

1968. No. 68

[C]

SUPERANNUATION

Transfers between the Civil Service and Agricultural Research Organisations

RULES, DATED 13TH MARCH 1968, MADE BY THE MINISTRY OF FINANCE UNDER SECTIONS 33 AND 34 OF THE SUPERANNUATION ACT (NORTHERN IRELAND) 1967.

The Ministry of Finance in exercise of the powers conferred on it by sections 33 and 34 of the Superannuation Act (Northern Ireland) 1967(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 Agricultural Research Organisations) Transfer Rules (Northern Ireland) 1968 and shall come into operation on 1st April 1968.

Interpretation

2. In these rules—

“agricultural research organisation” means any of the bodies specified in the Schedule;

“civil servant” has the meaning assigned to it by section 91(2) of the Superannuation Act;

“pension” has the meaning assigned to it by section 33(7) of the Superannuation Act;

“relevant pension scheme” means, in relation to employment by the Agricultural Research Council, the Superannuation Scheme administered by that Council for members of its Clerical and Technical Staff, and, in relation to employment by any other agricultural research organisation, the similar Superannuation Scheme administered by that organisation for members of its Clerical and Technical Staff or for members of its Laboratory Assistant, Clerical and Typing Staff;

“the Superannuation Act” means the Superannuation Act (Northern Ireland) 1967.

PART II

PERSONS TRANSFERRING FROM AN AGRICULTURAL RESEARCH ORGANISATION TO THE NORTHERN IRELAND CIVIL SERVICE

Application

3.—(1) This part shall apply to any person who becomes employed as a civil servant within twelve months after ceasing to be employed by an agricultural research organisation in employment in which he was a participant in a relevant pension scheme, or within such longer period thereafter as the Ministry of Finance may allow in any particular case.

(a) 1967. c. 24 (N.I.).

(2) This part shall apply to such person as aforesaid notwithstanding that he ceased to be employed by an agricultural research organisation or became employed as a civil servant before the coming into operation of these rules:

Provided that—

- (a) he ceased to be employed by the agricultural research organisation on or after the 1st April 1950; and
- (b) he has not ceased to be employed as a civil servant before the coming into operation of these rules; and
- (c) he does not within six months after the date of the coming into operation of these rules notify the Department in which he is then employed that he does not desire this part to apply to him.

Reckoning of service with an Agricultural Research Organisation as qualifying service for Civil Service superannuation benefits

4. The period of continuous service in respect of which, immediately before a person to whom this part applies ceased as aforesaid to be employed by an agricultural research organisation, contributions were paid in his case under a relevant pension scheme shall, for the purpose only of the provisions of the Superannuation Act with respect to the minimum periods of service which qualify for the benefit of that Act, be treated as service in the capacity of a civil servant.

Modification of Civil Service ill-health retirement provisions

5. Section 5 of the Superannuation Act (which provides for an increase of certain allowances in cases of retirement for ill-health with less than twenty years' service) shall have effect in relation to a person to whom this part applies as if for the references in subsections (1) and (2) of that section to twenty years there were substituted references to a period equivalent to the amount by which twenty years exceeds such period of that person's continuous service as is referred to in rule 4:

Provided that where the period so substituted is shorter than the period of his service as a civil servant the said section 5 shall not apply to him.

PART III

PERSONS TRANSFERRING FROM THE NORTHERN IRELAND CIVIL SERVICE TO AN AGRICULTURAL RESEARCH ORGANISATION

Application

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

- (a) within twelve months after ceasing to be employed as a civil servant or within such longer period thereafter as the Ministry of Finance may allow in any particular case, becomes employed by an agricultural research organisation in employment in which he is a participant in a relevant pension scheme; and
- (b) has before or after changing his employment as aforesaid obtained from the Department in which he ceased to be employed consent to his employment by the agricultural research organisation; and
- (c) has not become eligible for a pension under the Superannuation Act; and
- (d) within three months after the date on which he becomes employed as aforesaid by an agricultural research organisation or within six months

after 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 ceased to be employed that he desires this part to apply to him.

(2) This part shall apply to such person as aforesaid notwithstanding that he ceased to be employed as a civil servant or became employed by an agricultural research organisation before the coming into operation of these rules:

Provided that—

- (a) he ceased to be employed as a civil servant on or after the 1st April 1950; and
- (b) he has not ceased to be employed by the agricultural research organisation before the coming into operation of these rules; and
- (c) the Ministry of Finance consents to this part applying to him.

Payment of Transfer Value

7. If the agricultural research organisation by whom a person to whom this part applies becomes employed as aforesaid undertakes to invest or secure the investment of the transfer value hereinafter mentioned, for the benefit of that person, under the relevant pension scheme in the purchase of a policy of insurance on his life providing for the payment, on his retirement on or after a specified age, or on earlier retirement through incapacity, of an annuity to him or of such joint annuity to him and another as he may be entitled to select in accordance with the terms of that scheme, such annuity or joint annuity not to be capable of assignment or of commutation except to such extent as the Ministry of Finance may approve, the Ministry of Finance may, upon these rules becoming applicable to that person, pay to such agricultural research organisation a transfer value calculated in accordance with tables approved by the said Ministry in respect of such of his service as is reckonable for the purposes of the Superannuation Act as service in the capacity of a civil servant.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 13th day of March nineteen hundred and sixty-eight.

(L.S.)

R. M. MacDonald,
Assistant Secretary.

SCHEDULE

Agricultural Research Organisations

The Agricultural Research Council
 Animal Diseases Research Association
 The British Society for the Promotion of Vegetable Research
 The British Society for Research in Agricultural Engineering
 The Edinburgh and East of Scotland College of Agriculture
 The Animal Virus Research Institute
 The Glasshouse Crops Research Institute
 The Grassland Research Institute
 The Hannah Dairy Research Institute
 The Hill Farming Research Organisation
 The Houghton Poultry Research Station
 The John Innes Institute
 Kent Incorporated Society for Promoting Experiments in Horticulture
 Lawes Agricultural Trust, Rothamsted Experimental Station
 Long Ashton Research Station
 The Macaulay Institute for Soil Research
 The National Institute of Agricultural Botany
 The National Institute for Research in Dairying
 The North of Scotland College of Agriculture
 Plant Breeding Institute
 The Rowett Research Institute
 The Scottish Horticultural Research Institute
 Scottish Society for Research in Plant Breeding
 Welsh Plant Breeding Station
 The West of Scotland Agricultural College

EXPLANATORY NOTE

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

These rules provide a measure of integration of the different superannuation conditions applicable to persons who transfer between established service in the Northern Ireland Civil Service and employment with the Agricultural Research Council which is pensionable under the Council's Superannuation Scheme for Clerical and Technical Staff or employment with certain other agricultural research organisations which is pensionable under similar superannuation schemes administered by those organisations for members of their Clerical and Technical Staff.

Under Part II, employment with an agricultural research organisation under the appropriate superannuation scheme before transfer to the Civil Service will count towards any period of service necessary to qualify for benefits under the Superannuation Act (Northern Ireland) 1967.

Under Part III, where an established civil servant transfers to an agricultural research organisation, a transfer value may be paid by the Ministry of Finance to that organisation. The sum so paid must be invested for the officer's benefit in an insurance policy under that organisation's scheme and subject to prescribed conditions.

The rules have retrospective effect to the extent allowed by sections 33 and 34 of the Superannuation Act (Northern Ireland) 1967.