STATUTORY INSTRUMENTS

1972 No. 1241

PENSIONS

The Pensions Increase (Federated Superannuation Scheme for Nurses and Hospital Officers) (Metropolitan Civil Staffs) Regulations 1972

Made - - -	*8th August* 1972
Laid before Parliament	*17th August* 1972
Coming into Operation	*1st October* 1972

In pursuance of sections 13(2), (4) and (5) and 18(2) of the Pensions (Increase) Act 1971(**a**) as amended by sections 25(1) and 29(1) of and Schedule 6 to the Superannuation Act 1972(**b**), I hereby, with the approval of the Minister for the Civil Service, make the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Pensions Increase (Federated Superannuation Scheme for Nurses and Hospital Officers) (Metropolitan Civil Staffs) Regulations 1972 and shall come into operation on 1st October 1972.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires, the expression—

"the Act of 1971" means the Pensions (Increase) Act 1971;

"average remuneration", in relation to any person, means the average amount of the salary and emoluments of his office during the last three years of his reckonable service;

"the civil service pension scheme" means the principal civil service pension scheme within the meaning of section 2 of the Superannuation Act 1972 and for the time being in force;

"an F.S.S.N. scheme" means a superannuation scheme operated under the Federated Superannuation Scheme for Nurses and Hospital Officers;

"notional pension", in relation to any person, means the notional pension referred to in Regulation 5 of these Regulations;

(**a**) 1971 c. 56. (**b**) 1972 c. 11.

"reckonable service", in relation to any person, means any period of relevant employment during which the person was subject to an F.S.S.N. scheme and in respect of which the contributions authorised or required to be paid under the scheme by the employer were duly paid;

"relevant employment" means employment within the meaning of paragraph (*c*) of Schedule 6 to the Act of 1971 (metropolitan civil staffs employment).

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

Effect of the Regulations

3. These Regulations shall apply for the payment to persons described in Regulation 4 of these Regulations of the allowances described in Regulation 6 of these Regulations, being allowances which appear to be appropriate having regard to the benefits provided by Part I of the Act of 1971 for persons whose superannuation benefits are regulated under the civil service pension scheme.

Persons to whom the Regulations apply

4. These Regulations shall apply to any person who—

(*a*) has retired from relevant employment after attaining the age of 60 years; and

(*b*) at the date of his retirement was subject to an F.S.S.N. scheme and had completed 10 years' reckonable service; and

(*c*) has received or become entitled to receive payment of any retirement benefit under that scheme.

Notional pension

5.—(1) There shall be ascribed to each person to whom these Regulations apply a notional pension calculated by multiplying one eightieth of his average remuneration by the number of completed years of his reckonable service.

(2) In calculating a notional pension any fraction of a pound shall be treated as a whole pound.

Payments of benefits equivalent to statutory pension increases

6.—(1) The Secretary of State may—

(*a*) in respect of any period beginning on or after 1st September 1971, direct payment out of the Metropolitan Police Fund to any person to whom these Regulations apply of an allowance equal to the benefits conferred by sections 1 and 6 of the Act of 1971 on persons whose superannuation benefits are regulated under the civil service pension scheme which would have been payable to him if he had been eligible under that scheme for a pension, beginning on the day after the last day of his reckonable service, the basic rate of which was of the same amount as his notional pension; and

(a) 1889 c. 63.

(*b*) in respect of any period beginning on or after 1st December 1972, direct payment as aforesaid to any such person of an allowance equal to the increase which would, by virtue of an Order made under section 2 of the Act of 1971, have been payable to him if he had been eligible as aforesaid.

(2) In relation to any period before the coming into operation of these Regulations, nothing in this Regulation shall affect any allowance payable by virtue of section 18(2) of the Act of 1971 (which contains transitional provisions) but any payment on account of such an allowance, so far as it could have been made on account of an allowance payable by virtue of this Regulation, shall be treated for the purposes thereof as if it had been so made.

Robert Carr,
One of Her Majesty's Principal
Secretaries of State.

3rd August 1972.

Approval of the Minister for the Civil Service given under his Official Seal on 8th August 1972.

(L.S.)

A. W. Wyatt,
Authorised by the
Minister for the Civil Service.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

Where a person on retirement from employment as a member of the civil staff of the Metropolitan Police was entitled to superannuation benefits under a scheme operated under the Federated Superannuation Scheme for Nurses and Hospital Officers (F.S.S.N.), those benefits will not have been increased by the Pensions (Increase) Act 1971, since they are provided by means of insurance policies. Equally, a person who was so entitled is not eligible for any increase which may be provided for by an order made under section 2 of that Act by the Minister for the Civil Service.

These Regulations enable benefits to be paid to such a person out of the Metropolitan Police Fund corresponding to the benefits for which provision is made by the 1971 Act for retired civil servants who are in receipt of pensions under the principal civil service pension scheme.

The benefit of the Regulations is made retrospective to 1st September 1971 under powers conferred by sections 13(5) and 18(2) of the 1971 Act.

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