1965 No. 683

PENSIONS

The Diplomatic Service (Gratuities) Rules 1965

Made - - - -	30*th March* 1965
Laid before Parliament	5*th April* 1965
Coming into Operation	6*th April* 1965

The Treasury, in exercise of the powers conferred upon them by section 2 of the Superannuation (Amendment) Act 1965(a), hereby make the following Rules:—

1. A gratuity shall not be payable under section 2 of the Superannuation (Amendment) Act 1965 to any person unless the following conditions are satisfied in his case (in addition to the conditions imposed by the said section 2), that is to say:—

(*a*) he is serving as a civil servant at the date when his employment is terminated; and

(*b*) he has at that date completed six years' full-time service.

2.—(1) The rate at which a gratuity may be granted under the said section 2 shall be whichever is the higher of the following rates:—

(*a*) for each year of service as a civil servant, one month's salary and emoluments; or

(*b*) (i) for each year of full-time service, up to five years, one week's salary and emoluments,

(ii) for each year of full-time service in excess of five years and up to ten years, two weeks' salary and emoluments, and

(iii) for each year of full-time service in excess of ten years, four weeks' salary and emoluments:

Provided that the total amount of the gratuity shall not exceed one year's salary and emoluments.

(2) For the purposes of this Rule a person's salary and emoluments in respect of any period shall be calculated by reference to the actual rate of his salary at the time when his employment is terminated and the average annual amount of his pensionable emoluments during the last three years of his service, unless he has during such last three years served in more than one class, in which case they shall be calculated by reference to the average annual amount of his salary and pensionable emoluments during the last three years of his service.

3.—(1) In these Rules, unless the context otherwise requires—

" civil servant " has the meaning assigned to it by section 63(2) of the Superannuation Act 1949(b); and

(a) 1965 c. 10.

(b) 12, 13 & 14 Geo. 6. c. 44.

" full-time service " means, in relation to any person, such of his full-time service as would, if he had been eligible for a superannuation allowance, have been taken into account under the Superannuation Acts 1834 to 1965, and any Act amending those Acts, for the purpose of determining the amount of such allowance.

(2) The Interpretation Act 1889(a) shall apply for the interpretation of these Rules as it applies for the interpretation of an Act of Parliament.

4. These Rules may be cited as the Diplomatic Service (Gratuities) Rules 1965, and shall come into operation on 6th April 1965.

Ifor Davies,
George Lawson,
Two of the Lords Commissioners of Her Majesty's Treasury.

30th March 1965.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

Section 2 of the Superannuation (Amendment) Act 1965 provides that a member of the Secretarial Branch of the Diplomatic Service aged 35 or over who retires voluntarily and who does not qualify for a superannuation award may be granted a gratuity either if he or she is not offered comparable employment in the Home Civil Service, or if an offer of comparable employment is refused and there are compassionate grounds. These Rules impose other conditions which must be satisfied before a gratuity is payable, and prescribe the rate and method of calculation of the gratuity.

(a) 52 & 53 Vict. c. 63.