(2) Where a person who, having had service as an employee of an approved society or of some other body (including a body of which the society is a branch or section) administering the affairs of an approved society or of a body charged with the administration of a special scheme under section seventy-seven of the Unemployment Insurance Act (Northern Ireland), 1936 (a), becomes a civil servant on or after the 1st day of April, 1948, the Ministry may direct that these Regulations shall not apply to that person.

5. Any superannuation allowance payable to any civil servant (other than a person to whom these Regulations do not apply by virtue of Regulations 3 and 4 hereof) shall, in respect of any period during which the civil servant is, in the case of a man, over the age of 65 or is, in the case of a woman over the age of 60, be reduced by the sum of £1 14s. 0d. per annum in respect of each year of service which in the computation of the superannuation allowance has been reckoned, for the purposes of the Superannuation Acts, as service in the capacity of a civil servant.

Provided that no superannuation allowance shall be reduced by more than the sum of £67 15s. 0d. per annum.

6. In sub-section (1) of section two of the Superannuation Act (Northern Ireland), 1935, the reference to any annual superannuation, compensation or retiring allowance shall be deemed to be a reference to such allowance before any reduction is made in accordance with the provisions of Regulation 5 of these Regulations.

7. The Interpretation Act, 1889 (b), as applied to Northern Ireland by the Interpretation Act, 1921 (c), shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 31st day of March, 1948, in the presence of

(L.S.) *J. A. M'Keown*,
Second Secretary.

National Insurance and Civil Service (Superannuation) (Schemes and Funds) Regulations (Northern Ireland), 1948

REGULATIONS, DATED 29TH JULY, 1948, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE, WITH THE CONSENT OF THE MINISTRY OF FINANCE, UNDER THE SUPERANNUATION (SPECIAL PROVISIONS) ACT (NORTHERN IRELAND), 1948.

Revoked 1948 SR&O (N.I.) 350 1948. No. 249

The Ministry of Labour and National Insurance, with the consent

(a) 26 Geo. 5 and 1 Edw. 8 c. 30. (b) 52 & 53 Vict. c. 63. (c) 12 Geo. 5 c. 4 (N.I.)

of the Ministry of Finance, in exercise of the powers conferred on it by section 1 of the Superannuation (Special Provisions) Act (Northern Ireland), 1948, and of all other powers enabling it in that behalf, hereby makes the following regulations :—

Citation, commencement and interpretation.

1.—(1) These regulations may be cited as the National Insurance and Civil Service (Superannuation) (Schemes and Funds) Regulations (Northern Ireland), 1948, and shall come into operation on the date hereof.

(2) In these regulations, unless the context otherwise requires—

" the Act " means the Superannuation (Special Provisions) Act (Northern Ireland), 1948 ;

" the National Insurance Act " means the National Insurance Act (Northern Ireland), 1946 ;

" the Unemployment Insurance Act " means the Unemployment Insurance Act (Northern Ireland), 1936 ;

" the Health Insurance Act " means the National Health Insurance Act, 1936 ;

" the Sickness Visitation Committee " means the Sickness Visitation Committee constituted under the scheme framed by virtue of section 207 of the Health Insurance Act ;

" the Ministry " means the Ministry of Labour and National Insurance for Northern Ireland ;

" affected scheme " means a pension scheme to which the provisions of these regulations apply ;

" affected fund " means a pension fund to which the provisions of these regulations apply ;

" affected persons " has the meaning given to that expression by regulation 2 ;

" health insurance business " means business under the Health Insurance Act ;

" transferor " means in relation to any fund or assets which, on the 9th August, 1948, are transferred by virtue of these regulations, the person in whom such fund or assets are vested immediately before that day ; and " transferee " means, in relation to any such fund or assets, the person to whom such fund or assets are so transferred ;

and other expressions have the same meanings as in the Act or the National Insurance Act, as the case may be.

(3) References in these regulations to any enactment shall include references to such enactment as amended by any subsequent enactment, order or regulations.

(4) The Interpretation Act, 1921, applies to the interpretation of these regulations as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

Affected schemes and funds.

2.—(1) The provisions of these regulations apply to—

(*a*) any pension scheme under which any persons, in respect of whom the conditions specified in the next following paragraph are satisfied, have pension rights ; and

(*b*) any pension fund held for the purposes of any such scheme.

(2) The conditions referred to in the preceding paragraph are that the persons shall have been employed full time—

(*a*) by an approved society ; or

(*b*) by some other body (including a body of which the society is a branch or section) administering the affairs of an approved society ; or

(*c*) by a body administering a special scheme under section 77 of the Unemployment Insurance Act ; or

(*d*) by the Sickness Visitation Committee ;

and, whether before or after the passing of the Act but before the 5th July, 1949, becomes Civil Servants.

(3) The persons to whom the provisions of these regulations apply (hereafter in these regulations referred to as " affected persons ") are persons in respect of whom there are satisfied either the conditions specified in the preceding paragraph or the following conditions, that is to say—

(*a*) that they have been employed full time by any such society or body as is mentioned in the preceding paragraph, or by the Sickness Visitation Committee ; and

(*b*) that they have lost that employment ; and

(*c*) that the loss of employment is directly attributable to the passing of the National Insurance Act or the making of any regulations thereunder ; and

(*d*) that they are not, or do not before the 5th July, 1949, become civil servants ; and

(*e*) that they have pension rights under an affected scheme or are interested in an affected fund.

