

Isle of Man
To Wit

By His Excellency Sir Ronald Herbert Garvey, K.C.M.G.,
K.C.V.C., M.B.E., Lieutenant-Governor of the said
Isle &c., &c., &c.

The National Insurance (Isle of Man) (Non-
participation - Boards of Tynwald) Order 1961

I, the said Lieutenant Governor, in exercise of the powers conferred on me by Section 11 of the National Insurance (Isle of Man) Act, 1961, and of all other powers enabling me in that behalf, hereby make the following Order after consultation with the bodies referred to in sub-section (3) of that section -

Citation and Commencement

1. This Order may be cited as The National Insurance (Isle of Man) (Non-participation - Boards of Tynwald) Order 1961 and shall come into operation on the day it is approved by Resolution of Tynwald.

Interpretation

2. (1) In this Order, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them :-

"the Act" means the National Insurance (Isle of Man) Act 1961;

"the Certificates Regulations" means the National Insurance (Isle of Man) (Non-participation - Certificates) Regulations 1961;

"the Appeals Regulations" means the National Insurance (Isle of Man) (Non-participation - Appeals and References) Regulations, 1961;

"Equivalent Pension Benefits Regulations" means the National Insurance (Isle of Man) (Non-participation - Assurance of Equivalent Pension Benefits) Regulations 1961;

"specified employments" means employments in which a persons service qualifies him for retirement benefit by way of pension under the Superannuation (Officers of Boards) Acts 1934 to 1939;

"election" means an election with a view to the issue, variation, cancellation or surrender of a certificate that any employment is to be treated for the purposes of the Act, either generally or in relation to any description of persons specified in that certificate, as a non-participating employment;

"Boards of Tynwald" includes the following Boards -
Isle of Man Board of Agriculture and Fisheries,
Isle of Man Airports Board, Isle of Man Assessment Board, Isle of Man Civil Defence Commission,
Isle of Man Board of Education, Isle of Man

...../Forestry

Forestry, Mines and Lands Board, Government Property Trustees, Isle of Man Harbour Board, Isle of Man Health Services Board, Isle of Man Highway and Transport Board, Isle of Man Local Government Board, Isle of Man Local War Pensions Committee, Manx Museum and National Trust, Isle of Man Board of Social Services (including Mannin Infirmary), Isle of Man Tourist Board, Isle of Man Water Board, Isle of Man Education Authority and Isle of Man Electricity Board and any other Board which from time to time may be declared by the Governor, by Order, with the approval of Tynwald, to be a Board of Tynwald for the purposes of the Superannuation (Officers of Boards) Acts, 1934 to 1939.

- (2) Unless the context otherwise requires, references in this Order to any enactment shall be construed as references to that enactment as amended or modified by any subsequent enactment.
- (3) The Interpretation Act, 1949, applies to the interpretation of this Order as it applies to the interpretation of an Act of Tynwald.

Elections etc. to be made by the Governor

3. In relation to employments under a Board of Tynwald in which a person's service qualifies him for retirement benefits by way of pension under The Superannuation (Officers of Boards) Acts 1934 to 1939:-

- (a) the Governor hereby directs that every election shall be made or revoked by him instead of by the employer:
- (b) those things which are required or authorised to be done by or to the employer under -
- (i) the Certificates Regulations,
 - (ii) the Appeals Regulations,
 - (iii) the Equivalent Pension Benefits Regulations, and
 - (iv) subsection (3) of section 6 of the Act (which relates to the making of payments in lieu of contributions),
- shall be done by or to the Governor.

Employments to be treated for certain purposes as Employments under a single employer.

4. Specified employments which are, for the time being, non-participating employments within the meaning of sub-section (2) of section 6 of the Act shall be treated for the purposes of Part II of the Act and of any regulations made thereunder as employments under a single employer different from the employer in any other employment.

GIVEN under my hand this day of 1961.

Lieutenant Governor.

Explanatory Note

(This Note is not part of the Order but is intended to indicate its general purport.)

This Order provides that the Governor instead of the employer may decide whether persons who are subject to the Superannuation (Officers of Boards) Acts 1934 to 1939 should not participate in the scheme of retirement benefits provided for in the National Insurance (Isle of Man) Act, 1961. The Order further provides that those things leading to the issue, variation, cancellation or surrender of certificates of non-participation which, apart from the Order would fall to be done by or to the employer, are to be done by or to the Governor.

The Order also provides that for the purposes of Part II of the National Insurance (Isle of Man) Act 1961 service under any of the Boards of Tynwald is to be treated as a single employment.

The Order was approved by Tynwald on the day of March, 1961.