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STATUTORY RULES OF NORTHERN IRELAND

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**1992 No. 547**

**Local Government (Superannuation)  
Regulations (Northern Ireland) 1992**

**PART F**

**WAR SERVICE**

**Election as to war service**

**F3.**—(1) A person with war service in relation to whom the conditions specified in paragraphs (2) to (9) are satisfied, or the personal representatives of a deceased employee, may by notice given in accordance with regulation F5 elect that this regulation shall apply in relation to him.

(2) One at least of the following must be the case:

- (a) he became before 1st July 1950 entitled to participate in the benefits provided by the 1950 regulations or under the Belfast Corporation Superannuation Scheme; or
- (b) a period beginning before 1st July 1950, was, or falls to be treated as having been, reckonable by him otherwise than by virtue of interchange rules as service; or
- (c) he successfully completed before 1st July 1950, or was on 30th June 1950 undergoing and later successfully completed—
  - (i) a course of training for the Royal Sanitary Institute's Certificate in Public Health Inspection; or
  - (ii) a course of training leading to the issue by the Institute of Municipal Engineers of a testamur of general proficiency; or
  - (iii) a course of training leading to the award of a diploma qualifying the holder for appointment to the staff of occupational centres for, and of education departments of institutions for, mental defectives,

and not later than 6 months after completing the course of training he became entitled as mentioned in sub-paragraph (a) or, as the case may be, a period began which was reckonable, or falls to have been reckonable, as mentioned in sub-paragraph (b); or

- (d) none of the foregoing is the case, but a transfer value was accepted and received in relation to him by the Committee or the Belfast Corporation before 1st April 1978 and a scheme is designated under regulation F5(2)(b).

(3) He must on 1st April 1978 have been—

- (a) an employee entitled to participate in the benefits provided by the 1962 regulations; or
- (b) entitled to receive payments in respect of a pension under the former regulations; or
- (c) entitled to a pension under regulation 9(1)(c) of the 1962 regulations; or
- (d) a person to whom regulation 35 of the 1962 regulations or regulation 22 of the 1950 regulations or the corresponding provisions of the Belfast Corporation Superannuation Scheme applied; or

(e) entitled to superannuation benefits under any local Act.

(4) Except where paragraph (2)(c) or (d) is the case, there must not since the date specified in paragraph (11) have been a continuous period of 12 months or more throughout which none of the following was the case:

- (a) he was entitled as mentioned in paragraph (2)(a); or
- (b) the period mentioned in paragraph (2)(b) was running; or
- (c) he was undergoing such a course of training as is mentioned in paragraph (2)(c); or
- (d) he was entitled as mentioned in paragraph (3); or
- (e) he was entitled to participate in the benefits provided by these regulations or the Belfast Corporation Superannuation Scheme made on 4th August 1964; or
- (f) he was entitled to receive payments in respect of an annual pension under these regulations; or
- (g) he was entitled to a pension under regulation E2(1)(c); or
- (h) he was a person to whom regulation E13 or the corresponding provisions of the former regulations applied.

(5) Where paragraph (2)(c) is the case, paragraph (4) applies—

- (a) with the substitution for the date specified in paragraph (11) of the date (being a date later than 30th June 1950) on which he became entitled as mentioned in paragraph (2)(a), or, as the case may be, a period began which was reckonable, or falls to be treated as reckonable, as mentioned in paragraph (2)(b); and
- (b) with the substitution for the reference in paragraph (4)(b) to the period mentioned in paragraph (2)(b) of a reference to such a period as is mentioned in sub-paragraph (a).

(6) Where paragraph (2)(d) is the case, paragraph (4) applies with the substitution for the date specified in paragraph (11) of the date (being a date later than 30th June 1950) on which he last became entitled as mentioned in paragraph (2)(a).

(7) If he is a person to whom proviso (a) of regulation 18 of the 1962 regulations or regulation 15(2) and (4) of the 1950 regulations or the corresponding provisions of the Belfast Corporation Superannuation Scheme applied in respect of any service after the end of his war service, he must have repaid to the Committee the sum or amount there mentioned.

(8) If he is an employee entitled to participate in the benefits provided by these regulations, he must not be entitled to reckon more than 45 years' reckonable service disregarding reckonable service before attaining the age of 60 years beyond a total of 40 years.

(9) If he has become entitled to receive payment in respect of an annual pension under these regulations or the former regulations (including a pension which is for the time being subject to reduction or suspension under regulation E13), no more than 45 years' service must have been taken into account in calculating the amount of that pension.

(10) Where paragraph (2)(d) applies and the scheme designated under regulation F5(2)(b) is not a scheme specified in Schedule 14, war service is for the purposes of paragraph (1) to be assumed.

(11) The date mentioned in paragraph (4) is the date before 1st July 1950 and after the end of his war service when, as the case may be—

- (a) he became entitled as mentioned in paragraph (2)(a); or
- (b) the period mentioned in paragraph (2)(b) began.