

1972. No. 83

[C]

## SUPERANNUATION

Interchange between Local Government in Great Britain  
and Isle of Man and the Civil Service

RULES, DATED 23RD MARCH 1972, 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:—

*General*

1. These rules may be cited as the Superannuation (Civil Service of Northern Ireland, Local Government in Great Britain and Isle of Man) Interchange (Amendment) Rules (Northern Ireland) 1972.

2. The Superannuation (Civil Service of Northern Ireland, Local Government in Great Britain and Isle of Man) Interchange Rules (Northern Ireland) 1957(b) (hereafter called "the Principal Rules") shall have effect and shall be deemed always to have had effect subject to the amendments in rule 3.

*Amendment of Principal Rules*

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

(1) After rule 2, there shall be added the following rule:—

"2A. Without prejudice to the Interpretation Act (Northern Ireland) 1954(c), any reference in these rules to an enactment of the Parliament of Northern Ireland, the Parliament of the United Kingdom or the Parliament of the Isle of Man shall be construed as a reference to that enactment as from time to time amended or to any enactment of any of the said Parliaments by which it has been replaced."

(2) In rule 3(1)—

(a) sub-paragraphs (b) and (d) shall be deleted;

(b) for the words "has not become entitled to" there shall be substituted the words "has not received payment of".

(3) In rule 3(2) the words "or sub-paragraph (b)" shall be deleted.

(4) After rule 11, there shall be added the following rule:—

*"Extension of time*

11A.—(1) Notwithstanding any other provision of these rules, the Ministry of Finance, on the application of a person desiring these rules to apply to him, may, with the consent of the authority maintaining the superannuation fund to which he was a contributor,

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

(b) S.R. & O. (N.I.) 1957, No. 115.

(c) 1954. c. 33.

of the Isle of Man authority by whom he was employed as a pensionable employee, before he became a civil servant, extend the following periods mentioned in these rules:—

- (a) the period of twelve months referred to in rule 3(1)(a),
- (b) the period of six months referred to in rule 3(1)(c),
- (c) the period of three months referred to in proviso (i) to rule 3(1).

(2) Where the period of twelve months referred to in rule 3(1)(a) is extended pursuant to paragraph 1(a) of this rule, the person shall pay to the Ministry of Finance such a sum as the authority maintaining the superannuation fund to which he was a contributor, or the Isle of Man authority by whom he was employed as a pensionable employee, may require him to pay by way of interest on any sum paid to him by way of a return of contributions."

- (5) In rule 12(1)(b) after the word "before" there shall be inserted the words "or after".
- (6) In rule 12(1)(c) for the words "has not been granted" there shall be substituted the words "has not received payment of".
- (7) Rule 12(2) and proviso (b) to rule 13 shall be deleted.
- (8) After rule 15, there shall be added the following rule:—

*"Extension of time*

**16.—**(1) Notwithstanding any other provision of these rules, the Ministry of Finance, on the application of a person desiring these rules to apply to him, may agree with the authority maintaining the superannuation fund to which he has become a contributor, or the Isle of Man authority by whom he has become employed as a pensionable employee, after ceasing to be a civil servant, to extend the following periods mentioned in these rules:—

- (a) the period of twelve months referred to in rule 12(1)(a)(i),
- (b) the period of six months referred to in rule 12(1)(a)(ii),
- (c) the period of three months referred to in rule 12(1)(d).

(2) Notwithstanding any other provision of these rules, the transfer value payable by the Ministry of Finance in respect of a person, in whose case the period of twelve months referred to in rule 12(1)(a)(i) is extended pursuant to paragraph (1)(a) of this rule, shall—

- (a) where he became employed as a contributory employee or as a pensionable employee before 23rd March 1972, be calculated by reference to his age on 23rd March 1972;
- (b) where he becomes employed as a contributory employee or as a pensionable employee on or after 23rd March 1972, be calculated by reference to his age when he becomes so employed."

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 23rd day of March 1972.

(L.S.)

R. M. MacDonald,  
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 relating to the superannuation rights of persons transferring between the Northern Ireland Civil Service and local government employment in Great Britain and the Isle of Man.

The main amendments give power to extend the permissible break period between employments and the time limit for compliance with certain conditions.