STATUTORY INSTRUMENTS

1972 No. 877

PENSIONS

The Pensions Increase (Federated Superannuation System for Universities) Regulations 1972

Made - - -	9*th June* 1972
Laid before Parliament	9*th June* 1972
Coming into Operation	30*th June* 1972

The Minister for the Civil Service, in exercise of the powers conferred on him by section 13(2) and (5) of the Pensions (Increase) Act 1971(**a**) and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Pensions Increase (Federated Superannuation System for Universities) Regulations 1972, and shall come into operation on 30th June 1972.

Interpretation

2.—(1) In these Regulations—

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

"annuity value", in relation to a person whose period of F.S.S.U. service ended not later than the coming into operation of these Regulations, has the meaning given by Regulation 6 below, and, in relation to a person whose period of F.S.S.U. service ends after the coming into operation of these Regulations, has the meaning given by Regulation 7 below;

"appropriate pension rate" has the meaning given by Regulation 4 below;

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

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

"date of retirement" means, in relation to any person, the date of his retirement from the civil service of the State;

"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(**c**), 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(**d**) as varied by any Order of the Treasury in force at that time under section 33(4) of the Finance Act 1962;

(**a**) 1971 c. 56.
(**b**) 1972 c. 11.
(**c**) 1929 c. 29.
(**d**) 1962 c. 44.

"notional annuity" has the meaning given by Regulation 5 below;

"period of F.S.S.U. service" means, in relation to any person, the period in respect of which, while he was employed in relevant employment, 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; and the said expression includes, in relation to a person in respect of whom the following conditions are fulfilled:—

(*a*) that he has been employed in employment in which his service would, if he had continued to serve in that employment, have rendered him eligible for a pension specified in Schedule 2 to the 1971 Act; and

(*b*) that a transfer value paid in respect of his service in that employment on his leaving that employment and entering other employment has been invested for his benefit under the Federated Superannuation System for Universities in the purchase of a policy of insurance on his life,

the period of service in respect of which that transfer value was paid;

"qualifying date" means, in relation to any person, the date on which he first satisfies one of the conditions set out in Regulation 3(*d*) below;

"the Regulations of 1947 to 1969" means the Regulations specified in Schedule 1 to these Regulations;

"relevant employment" means any of the following kinds of employment:—

(*a*) employment in the civil service of the State;

(*b*) employment in the civil service of Northern Ireland;

(*c*) employment by a university or university college in Great Britain (except employment before 1st April 1965 by a College of Advanced Technology or by Heriot-Watt College) or by a college of the University of Oxford or Cambridge;

(*d*) employment by any of the bodies specified in Schedule 2 to these Regulations;

"the Superannuation Acts" means the Superannuation Acts 1965 and 1967(**a**), 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 by any subsequent enactment or 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.

Persons to whom the Regulations apply

3. These Regulations apply to any person who—

(*a*) has been employed in the civil service of the State; and

(*b*) has been subject to an F.S.S.U. scheme; and

(**a**) 1965 c. 74; 1967 c. 28. (**b**) 1889 c. 63.

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

(*d*) 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 before attaining the age of sixty years, and not having again become employed in relevant employment, attains that age or satisfies the Minister for the Civil Service that he is disabled by physical or mental infirmity; or

(iii) having been retired from the civil service of the State before attaining the age of sixty years in circumstances in which, if he had been subject to the Superannuation Acts or the civil service pension scheme, he would have qualified for an immediate award of pension, and not having again become employed in relevant employment, attains the age of sixty years or attains or has attained the lower age specified in any Order in force under section 3(8) of the 1971 Act; or

(iv) retires from the civil service of the State on account of physical or mental infirmity.

Appropriate pension rate

4.—(1) There shall be ascribed to every person to whom these Regulations apply an appropriate pension rate calculated by multiplying one seventy-fifth of the average amount of his salary during the last three years of his period of F.S.S.U. service by forty or by the number of completed years of his period of F.S.S.U. service, whichever is the less.

(2) For the purpose of paragraph (1) above the amount of a person's salary shall be taken to be the amount of his remuneration which was taken into account in calculating the contributions paid in respect of him under an F.S.S.U. scheme.

