

Sealed with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 3rd day of April 1967.

(L.S.)

S. H. O'Fee,
Assistant Secretary.

EXPLANATORY NOTE

(This note is not part of the Order, but is intended to indicate its general purport.)

This Order exempts office premises erected at or adjacent to places where building operations or works of engineering construction are carried on and for the purpose of or in connection with the operations or works, from the requirements of section 6 of the Office and Shop Premises Act (Northern Ireland) 1966 as to temperature and from the requirement of section 10 of the said Act that water supplied for washing shall be running water. The exemption from section 6 of the said Act is granted subject to conditions relating to the provision for persons employed of means of warming themselves and requiring that no injurious or offensive method be used.

1967. No. 69

[C]

SUPERANNUATION

Interchange between the Civil Service of Northern Ireland and certain Public Boards

RULES, DATED 3RD APRIL 1967, MADE BY THE MINISTRY OF FINANCE UNDER SECTIONS 5, 6 AND 10 OF THE SUPERANNUATION (MISCELLANEOUS PROVISIONS) ACT (NORTHERN IRELAND) 1951.

The Ministry of Finance in exercise of the powers conferred on it by sections 5, 6 and 10 of the Superannuation (Miscellaneous Provisions) Act (Northern Ireland) 1951(a), and of all other powers enabling it in that behalf, hereby makes the following rules:—

PART I

GENERAL

Citation and commencement

1. These rules may be cited as the Superannuation (Civil Service of Northern Ireland and Public Boards) Interchange Rules (Northern Ireland) 1967 and shall come into operation on 1st May 1967.

Interpretation

2. In these rules—

“the Act” means the Superannuation (Miscellaneous Provisions) Act (Northern Ireland) 1951;

“the Superannuation Acts” means the Superannuation Acts (Northern

(a) 1951. c. 28.

- Ireland) 1921 to 1966 and includes any enactments thereby applied to the civil service of Northern Ireland;
- “civil servant” means a person serving in an established capacity in the permanent civil service of Northern Ireland;
- “pension” has the meaning assigned to it by the Act;
- “transfer value” has the same meaning as “accrued superannuation value” as that expression is defined in the Act.

PART II

TRANSFERS FROM CERTAIN PUBLIC BOARDS TO THE NORTHERN IRELAND CIVIL SERVICE

Application

- 3.—(1) This part shall apply to any person who—
- (a) becomes employed as a civil servant within twelve months after ceasing to be employed in any of the employments mentioned in the Schedule (hereafter in this part referred to as “the scheduled employment”) or within such longer period as the Ministry of Finance may allow in any particular case; and
 - (b) has not become entitled to a pension other than a return of contributions on ceasing to be employed in the scheduled employment; and
 - (c) within three months after the date on which he becomes employed as a civil servant or within six months after the date of the coming into operation of these rules, whichever period last expires, or within such longer period as the Ministry of Finance may allow in any particular case, notifies the Department in which he is then employed that he desires these rules to apply to him and furnishes such Department with particulars of his previous pensionable employment; and
 - (d) if he has received any payment by way of a return of contributions, whether with or without interest, on or after ceasing to be employed in the scheduled employment, not being contributions made for the purpose of securing benefits for his widow, children or other dependants, pays a sum equal to such payment to the Ministry of Finance within three months after the date on which he becomes employed as a civil servant or within six months after the date of the coming into operation of these rules, whichever period last expires, or within such longer period as the Ministry of Finance may allow in any particular case.
- (2) This part shall apply to such person as aforesaid and shall be deemed always to have applied to him notwithstanding that he ceased to be employed in the scheduled employment or became employed as a civil servant before the passing of the Act or the coming into operation of these rules:
- Provided that—
- (a) he has not ceased to be employed as a civil servant before the date of the coming into operation of these rules; and
 - (b) he ceased to be employed in the scheduled employment not earlier than the 1st day of April 1950; and
 - (c) the authority responsible for the administration of the pension scheme applicable to him in the scheduled employment consents.
- (3) In this part a person to whom this part applies is referred to as “the officer”.

