1963. No. 241 **[C]**

NATIONAL INSURANCE

Modification of the Superannuation Acts

REGULATIONS, DATED 13TH DECEMBER, 1963, MADE BY THE MINISTRY OF FINANCE UNDER THE NATIONAL INSURANCE ACTS (NORTHERN IRELAND) 1946 TO 1963.

The Ministry of Finance (hereinafter referred to as "the Ministry"), having determined under section 66(4) of the National Insurance Act (Northern Ireland) 1946(**a**) that it is the appropriate Government department in relation to the scheme for the provision of pensions established by the Superannuation Acts, and in exercise of the powers conferred upon it by the said sub-section as extended by section 14 of the National Insurance Act (Northern Ireland) 1959(**b**) 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 (Modification of the Superannuation Acts) Regulations (Northern Ireland) 1963, and shall come into operation on the 6th day of January, 1964.

(2) In these regulations—

"the Act of 1959" means the National Insurance Act (Northern Ireland) 1959;

"the civil service" means the civil service of Northern Ireland;

"the Superannuation Acts" means the Superannuation Acts (Northern Ireland) 1921 to 1958 and includes any enactments thereby applied to the civil service;

"participating employment", in relation to any period of service which is reckonable for the purpose of determining the amount of a superannuation allowance under the Superannuation Acts, means any employment in which a person was required to pay graduated contributions under the Act of 1959 or would have been required to pay such contributions if the amount paid in any income tax week on account of his remuneration exceeded the amount first mentioned in section 1(1)(*b*) of the Act of 1959;

"non-participating employment" has the meaning assigned to it by section 6(2) of the Act of 1959;

"graduated contributions" means graduated contributions under the Act of 1959;

"transfer value" has the same meaning as "accrued superannuation value" as that expression is defined in the Superannuation (Miscellaneous Provisions) Act (Northern Ireland) 1951(**c**);

"the Rules of 1955" means the Superannuation Acts (Transfer Value) Rules (Northern Ireland) 1955(**d**);

"transfer rules" means rules made by the Ministry under section 6 of the Superannuation (Miscellaneous Provisions) Act (Northern Ireland) 1951.

(**a**) 1946. c. 23.
(**b**) 1959. c. 21.
(**c**) 1951. c. 28.
(**d**) S.R. & O. (N.I.) 1955, No. 104.

Amendment of the National Insurance (Modification of the Superannuation Acts) Regulations (Northern Ireland) 1961

2. The National Insurance (Modification of the Superannuation Acts) Regulations (Northern Ireland) 1961(a) shall be amended by substituting the following definition for the definition of "notional graduated retirement benefit" in regulation 1(2) thereof:—

" "notional graduated retirement benefit" means, in relation to any person, the amount of the minimum rate of equivalent pension benefits applicable in respect of any period of service under the provisions of Part II of the Act of 1959 as amended from time to time".

Reduction of Transfer Values

3.—(1) This regulation shall apply in a case where—

(*a*) it has been agreed to pay a transfer value under transfer rules; and

(*b*) the transfer value is payable for a period of service which is, or which includes, a period of service in participating employment or in non-participating employment at the end of which a payment in lieu of contributions is or was required to be made under the Act of 1959, not being employment in the civil service in the case of a person who, during the whole of his employment in the civil service, has not paid, or is not treated by virtue of section 6(3) of the Act of 1959 as having paid, graduated contributions, the number of units of which ascertained in accordance with sub-sections (3) and (4) of section 4 of the Act of 1959 exceeds four.

(2) The transfer value or such part thereof as is attributable to a period of any such participating or non-participating employment as is mentioned in paragraph (1) shall be reduced by an amount equal to one-quarter of the aggregate of sums calculated in accordance with paragraph 2 of the First Schedule to the Rules of 1955—

(*a*) in respect of any part of such period prior to 6th January, 1964, on so much of the remuneration as does not exceed seven hundred and eighty pounds per annum, and

(*b*) in respect of any part of such period after 5th January, 1964, on so much of the remuneration as does not exceed nine hundred and thirty-six pounds per annum:

Provided that—

(i) the period of service to be taken into account in calculating the reduction of the transfer value provided for in rule 6 of the Rules of 1955 shall not include the period of service in such participating or non-participating employment as is mentioned in paragraph (1); and

(ii) where the reduction provided for in rule 6 of the Rules of 1955 would not be applied, there shall be added to the transfer value or part thereof reduced in accordance with this regulation the amount by which the transfer value or part thereof would have been reduced under the said rule 6 had the reduction provided for in that rule been applied in respect of the period of such participating or non-participatng employment as is mentioned in paragraph (1), so however that the transfer value shall not thereby be increased to an amount greater than would have been the case if it had not been subject to modification under this regulation; and

(a) S.R. & O. (N.I.) 1961, No. 47.

(iii) the reduction in respect of any period of non-participating employment at the end of which a payment in lieu of contributions is or was required to be made under the Act of 1959, shall be calculated as if the remuneration had been seven hundred and eighty pounds per annum during any part of the period prior to 6th January, 1964, and nine hundred and thirty-six pounds per annum during any part of the period after 5th January, 1964.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 13th day of December, 1963.

(L.S.) *H. Black,*
Assistant Secretary.

EXPLANATORY NOTE

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

These Regulations amend the National Insurance (Modification of the Superannuation Acts) Regulations (Northern Ireland) 1961 to take account of the higher amounts of equivalent pension benefits in respect of service after 5th January, 1964, required to be assured in contracted-out schemes. Secondly they provide for the reduction of transfer values payable in respect of persons transferring out of the civil service to take account of the potential graduated pension benefit earned during their civil service.

1963. No. 242 **[C]**

CAPITAL GRANTS TO INDUSTRY

REGULATIONS, DATED 29TH NOVEMBER, 1963, MADE BY THE MINISTER OF COMMERCE UNDER SECTION 9 OF THE CAPITAL GRANTS TO INDUSTRY ACT (NORTHERN IRELAND) 1954.

The Minister of Commerce in exercise of the powers conferred on him by section nine of the Capital Grants to Industry Act (Northern Ireland) 1954, and of all other powers enabling him in that behalf hereby makes the following Regulations:

Citation and Interpretation

1.—(1) These Regulations may be cited as the Capital Grants to Industry Amendment Regulations (Northern Ireland), 1963, and shall be construed as one with the Capital Grants to Industry Regulations (Northern Ireland) 1957, (hereinafter referred to as "the Principal Regulations")(**a**) and the Capital Grants to Industry Amendment Regulations (Northern Ireland) 1961(**b**).

(**a**) S.R. & O. (N.I.) 1957, No. 199. (**b**) S.R. & O. (N.I.) 1961, No. 255.