seal of the Ministry of Development for Northern Ireland this 27th day of September, nineteen hundred and sixty-five.

(L.S.)

C. D. Hoey,
Assistant Secretary.

EXPLANATORY NOTE

(This note is not part of the rules but is intended to indicate their general purport.)

These rules amend the principal rules in two respects. Firstly they give power to extend the period within which a person has to notify his desire for the application of the rules. Secondly they make more comprehensive provision in regard to the arrangements to apply where a person at the time of transferring from Local Government service was in the course of making certain voluntary payments with a view to increasing his service.