STATUTORY INSTRUMENTS

1974 No. 734

PENSIONS

The Pensions Commutation (Amendment) Regulations 1974

Made - - - -	*11th April* 1974
Coming into Operation	*2nd May* 1974

The Minister for the Civil Service, in exercise of the powers conferred on him by sections 4 and 7 of the Pensions Commutation Act 1871**(a)** and section 3 of the Pensions Commutation Act 1882**(b)** and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

1. These Regulations may be cited as the Pensions Commutation (Amendment) Regulations 1974, and shall come into operation on 2nd May 1974.

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

3. The Pensions Commutation Regulations 1968**(d)**, as amended by the Pensions Commutation (Amendment) Regulations 1970**(e)**, shall be further amended—

(*a*) by the deletion, in Regulation 5 thereof (which relates to the withdrawal of an application before medical examination), of the words "on payment of any expense (not exceeding £2 10s. 0d.) which may have been incurred by the Board".

(*b*) by the deletion, in Regulation 7(3) thereof (which relates to the withdrawal of an application), of the words "on payment of a fee of £2 10s. 0d.".

(*c*) by the substitution, for Regulation 8 thereof (which relates to the determination of the commutation rate), of the following Regulation:—

"8.—(1) Where the pension to be commuted is not qualified for an increase under the Pensions (Increase) Act 1971**(f)** or any corresponding increase by reason of the pension-holder not having attained the age of fifty-five years, the Table set out in Part I of the Schedule to these Regulations shall be used to determine the commutation rate in accordance with the following provisions:—

(*a*) the age of the applicant shall be reckoned as his age on his birthday next succeeding the date of his application;

(a) 1871 c. 36.
(b) 1882 c. 44.
(c) 1889 c. 63.
(d) S.I. 1968/1163 (1968 II, p. 3145).
(e) S.I. 1970/515 (1970 I, p. 1716).
(f) 1971 c. 56.

(*b*) in the case of unimpaired lives, column 2 shall apply; and

(*c*) in the case of impaired lives, column 3 shall apply according to the number of years added to the age of the pension-holder on account of his imparied life.

(2) In cases other than those covered by paragraph (1) above, the Table set out in Part II of the Schedule to these Regulations shall be used to determine the commutation rate and for that purposes the age of the applicant shall be reckoned as the aggregate of his age on his birthday next succeeding the date of his application and any years to be added to his age on account of his life being impaired.";

(*d*) by the substitution, in Regulation 9(1) thereof (which relates to the commutation fee), for the amount "£20" of the amount "£50";

(*e*) by the substitution for the Table set out in the Schedule thereto of the Tables set out in the Schedule to these Regulations.

4. The Pensions Commutation (Amendment) Regulations 1970 are hereby revoked.

Given under the official seal of the Minister for the Civil Service on 11th April 1974.

(L.S.)

Robert Sheldon,
Civil Service Department.

SCHEDULE

PART I

TABLE FOR DETERMINING THE COMMUTATION RATE FOR PENSIONS WHICH WILL BECOME QUALIFIED FOR PENSIONS INCREASE ON THE PENSION-HOLDER'S ATTAINING THE AGE OF 55

