STATUTORY INSTRUMENTS

1966 No. 151

PENSIONS

The Federated Superannuation System for Universities (Pensions Increase) Regulations 1966

Made - - - -	*15th February* 1966
Laid before Parliament	*22nd February* 1966
Coming into Operation	*23rd February* 1966

The Treasury, in exercise of the powers conferred on them by section 3(2)(*a*)(i) and (4) of the Pensions (Increase) Act 1965(a) and of all other powers enabling them in that behalf, hereby make the following Regulations:—

1.—(1) This Regulation 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 1964; and

(*c*) either—

(i) is at the date of his retirement 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) The authority may, in respect of any period beginning on or after 1st January 1966, pay to any person to whom this Regulation applies an allowance at the annual rate of sixteen per cent. of the adjusted rate of his notional annuity:

Provided that, where the period of that person's F.S.S.U. service ends after 31st March 1957, the amount of the allowance which may be paid to him under this Regulation shall be reduced by a sum equal to one thirty-second of such amount for every year and any uncompleted part of a year by which the 31st March 1957 precedes the last day of the period of his F.S.S.U. service.

(a) 1965 c. 78.

2.—(1) This Regulation 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*) having been 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 1964, has before the date of his retirement ceased to be so subject and has become subject to the Superannuation Acts otherwise than by reason of his transferring from one appointment to another in the civil service of the State; and

(*c*) was, at some time after becoming subject to the Superannuation Acts, a civil servant; and

(*d*) has not refunded the whole amount of the employer's contributions paid, during the period of his employment in the civil service of the State, in his case under an F.S.S.U. scheme.

(2) The authority may, in respect of any period beginning on or after 1st January 1966, pay to any person to whom this Regulation applies an allowance at the annual rate of sixteen per cent. of the adjusted rate of his hypothetical annuity:

Provided that, where the period of that person's F.S.S.U. service ends after 31st March 1957, the amount of the allowance which may be paid to him under this Regulation shall be reduced by a sum equal to one thirty-second of such amount for every year and any uncompleted part of a year by which the 31st March 1957 precedes the last day of the period of his F.S.S.U. service.

3.—(1) This Regulation shall apply to any person who—

(*a*) 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 1964; and

(*b*) has been transferred with the consent of the head officer of his department from employment in the civil service of the State to employment which is approved employment within the meaning of section 40 of the Superannuation Act 1965(a) and in which he is subject to an F.S.S.U. scheme; and

(*c*) either—

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

(ii) had before such date ceased to be so subject and had become subject to the Superannuation Acts; and

(*d*) has not refunded the whole amount of the employer's contributions paid, during the period of his employment in the civil service of the State, in his case under an F.S.S.U. scheme; and

(a) 1965 c. 74.

(*e*) has retired from the employment to which he was transferred as aforesaid or from a subsequent employment which is approved employment within the meaning of section 40 of the Superannuation Act 1965 and in which he is subject to an F.S.S.U. scheme in such circumstances that he has become eligible for a superannuation allowance, additional allowance or gratuity under section 40 of the Superannuation Act 1965 or would have become so eligible if he had been a person to whom that section applied; and

(*f*) has attained the age of sixty years or has retired from his employment on account of physical or mental infirmity.

(2) The authority may, in respect of any period beginning on or after 1st January 1966, pay to any person to whom this Regulation applies an allowance at the annual rate of sixteen per cent. of the adjusted rate of his notional annuity, or, where he had become subject to the Superannuation Acts before his transfer from the civil service of the State, of his hypothetical annuity:

Provided that, where the period of that person's F.S.S.U. service ends after 31st March 1957, the amount of the allowance which may be paid to him under this Regulation shall be reduced by a sum equal to one thirty-second of such amount for every year and any uncompleted part of a year by which the 31st March 1957 precedes the last day of the period of his F.S.S.U. service.

4.—(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" means, in relation to any person, the total sum which would have accumulated at the date of his retirement if, in respect of each year of the period of his F.S.S.U. service and any uncompleted part of a year at the end of such period, a sum equal to fifteen per cent. of the annual rate of the salary to which he was entitled at the beginning of such year (or in the case of any such uncompleted part of a year, fifteen per cent. of a proportionate part of such annual rate) had been accumulated with compound interest at three per cent. per annum calculated with yearly rests from the beginning of such year or uncompleted part of a year as aforesaid until the date of his retirement;

