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STATUTORY INSTRUMENTS

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**1973 No. 962 (N.I. 13)**

**Superannuation (Northern Ireland) Order 1973**

- - - - - [24th May 1973]

**Title and commencement**

1. This Order may be cited as the Superannuation (Northern Ireland) Order 1973 ...  
*Commencement* ...

**Interpretation**

2.—(1) The Interpretation Act (Northern Ireland) 1954 shall apply to Article 1 and the following provisions of this Order as it applies to an Act of the Parliament of Northern Ireland.

(2) In this Order—

“government department” means a department of the Government of Northern Ireland;

“the Ministry” means the Ministry of Development<sup>F1</sup>;

“normal retiring age” means,—

- (a) in relation to any person to whom an age of compulsory retirement applies by virtue of the relevant superannuation scheme, that age, and
- (b) in relation to any other person, the age of sixty-five in the case of a man and sixty in the case of a woman or, in either case, such other age as may be prescribed;

“prescribed” means prescribed by regulations made by the Ministry;

“reckonable service”, in relation to any person, means service in respect of which benefits are payable under the relevant superannuation scheme;

“relevant compensation provision” means—

- (a) section 11(1) of the Housing Executive Act (Northern Ireland) 1971 ,
- (b) section 137(1) of the Local Government Act (Northern Ireland) 1972 ,
- (c) Article 43(1) of the Electricity Supply (Northern Ireland) Order 1972 ,
- (d) Article 73(1) of the Education and Libraries (Northern Ireland) Order 1972 ,
- (e) Article 78(1) of the Health and Personal Social Services (Northern Ireland) Order 1972 , or
- (f) section 16C(1) of the Fire Services Act (Northern Ireland) 1969 (as set out in Article 6 of the Fire Services (Northern Ireland) Order 1973) ;

“relevant superannuation scheme”, in relation to any person, means the transferred provision or instrument which is applicable in the case of his office or employment and which makes provision with respect to the pensions, allowances or gratuities which, subject to the fulfilment of certain

requirements and conditions, are to be, or may be, paid to or in respect of persons in that office or employment;

“transferred provision” has the meaning assigned to it by section 1( g) of the Interpretation Act (Northern Ireland) 1954 .

<p><b>F1</b> Now D/Env., SRO (NI) 1973/504; 1976 NI 6 art.3</p>
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**Provision for early retirement of local government, etc., officers in lieu of compensation for loss of office**

**3.—**(1) In order to facilitate the early retirement of certain persons who might otherwise suffer such loss of employment or loss or diminution of emoluments as is referred to in a relevant compensation provision, any person who—

- (a) is or has been the holder of any such office or is or has been in any such employment as may be prescribed for the purposes of this paragraph, and
- (b) attains or has attained the age of fifty on or before such date as may be prescribed, and
- (c) fulfils such other conditions as may be prescribed,

may by notice served before the prescribed date and in the prescribed manner elect that this Article shall, and that the relevant compensation provision shall not, apply to him.

*Para.(2) spent*

(3) Subject to paragraph (4), the Ministry shall by regulations provide for the payment by such government department, authority or person as may be prescribed by or determined under the regulations to or in respect of a person to whom this Article applies of benefits corresponding, as near as may be, to those which would have been paid to or in respect of that person under the relevant superannuation scheme if—

- (a) at the date of his retirement he had attained the normal retiring age; and
- (b) the actual period of his reckonable service were increased by such period as may be prescribed, being a period not exceeding the period beginning on the date of his retirement and ending on the date on which he would attain the normal retiring age.

(4) Regulations under paragraph (3) shall be so framed as to secure that the sums which would otherwise be payable under the regulations in accordance with that paragraph to or in respect of any person are reduced to take account of any benefits payable to or in respect of him under the relevant superannuation scheme.

- (5) Regulations under this Article shall be subject to negative resolution.

**Changes to legislation:**

There are currently no known outstanding effects for the Superannuation (Northern Ireland) Order 1973.