STATUTORY INSTRUMENTS

1963 No. 757

PENSIONS

The Federated Superannuation System for Universities (Pensions Increase) Regulations 1963

Made - - - -	*4th April* 1963
Laid before Parliament	*9th April* 1963
Coming into Operation	*10th April* 1963

The Treasury, in exercise of the powers conferred upon them by section 8 (2) of the Pensions (Increase) Act 1962(a) (applying section 3 (3) (*a*) and (4) of the Pensions (Increase) Act 1959(b) with modifications), and of all other powers enabling them in that behalf, hereby make the following Regulations:—

1.—(1) These Regulations shall apply to any person who—

(*a*) either—

(i) retires from the civil service of the State after attaining the age of sixty years, or

(ii) having retired from the civil service of the State not earlier than 14th July 1949 after attaining the age of fifty years, attains the age of sixty years, or

(iii) retires from the civil service of the State on account of physical or mental infirmity; and

(*b*) was employed in the civil service of the State and subject to an F.S.S.U. scheme during a period which began before 1st April 1961; and

(*c*) either—

(i) is at the date of his retirement from the civil service of the State subject to an F.S.S.U. scheme, or

(ii) has before such date ceased to be so subject and has become subject to the Superannuation Acts by reason of his transferring from one appointment to another in the civil service of the State.

(2) A person to whom these Regulations apply is hereafter referred to as an "officer".

2.—(1) The authority may, in respect of any period beginning on or after 1st January 1963 pay to any officer an allowance at the annual rate of twelve per cent. of the adjusted rate of that officer's notional annuity.

Provided that, where the officer's service ends after 31st March 1956, the amount of the allowance which may be paid to him under this Regulation shall be reduced by a sum equal to one thirtieth of such amount for every year and any uncompleted part of a year by which 31st March 1956 precedes the day on which his service ends.

(2) For the purposes of this Regulation an officer's service shall be deemed to end on the last day of his period of F.S.S.U. service.

(a) 11 & 12 Eliz. 2. c. 2. (b) 7 & 8 Eliz. 2. c. 50.

3.—(1) The authority may, in respect of any period beginning on or after 1st January 1963, pay to any officer who may receive an allowance under Regulation 2 hereof and who has attained the age of seventy years (whether before or after the coming into operation of these Regulations) a further allowance in accordance with the provisions of this Regulation.

(2) The amount of the further allowance which the authority may pay under this Regulation shall be the amount which section 2 (1) of the Pensions (Increase) Act 1962 would have authorised if the officer had been in receipt of a pension to which that section applies and if such pension had begun on the day immediately following the day when his service ended.

(3) The further allowance which may be paid under this Regulation shall not in any case exceed one-quarter of the adjusted rate of the officer's notional annuity.

(4) Where an officer is in receipt of a pension in respect of which an increase is authorised under section 2 of the Pensions (Increase) Act 1962, the further allowance which may be paid under this Regulation shall not exceed the difference between:—

(*a*) the amount which would represent such further allowance if his notional annuity were at a rate equal to the aggregate of the rates of that pension and the adjusted rate of his notional annuity and began at the time when the earliest of them began; and

(*b*) the amount of the increase of the said pension actually authorised as aforesaid.

(5) Where an officer is in receipt of a service pension as defined by paragraph 1 of Schedule 2 to the Pensions (Increase) Act 1962, paragraph (4) of this Regulation shall apply for the purpose of ascertaining the amount of the further allowance which may be paid under this Regulation as if that pension were a pension in respect of which an increase is authorised under section 2 of the Pensions (Increase) Act 1962; but paragraphs 4 (2) and (3) of Schedule 2 to the Pensions (Increase) Act 1962 (which require certain service pensions to be disregarded for the purposes of paragraph 4 of that Schedule) shall apply for the purposes of this paragraph as if any reference to the said paragraph 4 included a reference to this paragraph.

(6) For the purposes of this Regulation an officer's service shall be deemed to end on the last day of his period of F.S.S.U. service.

4. Regulations 2 and 3 hereof shall apply to a person to whom Regulation 3 (1) of the Regulations of 1959 applies and who was employed in the civil service of the State and subject to an F.S.S.U. scheme during a period which began before 1st April 1961 as if for any reference to his notional annuity there were substituted a reference to his hypothetical annuity, and as if the reference in the definition of "adjusted rate" in Regulation 5 (1) hereof to any allowances granted to him under the Regulations of 1947, 1953 and 1956 included a reference to any allowances granted to him under any of those Regulations as applied to him by Part II of the Regulations of 1959.

5.—(1) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

"accumulated contributions", "the authority", "date of retirement", "F.S.S.U. scheme", period of F.S.S.U. service", "the Regulations of 1947", "the Regulations of 1953", and "the Regulations of 1956" have the meanings respectively assigned to them by the Regulations of 1959;

"hypothetical annuity" and "notional annuity" have the meanings respectively assigned to them by the Regulations of 1959 except that the references therein to the tables for the purchase of Government annuities shall be construed as references to the tables showing the sum for which Government annuities could have been purchased if the power to grant such annuities had not been repealed;

"adjusted rate", in relation to an annuity, means the aggregate of that annuity and any allowances granted in respect of it under the Regulations of 1947, 1953, 1956 and 1959, any fraction of a pound in that aggregate being treated as a whole pound;

"the Regulations of 1959" means the Federated Superannuation System for Universities (Pensions Increase) Regulations 1959(a);

"the Superannuation Acts" means the Superannuation Acts 1834 to 1960, and any Act amending those Acts.

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

(3) The Interpretation Act 1889(b) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

6. These Regulations may be cited as the Federated Superannuation System for Universities (Pensions Increase) Regulations 1963, shall come into operation on 10th April 1963, and shall take effect as from 1st January 1963.

4th April 1963.

John Peel,
M. A. Hamilton,
Two of the Lords Commissioners
of Her Majesty's Treasury.

EXPLANATORY NOTE

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

These Regulations provide for increases of pension to be granted to persons who have been subject to the Federated Superannuation System for Universities during their employment in the Civil Service of the State.

The Regulations provide increases for civil servants who remained under the Federated Superannuation System for Universities for the whole of their employment in the Civil Service, or who were subject to the System for part of their employment and subsequently became subject to the Superannuation Acts and whose retirement took place from the Civil Service. The amount of the increases, and the conditions of eligibility, correspond to those conferred by sections 1 and 2 of the Pensions (Increase) Act 1962, on civil servants subject to the Superannuation Acts, although

(a) S.I. 1959/1609 (1959 II, p. 2004). (b) 52 & 53 Vict. c. 63.

certain modifications are made to the benefits within section 1 of the Act to enable the increases to be applied to benefits based on an insurance scheme.