
STATUTORY INSTRUMENTS

1951 No. 309

**The Superannuation (English Local Government
and Isle of Man) Interchange Rules 1951**

4.—(1) Where a person enters or has entered employment by virtue of which he is or is deemed to be a contributory employee or local Act contributor, or employment (not being such employment as aforesaid) by virtue of which he is entitled to participate in any of the benefits of a superannuation fund maintained under a local Act scheme, within a period of twelve months after ceasing to be a pensionable employee of an Isle of Man authority, or if he ceased to be such an employee in order to undertake war service or national service within the meaning of the Superannuation (Isle of Man and British Local Government) Interchange Rules, 1951, made under section 1 of the Superannuation (Reciprocity) Act, 1950 (an Act of Tynwald), within a period of six months after the termination of that service, then, if the authority maintaining the fund to which he is a contributor receive out of the superannuation fund maintained by the Isle of Man authority a transfer value calculated in accordance with a method approved by the Minister in respect of the contributing service and non-contributing service (if any) which the person was entitled to reckon for the purposes of the pension scheme administered by the authority immediately before he ceased to be employed by the authority, he shall be entitled to reckon that service as contributing service, non-contributing service or service for the purposes of the local Act scheme, as the case may be, in the same manner as if it had been contributing service or non-contributing service within the meaning of the Act of 1937:

Provided that—

- (a) this rule shall not apply to any person unless within three months after entering his new employment, or, if he entered that employment before the date of the coming into operation of these rules, within six months after that date, he notifies in writing the authority maintaining the superannuation fund to which he is a contributor that he desires these rules to apply to him, furnishes them with particulars of his previous pensionable employment and war service or national service (if any) and pays to them an amount equal to any sum paid to him by way of a return of contributions on or after his ceasing to hold his former employment;
- (b) this rule shall not apply in relation to any person who became a contributor to a superannuation fund maintained by a local authority before the date of the coming into operation of these rules unless he ceased to hold his former employment not earlier than the fourth day of February, 1948, and he has been such contributor without a break of more than twelve months at any one time, excluding any period of war service or national service, after ceasing to hold his former employment;
- (c) where any service of a person for the purposes of the said pension scheme administered by the Isle of Man authority would have been reckonable for the calculation of benefits as non-contributing service under that scheme at a higher rate than one one-hundred-and-twentieth of his emoluments in respect of each completed year or part of a year exceeding six months of that service, then, for the purposes of this rule, except for the purpose of determining whether any benefit is payable to or in respect of him under the Act of 1937, or the local Act scheme, that service shall be treated as though it had been contributing service of such proportion of the actual length of that service as is obtained by multiplying the number of years of its actual length by sixty and dividing the product by the denominator of the fraction constituting such higher rate as aforesaid; and

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- (d) any service which for the purposes of the said pension scheme administered by the Isle of Man authority would have been reckonable solely for the purpose of determining whether any benefit was payable thereunder to or in respect of any person shall not be reckonable by that person as service under this rule except for the sole purpose of determining whether any benefit is payable to or in respect of him under the Act of 1937 or the local Act scheme.
- (2) Where a person to whom this rule has become applicable was in his pensionable employment under an Isle of Man authority a part-time employee and held no other pensionable employment, the period of his service as such part-time employee shall be treated for the purposes of this rule as if it had been whole-time service for a proportionately reduced period.