Reckoning of Service

4. If the Ministry of Finance receives from the authority responsible for the administration of the pension scheme applicable to the officer in the scheduled employment a transfer value, calculated in accordance with a method approved by the said Ministry but reduced by an amount equal to the aggregate of any sum payable by the officer to the Ministry of Finance under rule 3(1)(d) and any sum which may become payable by way of income tax in respect of the amount transferred by way of transfer value, in respect of the service which the officer was entitled to reckon for the purposes of the said pension scheme immediately before he ceased to be employed in the scheduled employment, such service shall subject to the provisions of these rules be reckoned for the purposes of the Superannuation Acts as service in the capacity of a civil servant:

Provided that—

- (a) any period of such service which was not reckonable for the purpose of determining whether the officer had served for the minimum period prescribed in the pension scheme applicable to him in the scheduled employment as necessary for any pension to be paid to or in respect of him shall not be reckoned as service in the capacity of a civil servant 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; and
- (b) any period of service which was reckonable for the purpose of determining whether the officer had served for the minimum period prescribed in the pension scheme applicable to him in the scheduled employment as necessary for any pension to be paid to or in respect of him but not for calculating the amount thereof, shall be reckonable as service as a civil servant for the purpose of determining whether he 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 and for no other purpose.

Continuation of contributions in respect of additional service

5. Where the officer has agreed to make, but had not before he ceased to be employed in the scheduled employment completed making, additional contributions under the pension scheme applicable to him in the scheduled employment in consideration of his service being increased by an additional period, such additional period shall not be reckoned as service in the capacity of a civil servant under the last preceding rule unless the officer pays to the Ministry of Finance sums equal to the additional contributions which he would have been liable to make had he remained in the scheduled employment at the times at which and in the manner in which they would have been payable.

Return of contributions

6. Where the officer ceases to be employed as a civil servant in circumstances in which he is not eligible for a superannuation allowance under the Superannuation Acts or in which his service in the capacity of a civil servant is not transferable to some other superannuation scheme by virtue of rules made under section 6 of the Act or by virtue of any other arrangements, the Ministry of Finance may, provided he has not been dismissed in consequence of an offence of a fraudulent character or of grave misconduct, pay to or in respect of him whichever is the greater of the following sums:—

- (a) a sum equal to the sum which might have been paid to or in respect of him by way of a return of contributions and any interest thereon

under the pension scheme applicable to him in the scheduled employment, if when he ceased to be employed in the scheduled employment he had ceased to be so employed in similar circumstances; or

- (b) such a sum as the officer may be eligible to receive or as may be paid in respect of him under the Superannuation Acts by way of a short service gratuity or a death gratuity.

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

7. Where the officer was during his employment in the scheduled employment an insured person within the meaning of the National Insurance Act 1965(a) or the National Insurance Act (Northern Ireland) 1966(b), the provisions of the National Insurance (Modification of the Superannuation Acts) Regulations (Northern Ireland) 1948(c) shall apply to him as if he had become a civil servant on or after 1st April 1948:

Provided that the said provisions shall not apply to him if he was excepted from the operation of corresponding provisions in the pension scheme applicable to him in the scheduled employment.

PART III

PAYMENT OF TRANSFER VALUES IN RESPECT OF PERSONS TRANSFERRING FROM THE NORTHERN IRELAND CIVIL SERVICE TO CERTAIN PUBLIC BOARDS

Application

8.—(1) This part shall apply to any person who—

- (a) becomes employed in any of the employments referred to in the Schedule (hereafter in this part referred to as “the scheduled employment”) within twelve months after ceasing to be employed as a civil servant or within such longer period as the Ministry of Finance may allow in any particular case; and
- (b) has before or after changing his employment as aforesaid obtained from the Head Officer of the Department in which he ceased to be employed consent to his employment in the scheduled employment; and
- (c) has not become eligible for a pension under the Superannuation Acts; and
- (d) within three months after the date on which he becomes employed in the scheduled employment or within six months after the date of the coming into operation of these rules, whichever period last expires, or within such longer period as the authority responsible for the administration of the pension scheme applicable to him in the scheduled employment may allow, notifies that authority that he desires these rules to apply to him and furnishes it with particulars of his service as a civil servant.

(2) This part shall apply to such person as aforesaid and shall be deemed always to have applied to him notwithstanding that he ceased to be employed as a civil servant or became employed in the scheduled employment before the passing of the Act or the coming into operation of these rules:

Provided that—

- (a) he has not ceased to be employed in the scheduled employment before the coming into operation of these rules; and

(a) 1965. c. 51.

(b) 1966. c. 6 (N.I.).

(c) S.R. & O. (N.I.) 1948, No. 91.

- (b) he ceased to be employed as a civil servant not earlier than the 1st day of April 1950; and
 (c) the Ministry of Finance consents.

(3) In this part a person to whom this part applies is referred to as "the officer".

