EXPLANATORY NOTE

(This Note is not part of the Rules, but is intended to indicate their general purport.)

These Rules amend the principal Regulations (which provide for the reduction of Civil Service pensions at age 65 by the amount of the National Insurance pension) by adding two new categories to the classes of persons exempted from the operation of those Regulations. These are:—

(1) Persons who were employed part-time in the Civil Service before 1st March, 1948.

(2) Persons with experience of National Health Insurance work, etc., who were recruited to the Ministry of National Insurance by a special competition in the first half of 1948.

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(7) NATIONAL SERVICE

The Superannuation (Treatment of Compulsory National Service of Civil Servants) Rules, 1949

1949 No. 517

Made - - - -	*23rd March*, 1949
Laid before Parliament	*24th March*, 1949
Coming into Operation	*25th March*, 1949

The Lords Commissioners of His Majesty's Treasury in exercise of the powers conferred upon Them by Section 1 of the Superannuation (Miscellaneous Provisions) Act, 1948(**a**), (hereinafter referred to as "the Act") and of all other powers enabling Them in that behalf hereby make the following rules:—

1.—(1) These rules may be cited as the Superannuation (Treatment of Compulsory National Service of Civil Servants) Rules, 1949.

(2) The Interpretation Act, 1889(**b**), shall apply to these rules as it applies to the interpretation of an Act of Parliament.

(3) These rules shall come into force on the 25th day of March, 1949.

2.—(1) In these rules, unless the context otherwise requires—

(*a*) The expression "any further period of national service" means, in relation to any person to whom these rules apply, any further period which immediately follows that person's compulsory national service and during which with the consent of the Head of his Department he continues in service, work or training similar to his compulsory national service.

(*b*) The expression "civil servant" has the meaning assigned to it by the Act.

(*c*) The expression "compulsory national service" has the meaning assigned to it by sub-section (7) of Section 1 of the Act.

(**a**) 11 & 12 Geo. 6. c. 33. (**b**) 52 & 53 Vict. c. 63.

(2) Any reference in these rules to the provisions of any enactment shall be construed, unless the context otherwise requires, as a reference to those provisions as amended or re-enacted by any subsequent enactment.

3.—(1) Where a person, immediately before he enters upon compulsory national service, is a civil servant, the period of his compulsory national service and any further period of national service shall be treated for the purposes of the Superannuation Acts, 1834 to 1946, as service as a civil servant.

(2) Where a person, immediately before he enters upon compulsory national service, is serving the State in an unestablished capacity, the period of his compulsory national service and any further period of national service shall be treated for the purposes of the Superannuation Acts, 1834 to 1946, as service to the State in an unestablished capacity.

(3) This rule shall apply and shall be deemed always to have applied to any such person as aforesaid notwithstanding that he entered upon his compulsory national service before the making of these rules, provided that he so entered on or after the 1st day of July, 1947.

4.—(1) Where a person who has been successful in a competitive examination for persons desiring to obtain posts in the permanent civil service of the State enters upon compulsory national service before becoming a civil servant, and that examination, or any subsequent examination for persons desiring to obtain similar posts, was one in which persons below the age of eighteen years were allowed to compete, then so much of the period of his compulsory national service as falls after the date on which the Civil Service Commissioners issue their certificate of qualification in relation to him and any further period of national service shall be treated for the purposes of the Superannuation Acts, 1834 to 1946, as service as a civil servant.

(2) This rule shall apply and shall be deemed always to have applied to any such person as aforesaid notwithstanding that he entered upon his compulsory national service before the making of these rules, provided that he so entered on or after the 1st day of January, 1946.

Dated this 25th day of March, 1949.

R. J. Taylor,
Joseph Henderson,
Two of the Lords Commissioners of His Majesty's Treasury.

EXPLANATORY NOTE

(This Note is not part of the Rules, but is intended to indicate their general purport.)

These Rules provide that when a civil servant or an unestablished member of the Civil Service is called up under the National Service Acts his service under those Acts shall be treated for superannuation purposes as though he had continued to serve in the Civil Service.