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STATUTORY INSTRUMENTS

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**1948 No. 2434**

**THE NATIONAL INSURANCE AND CIVIL  
SERVICE (SUPERANNUATION) RULES, 1948.**

**PART III**

**DISCHARGED EMPLOYEES**

**Discharged employees who do not become civil servants**

**10.**—(1) The following provisions of this rule apply to persons in respect of whom the following conditions are fulfilled (hereafter in these Rules called “discharged employees”) that is to say—

- (a) that they have been employed full time by any such Society or body as is mentioned in Rule 2;
- (b) that they have lost that employment;
- (c) that the loss of employment is directly attributable to the passing of the National Insurance Act or the making of any regulations thereunder;
- (d) that they are not, or do not, before the 5th July, 1949, become, civil servants; and
- (e) that they have pension rights under any pension scheme or are interested in any pension fund under which scheme or in which fund other persons to whom Rule 2 applies have such rights or interest.

(2) Where in the case of a discharged employee there are accrued rights in relation to any contingency which has occurred, and either—

- (a) the employment which he lost was such as to satisfy the conditions in Rule 3; or
- (b) he is entitled to receive compensation for that loss of employment under Section 67 of the National Insurance Act; or
- (c) the pension scheme or fund in relation to which he satisfies the condition in subparagraph (e) of the last preceding paragraph is a fund wholly transferred by Rule 12;

the Treasury may make payments to or in respect of him equal to the value of those accrued rights.

(3) Any such payment shall be made to the person or persons who would, but for these Rules or the passing of the National Insurance Act, have had the right to payment under the pension scheme concerned.

(4) Notwithstanding the foregoing provisions of this rule, no payment shall be made in respect of a contingency occurring not later than the appointed day and giving a right to the return of contributions unless the person concerned gives notice in writing to the Minister not later than the 5th July, 1949, that he desires such payment to be made.

(5) If payment in respect of such a contingency as is mentioned in the last preceding paragraph is duly made, no further payment in respect of accrued rights shall thereafter be made to or in respect of that person under these Rules.

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(6) No payment of a lump sum shall be made under this rule in respect of accrued rights to a periodical payment:

Provided that where the capital value of the accrued rights, when added to the capital value of any compensation due to the discharged employee under Section 67 of the National Insurance Act does not exceed two hundred and fifty pounds, the Treasury may make a lump sum payment equal to the capital value of the accrued rights.

(7) The accrued rights in any case shall, subject to the provisions of the next following paragraph, be ascertained for the purpose of this rule in accordance with the provisions of the Second Schedule to these Rules.

(8) If under any regulations made under Section 67 of the National Insurance Act the Minister has power for the purpose of assessing compensation under those regulations to credit a discharged employee with additional years of service, then, in determining accrued rights under these Rules upon the death of such employee to whom additional years of service may be so credited, the Minister may direct that the like number of years shall be added for the purpose of paragraph 3 of the Second Schedule to these Rules to that part of the period of that discharged employee's former employment which was pensionable employment.

(9) Any payments authorised by these Rules in respect of the pension rights of discharged employees shall be made out of moneys provided by Parliament.