Col. 1 Age next birth-day	Col. 2 Rate for unim-paired lives	Col. 3 Rates for impaired lives according to the number of years added to the age of the pension-holder						
		1 year	2 years	3 years	4 years	5 years	6 years	7 years
20	11·16	11·10	11·04	10·98	10·91	10·84	10·77	10·70
21	11·24	11·18	11·12	11·05	10·98	10·91	10·83	10·76
22	11·33	11·26	11·20	11·12	11·05	10·98	10·89	10·82
23	11·42	11·35	11·28	11·20	11·12	11·05	10·96	10·88
24	11·51	11·44	11·36	11·28	11·20	11·12	11·03	10·94
25	11·60	11·53	11·45	11·36	11·28	11·19	11·10	11·00
26	11·70	11·62	11·54	11·45	11·36	11·26	11·16	11·06
27	11·80	11·71	11·63	11·54	11·44	11·33	11·23	11·12
28	11·90	11·81	11·72	11·62	11·52	11·41	11·30	11·18
29	12·00	11·91	11·81	11·71	11·60	11·49	11·37	11·25
30	12·11	12·01	11·91	11·80	11·69	11·57	11·45	11·32
31	12·22	12·11	12·00	11·89	11·77	11·65	11·52	11·39
32	12·33	12·21	12·09	11·98	11·86	11·73	11·59	11·46
33	12·44	12·31	12·19	12·07	11·94	11·80	11·66	11·52
34	12·54	12·42	12·29	12·16	12·02	11·88	11·73	11·58
35	12·65	12·53	12·39	12·25	12·10	11·95	11·79	11·63
36	12·76	12·63	12·49	12·34	12·18	12·02	11·85	11·68
37	12·87	12·73	12·58	12·42	12·25	12·08	11·90	11·72
38	12·98	12·83	12·67	12·50	12·32	12·14	11·95	11·76
39	13·08	12·92	12·75	12·57	12·39	12·20	12·00	11·80
40	13·17	13·00	12·83	12·64	12·45	12·25	12·04	11·83
41	13·26	13·08	12·90	12·71	12·51	12·30	12·08	11·86
42	13·34	13·16	12·96	12·76	12·56	12·34	12·11	11·88
43	13·41	13·22	13·01	12·80	12·59	12·36	12·13	11·89
44	13·47	13·27	13·05	12·83	12·61	12·38	12·14	11·89
45	13·52	13·31	13·08	12·86	12·62	12·38	12·13	11·88
46	13·55	13·33	13·10	12·87	12·62	12·37	12·11	11·85
47	13·57	13·34	13·10	12·86	12·61	12·35	12·08	11·81
48	13·57	13·33	13·08	12·83	12·58	12·31	12·03	11·75
49	13·54	13·30	13·04	12·78	12·52	12·25	11·96	11·67
50	13·50	13·24	12·98	12·71	12·43	12·15	11·86	11·56
51	13·42	13·15	12·88	12·60	12·31	12·02	11·73	11·43
52	13·30	13·03	12·75	12·46	12·17	11·87	11·57	11·27
53	13·14	12·86	12·58	12·28	11·98	11·68	11·38	11·08
54	12·94	12·65	12·36	12·06	11·76	11·46	11·16	10·86
55	12·68	12·38	12·08	11·78	11·48	11·18	10·88	10·58

PART II

TABLE FOR DETERMINING THE COMMUTATION RATE IN CASES OTHER THAN THOSE COVERED BY PART I

Age next birthday	Rate	Age next birthday	Rate
20	18·24	55	12·68
21	18·18	56	12·38
22	18·11	57	12·08
23	18·05	58	11·78
24	17·98	59	11·48
		60	11·18
25	17·90		
26	17·82	61	10·88
27	17·74	62	10·58
28	17·65	63	10·29
29	17·56	64	10·00
		65	9·71
30	17·46		
31	17·35	66	9·42
32	17·25	67	9·14
33	17·13	68	8·86
34	17·01	69	8·58
		70	8·31
35	16·88		
36	16·75	71	8·04
37	16·61	72	7·77
38	16·46	73	7·50
39	16·31	74	7·25
		75	7·00
40	16·14		
41	15·97	76	6·76
42	15·79	77	6·52
43	15·60	78	6·29
44	15·40	79	6·07
		80	5·86
45	15·19		
46	14·97	81	5·65
47	14·74	82	5·44
48	14·51	83	5·24
49	14·27	84	5·05
		85	4·87
50	14·03		
51	13·77	86	4·69
52	13·51	87	4·51
53	13·24	88	4·34
54	12·96	89	4·17
		90	4·00

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations further amend the Pensions Commutation Regulations 1968.
The main changes are as follows:—

1. The charges formerly payable by an applicant on withdrawal of his application are abolished.

2. New tables are substituted which give the rates for the calculation of the capital sum obtained in commutation and which take account of the effect of increases payable under the Pensions (Increase) Act 1971 or under a Prerogative Instrument relating to the Armed Forces. An interest rate of 11% per annum has been used where a pension is not qualified at the time of commutation for a pensions increase and 5% where the pension is so qualified.

3. The maximum fee payable on commutation is increased from £20 to £50.

SI 1974/734
ISBN 0-11-040734-2