(4) References in these regulations to persons employed full time shall (except in the case of employment by a body administering a special scheme under section 77 of the Unemployment Insurance Act) exclude persons not engaged in health insurance business during at least half of their working time.

Funds and assets wholly transferred to the Ministry.

3.—(1) Subject to the provisions of this regulation, where on the date of making these regulations the persons interested in an affected fund or having pension rights under an affected scheme include no persons who are not affected persons or other persons who before that date were employed either—

(*a*) by an approved society (including any branch thereof) transacting only health insurance business, or any separate section established for the purposes of the Health Insurance Act ; or

(*b*) by a body administering a special scheme under section 77 of the Unemployment Insurance Act ; or

(*c*) by the Sickness Visitation Committee ;

the whole of that fund or of the assets of that scheme and any liabilities under that scheme shall, on the 9th August, 1948, be transferred to the Ministry by virtue of these regulations.

(2) In the case of a fund or scheme to which the preceding paragraph applies, the Ministry shall make such arrangements as appear to it to be requisite for securing the payment of the liabilities under the scheme to such persons (not being affected persons) as are mentioned in that paragraph.

(3) The interest in, or pension rights under, such fund or scheme of affected persons shall not be modified by the transfer made by this regulation :

Provided that payments to such persons shall, except for such payments as the Ministry may in its discretion allow, be suspended unless and until further regulations making provision in respect of the pensions of affected persons are made under section 1 of the Act and come into operation.

(4) The transfer made by these regulations shall be subject to the further provisions contained in the schedule to these regulations.

Accounting arrangements.

4.—(1) For the purposes of these regulations there shall be kept an account to be called the Northern Ireland (Superannuation Funds) Deposit Account (hereinafter referred to as " the Deposit Account ") to which shall be carried all the assets transferred by regulation 3, and out of which shall be met all sums becoming payable under these regulations.

(2) If the Ministry is satisfied at any time that no liability exists to make further payments under these regulations or that the balance standing to the credit of the Deposit Account is more than sufficient to meet any sums which may become so payable the whole of the balance or, as the case may be, the amount thereof which the Ministry certifies to be more than sufficient as aforesaid shall be paid into the Exchequer.

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this 29th day of July, 1948, in the presence of

(L.S.)

H. Anderson,
Assistant Secretary to the Ministry of Labour and National Insurance for Northern Ireland.

The Ministry of Finance for Northern Ireland consents to these regulations.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 29th day of July, 1948, in the presence of

(L.S.)

John I. Cook,
Assistant Secretary to the Ministry of Finance for Northern Ireland.

SCHEDULE

Regulation 3.

FURTHER PROVISIONS AFFECTING TRANSFERS MADE BY THESE REGULATIONS

1. Every asset which is transferred by virtue of these regulations shall vest free of any trust existing immediately before the 9th August, 1948.

2. Every transferor of any asset which is transferred by virtue of these regulations shall, on the request of the transferee, execute and do all such lawful assurances and things as may be necessary for perfecting the title thereto.

3.—(1) Without prejudice to the generality of the provisions of regulation 3, every transferor, and every person who is responsible for keeping any register or book in which there is registered or inscribed any asset transferred by virtue of these regulations or is otherwise concerned with the registration or inscription of any such asset, shall do all such things as are necessary, or as the transferee may direct, to be done for the purpose of securing the due registration or inscription of the title of the transferee to that asset and the delivery to the transferee of any document constituting evidence of the said registration or inscription.

(2) The duty imposed by the preceding paragraph of this regulation in relation to any asset shall include a duty to do all such things as are necessary to secure that any dividend or interest payable in respect of that asset on or after the 9th August, 1948, will be paid to the transferee.

(3) A certificate issued by the Ministry that any specified asset is an asset which has been transferred to the transferee by virtue of these regulations shall be treated by any person responsible or concerned as aforesaid as evidence that that asset has been so transferred.

4. Every agreement, whether in writing or not, and every document not being an agreement, under which, immediately before the 9th August, 1948, any asset transferred by virtue of the Act is held shall, unless any property not so transferred is held thereunder, as from the 9th August, 1948, have effect as if a reference to the transferee were substituted for any reference therein (however worded and whether express or implied) to the transferor.

5. Any proceedings affecting any asset transfered by virtue of these regulations which, on the 9th August, 1948, are pending shall not be prejudicially affected by reason of that transfer, but any such proceedings may be amended in such manner as may appear necessary or proper for enabling them to be prosecuted or enforced by or against the transferee or any other person or persons concerned as the case may be.

6. References in this schedule to an asset shall include references to the whole or part of any fund transferred by these regulations.

National Insurance and Civil Service (Superannuation) Regulations (Northern Ireland), 1948

REGULATIONS, DATED 30TH DECEMBER, 1948, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE, WITH THE CONSENT OF THE MINISTRY OF FINANCE, UNDER THE SUPERANNUATION (SPECIAL PROVISIONS) ACT (NORTHERN IRELAND), 1948.

1948. No. 350

The Ministry of Labour and National Insurance, with the consent