PENSIONS

COMMUTATION OF PENSIONS

1955 No. 1047

The Pensions Commutation Regulations, 1955

Made - - - -	15*th July*, 1955
Coming into Operation	16*th July*, 1955

The Lords Commissioners of Her Majesty's Treasury, in exercise of the powers conferred upon them 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 them in that behalf, hereby make the following Regulations:—

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

"the appropriate Department" means, in the case of a person whose pension was awarded by the Admiralty, the War Office, the Air Ministry or the Ministry of Pensions and National Insurance, the Department by which the pension was awarded, and, in the case of any other person, the Department to which that person belonged;

"the Board" means the Pensions Commutation Board;

"the commutation rate" means the amount by which a pension, or a portion of a pension, to be commuted is to be multiplied in order to determine the capital sum to be paid;

"pension" has the meaning assigned to it by section 2 of the Pensions Commutation Act, 1871.

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

2. A person desiring to commute a pension, or a portion of a pension, shall address an application in writing to the appropriate Department, and such application shall be deemed to be made on the date on which it is received by that Department during the hours of public business.

3. On receipt of an application, the appropriate Department may, if it thinks fit, forward the same with its recommendation to the Board, who shall thereupon enquire into, and report to the Treasury upon, the application.

4. The Board shall require the applicant to undergo a medical examination, and may also require him to furnish proof of the date of his birth and such further information with regard to his application as they may think necessary.

5.—(1) The table set out in the schedule to these Regulations shall be used to determine the commutation rate for the purpose of calculating the capital sum payable in respect of any pension, or any portion of pension.

(2) In determining the commutation rate by the use of the said table 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.

(**a**) 34 & 35 Vict. c. 36. (**b**) 45 & 46 Vict. c. 44. (**c**) 52 & 53 Vict. c. 63.

6. The applicant may withdraw his application at any time before he has been examined by the Medical Officer of the Board on payment of any expense (not exceeding two pounds) which may have been incurred by the Board.

7. If at the expiration of seven months from the date on which the application was made the applicant has failed to furnish information required by the Board or to attend for medical examination, the Board shall so inform the appropriate Department, and the application shall be deemed to have been withdrawn, and no further action shall be taken with regard to it.

8. There shall be charged in respect of the commutation of any pension or any portion of a pension a fee of one per cent. on the amount awarded; provided that such fee shall not be less than one guinea nor more than ten pounds in any case.

9.—(1) If an application for commutation is approved by the Treasury, the Board shall, by means of a notice in writing addressed to the applicant at the address given by him, notify him of the amount of money which would be payable in respect of his application.

(2) Within thirty days after the despatch of the said notice, or within such longer period thereafter as the Treasury may allow under paragraph (4) of this Regulation, the applicant may withdraw his application on payment of a fee of two pounds.

(3) If the application is not withdrawn and the said fee is not paid within such period as aforesaid, the commutation of pension shall take place finally.

(4) In any particular case the Treasury may in their discretion extend the period of thirty days mentioned in paragraph (2) of this Regulation if it is impossible for a reply by post to be received from the applicant's place of abode within thirty days after the despatch of the notice, or if in the exceptional circumstances of the case the Treasury think it proper to do so.

10. A person whose application for commutation has been approved shall continue to draw the pension, or the portion of a pension, which he has applied to commute up to whichever is the earlier of the following dates:—

(*a*) the date on which the warrant for the Treasury award is handed by the Board to the National Debt Commissioners, or

(*b*) the date of the expiration of seven months from the date on which the application was made.

11. The Pensions Commutation Regulations, 1934(**a**), are hereby revoked.

12. These Regulations may be cited as the Pensions Commutation Regulations, 1955, and shall come into operation on the sixteenth day of July, nineteen hundred and fifty-five.

Dated this fifteenth day of July, nineteen hundred and fifty-five.

Gerald Wills,
Martin Redmayne,
Two of the Lords Commissioners
of Her Majesty's Treasury.

(a) S.R. & O. 1934/1137 (Rev. XVII, p. 632: 1934 II, p. 37).

SCHEDULE

Regulation 5

TABLE FOR DETERMINING THE COMMUTATION RATE

Age next Birthday	Commutation Rate	Capital Sum for each £100 of Pension	Age next Birthday	Commutation Rate	Capital Sum for each £100 of Pension
		£ s. d.			£ s. d.
21	17·452	1,745 4 0	51	13·010	1,301 0 0
22	17·357	1,735 14 0	52	12·770	1,277 0 0
23	17·260	1,726 0 0	53	12·523	1,252 6 0
24	17·160	1,716 0 0	54	12·268	1,226 16 0
25	17·058	1,705 16 0	55	12·006	1,200 12 0
26	16·951	1,695 2 0	56	11·736	1,173 12 0
27	16·840	1,684 0 0	57	11·458	1,145 16 0
28	16·727	1,672 14 0	58	11·175	1,117 10 0
29	16·608	1,660 16 0	59	10·886	1,088 12 0
30	16·487	1,648 14 0	60	10·593	1,059 6 0
31	16·370	1,637 0 0	61	10·306	1,030 12 0
32	16·249	1,624 18 0	62	10·009	1,000 18 0
33	16·121	1,612 2 0	63	9·710	971 0 0
34	15·990	1,599 0 0	64	9·411	941 2 0
35	15·853	1,585 6 0	65	9·113	911 6 0
36	15·718	1,571 16 0	66	8·815	881 10 0
37	15·579	1,557 18 0	67	8·517	851 14 0
38	15·433	1,543 6 0	68	8·222	822 4 0
39	15·280	1,528 0 0	69	7·929	792 18 0
40	15·122	1,512 4 0	70	7·639	763 18 0
41	14·966	1,496 12 0	71	7·343	734 6 0
42	14·801	1,480 2 0	72	7·053	705 6 0
43	14·631	1,463 2 0	73	6·767	676 14 0
44	14·452	1,445 4 0	74	6·487	648 14 0
45	14·265	1,426 10 0	75	6·214	621 8 0
46	14·078	1,407 16 0	76	5·947	594 14 0
47	13·881	1,388 2 0	77	5·685	568 10 0
48	13·676	1,367 12 0	78	5·434	543 8 0
49	13·462	1,346 4 0	79	5·189	518 18 0
50	13·241	1,324 2 0	80	4·953	495 6 0

EXPLANATORY NOTE

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

These Regulations, which replace those made in 1934 (S.R. & O. 1934 No. 1137), set out the procedure to be adopted by persons such as retired officers of the Armed Forces, Civil Servants, etc., desiring to commute a pension; the conditions under which commutation may be effected; and new commutation rates by which the capital sum is to be calculated. These new rates take account of more recent experience of mortality in commutation cases than that on which the previous rates were based.