"adjusted rate," in relation to a person's notional annuity or hypothetical annuity, means the aggregate of that annuity and the annual rate of any allowances for which he is eligible under the Federated Superannuation System for Universities (Pensions Increase) Regulations 1947(a), the Federated Superannuation System for Universities (Pensions Increase) Regulations 1953(b), the Federated Superannuation System for Universities (Pensions Increase) Regulations 1956(c), the Federated Superannuation System for Universities (Pensions Increase) Regulations 1959(d), the Federated Superannuation System for Universities (Pensions Increase) Regulations 1963(e), and the Federated Superannuation System for Universities (Pensions Increase) (No. 2) Regulations 1964(f), any fraction of a pound in that aggregate being treated as a whole pound;

(a) S.R. & O. 1947/1531 (Rev. XVII, p. 628 : 1947 I, p. 1564).
(b) S.I. 1953/121 (1953 II, p. 1527).
(c) S.I. 1956/1938 (1956 II, p. 1725).
(d) S.I. 1959/1609 (1959 II, p. 2004).
(e) S.I. 1963/757 (1963 I, p. 916).
(f) S.I. 1964/1393 (1964 III, p. 3195).

" the authority " means, in relation to any person who was serving with a Revenue Department, that Department, and, in relation to any other person, Her Majesty's Paymaster-General;

" civil servant " has the meaning assigned to it by section 98(2) of the Superannuation Act 1965;

" date of retirement " means, in relation to any person to whom Regulation 1 or 2 of these Regulations applies, the date of his retirement from the civil service of the State, and, in relation to any person to whom Regulation 3 of these Regulations applies, the date of his retirement from his latest employment which is approved employment within the meaning of section 40 of the Superannuation Act 1965;

" F.S.S.U. scheme " means a superannuation scheme operated under the Federated Superannuation System for Universities;

" government annuity tables " means, in relation to any time before 1st August 1962, the tables in force at that time under section 53 of the Government Annuities Act 1929(a), and, in relation to any time on or after 1st August 1962, the tables in force under the said section 53 at the commencement of the Finance Act 1962(b) as varied by any Order of the Treasury in force at that time under section 33(4) of the Finance Act 1962;

" hypothetical annuity " means, in relation to any person, the annuity calculated in accordance with the government annuity tables applicable at the date of his retirement which a sum equal to his accumulated contributions would purchase for him at that date;

" notional annuity " means, in the case of a person whose superannuation benefit is provided by means of an insurance policy, the annuity calculated in accordance with the guaranteed rates of the insurance company with whom the policy is taken out which would have been payable to him if he had elected to take the total benefits payable under the policy at the date of his retirement in the form of an annuity, and, in the case of a person whose superannuation benefit is provided not by means of an insurance policy but by means of the investment and accumulation of contributions, the annuity calculated in accordance with the government annuity tables applicable at the date of his retirement which would have been payable to him if he had elected to take the total sum which would have been payable to him on his retirement in the form of an annuity:

Provided that the annuity to be calculated as aforesaid shall be calculated only in respect of the person's period of service in the civil service of the State (which for this purpose shall include service with the National Physical Laboratory prior to its being taken over by the Department of Scientific and Industrial Research);

" period of F.S.S.U. service " means, in relation to any person, the period in respect of which, while he was employed in the civil service of the State, contributions were paid in his case under an F.S.S.U. scheme, but does not include any period in respect of which the employer's contributions paid in his case have been refunded by him, and for this purpose any contributions refunded by him shall be taken to be those employer's contributions which were last paid in his case before he ceased to be subject to an F.S.S.U. scheme;

(a) 19 & 20 Geo. 5. c. 29. (b) 10 & 11 Eliz. 2. c. 44.

"the Superannuation Acts" means the Superannuation Act 1965 and any Act amending that Act, or, in relation to any time before 8th December 1965, the Acts repealed by the Superannuation Act 1965.

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

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

5. These Regulations may be cited as the Federated Superannuation System for Universities (Pensions Increase) Regulations 1966, and shall come into operation on 23rd February 1966.

Harriet Slater,

J. McCann,

Two of the Lords Commissioners of Her Majesty's Treasury.

15th February 1966.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations provide for increases of superannuation benefit 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 persons 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 Act 1965, and whose retirement took place from the Civil Service; and for persons who retired from approved employment under the Federated Superannuation System for Universities after having been employed in the Civil Service under the System. The amount of the increases and the conditions of eligibility correspond to those conferred by section 1 of the Pensions (Increase) Act 1965 on civil servants subject to the Superannuation Act 1965, although certain modifications are made to enable the increases to be applied to benefits based on an insurance scheme.

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