Transfer values payable

9. If the Ministry of Finance is satisfied that the officer will be entitled under the pension scheme applicable to him in the scheduled employment to reckon as service for the purposes of that scheme such of his service as is reckonable for the purposes of the Superannuation Acts as service in the capacity of a civil servant, the Ministry of Finance may, upon these rules becoming applicable to the officer, pay to the authority responsible for the administration of the said pension scheme a transfer value calculated in accordance with tables prepared by the Ministry of Finance in respect of such of the officer's service as is reckonable as aforesaid:

Provided that where the officer ceased to be employed as a civil servant more than twelve months before the coming into operation of these rules, the age which shall be taken into account for the purpose of calculating the transfer value payable under this rule shall be his age on the date of the coming into operation of these rules.

Outstanding payments in respect of a previous employment

10. Where under rule 5 or any similar rule the officer was in course of paying, but had not completed paying, to the Ministry of Finance sums equal to additional contributions, there shall be deducted from the transfer value payable under rule 9 the value of the sums which he would have been liable to pay to the Ministry of Finance had he continued to be employed as a civil servant and the right to receive those sums shall be transferred to the authority responsible for the administration of the pension scheme applicable to the officer in the scheduled employment.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 3rd day of April nineteen hundred and sixty-seven.

(L.S.)

James V. Morrison,
 Assistant Secretary.

SCHEDULE

1. Employment under the National Coal Board or the Coal Industry Social Welfare Organisation which is pensionable under the National Coal Board Staff Superannuation Scheme.
2. Employment under the United Kingdom Atomic Energy Authority or the Science Research Council which is pensionable under the United Kingdom Atomic Energy Authority's Principal Non-Industrial Superannuation Scheme, Industrial Superannuation Scheme or Protected Persons Superannuation Scheme.
3. Employment under the Electricity Council, the Central Electricity Generating Board or any of the Area Electricity Boards which is pensionable under the Electricity Supply (Staff) Superannuation Scheme or the Electricity Supply (Manual Workers) Superannuation Scheme.
4. Employment as general staff under the British Overseas Airways Corporation or the British European Airways Corporation which is pensionable under the Airways Corporations Joint Pension Scheme.

EXPLANATORY NOTE

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

The purpose of these rules is to preserve continuity of superannuation rights of persons who transfer between the Civil Service of Northern Ireland and certain Public Boards.

The rules provide—

- (a) that if a person in the employment of one of the Public Boards transfers to an established post in the Civil Service and a transfer value is paid to the Ministry of Finance the period of employment in the Public Board may be reckoned for Civil Service superannuation; and
- (b) that if a civil servant transfers to employment under one of the Public Boards a transfer value may be paid by the Ministry of Finance.

1967. No. 70

This Order has been exempted from printing by the Statutory Rules Act (Northern Ireland) 1958. A summary is given in the List of Statutory Rules and Orders of a Local Character under the heading PUBLIC HEALTH.

1967. No. 71

[NC]

INTOXICATING LIQUOR**Claims Fund: Charges in respect of Licences**

RULES, DATED 5TH APRIL 1967, MADE BY THE MINISTRY OF FINANCE UNDER SECTION 3 OF THE INTOXICATING LIQUOR ACT (NORTHERN IRELAND) 1923, AS AMENDED BY THE INTOXICATING LIQUOR (FINANCE) ACT (NORTHERN IRELAND) 1925, AND BY SECTION 14 OF THE FINANCE ACT (NORTHERN IRELAND) 1959.

The Ministry of Finance in the exercise of the powers conferred upon it by Section 3 of the Intoxicating Liquor Act (Northern Ireland) 1923(a), as amended by the Intoxicating Liquor (Finance) Act (Northern Ireland) 1925(b), and by Section 14 of the Finance Act (Northern Ireland) 1959(c), and of all other powers enabling it in that behalf hereby makes the following Rules:—

1. These Rules may be cited as the Intoxicating Liquor (Claims Fund Charges) Rules (Northern Ireland) 1967.

2. In pursuance of Section 3 of the Intoxicating Liquor Act (Northern Ireland) 1923, as amended by the Intoxicating Liquor (Finance) Act (Northern Ireland) 1925, and by Section 14 of the Finance Act (Northern Ireland) 1959,

(a) 13 & 14 Geo. 5. c. 12 (N.I.).

(c) 1959. c. 9.

(b) 15 & 16 Geo. 5. c. 29 (N.I.).