(3) In calculating, for the purpose of paragraph (1) above, the number of completed years of a person's period of F.S.S.U. service, any period of not less than six months beyond a number of completed years shall be treated as a whole completed year.

(4) Where a person has made a payment in consideration of a period of service forming part of his period of F.S.S.U. service being treated as reckonable service for the purposes of the Superannuation Acts or the civil service pension scheme, the period of service so treated shall not be included in his period of F.S.S.U. service in calculating his appropriate pension rate in accordance with paragraph (1) above.

(5) Where a person's period of F.S.S.U. service includes a period of service in respect of which a transfer value has been paid, and any such service was, for the purpose of calculating the amount of the transfer value, taken into account at a fraction of its actual length, that service shall be taken into account at the same fraction of its actual length in calculating the number of completed years of his period of F.S.S.U. service for the purpose of paragraph (1) above.

Notional annuity

5.—(1) Where the period of F.S.S.U. service of a person to whom these Regulations apply ended not later than the coming into operation of these Regulations, there shall be ascribed to him a notional annuity calculated in accordance with the following provisions of this Regulation.

(2) Where a person's superannuation benefit is provided by means of an insurance policy, and he is not such a person as is described in paragraph (5) below, his notional annuity shall, subject to paragraph (4) below, be equal to 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.

(3) Where a person's superannuation benefit is provided not by means of an insurance policy but by means of the investment and accumulation of contributions, and he is not such a person as is described in paragraph (5) below, his notional annuity shall, subject to paragraph (4) below, be equal to the annuity, calculated in accordance with the government annuity tables in force 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.

(4) In calculating a person's notional annuity in accordance with paragraph (2) or (3) above, there shall be left out of account any benefit which is not attributable to his period of F.S.S.U. service (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).

(5) Where a person has before the date of his retirement ceased to be subject to an F.S.S.U. scheme and has become subject to the Superannuation Acts or the civil service pension scheme otherwise than by reason of his transferring from one appointment to another in the civil service of the State, his notional annuity shall be equal to the annuity, calculated in accordance with the government annuity tables in force at the date of his retirement, which a sum equal to his accumulated contributions would purchase for him at that date.

(6) For the purposes of paragraph (5) above, "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 the 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 until the date of his retirement:

Provided that where a person's period of F.S.S.U. service includes a period of service in respect of which a transfer value has been paid, and any such service was, for the purpose of calculating the amount of the transfer value, taken into account at a fraction of its actual length, then in respect of the service so taken into account the percentage of the annual rate of his salary to be used in calculating his accumulated contributions shall, instead of fifteen per cent., be the appropriate fraction of fifteen per cent.

Annuity value for persons whose F.S.S.U. service ended not later than the coming into operation of these Regulations

6.—(1) There shall be ascribed to every person to whom these Regulations apply and whose period of F.S.S.U. service ended not later than the coming into operation of these Regulations an annuity value calculated in accordance with the following provisions of this Regulation.

(2) Where a person's qualifying date is not later than the date of the coming into operation of these Regulations, his annuity value shall be taken to be the annuity which could be purchased, at the appropriate rate given in Schedule 3 to these Regulations for his qualifying date and for his age on that date, with a capital sum calculated in accordance with paragraphs (4) to (6) below.

(3) Where a person's qualifying date is later than the date of the coming into operation of these Regulations, his annuity value shall be taken to be the annuity which could be purchased at the rates offered at his qualifying date by the insurance companies with which the insurance policies held on his behalf under an F.S.S.U. scheme are affected, with a capital sum calculated in accordance with paragraphs (4) to (6) below.

(4) For the purpose of calculating a person's annuity value in accordance with paragraph (2) or (3) above, the capital sum shall, subject to paragraphs (5) and (6) below, be taken to be—

(*a*) the capital sum payable on his retirement under the insurance policies held on his behalf under an F.S.S.U. scheme; or

(*b*) if the sum specified in (*a*) above is not known, the paid up value of such policies at the end of his period of F.S.S.U. service; or

(*c*) if the sums specified in (*a*) and (*b*) above are not known, whichever is the greater of—

(i) the surrender value of such policies at the end of his period of F.S.S.U. service, or

(ii) his accumulated contributions calculated in accordance with paragraph (7) below; or

(*d*) if the sums specified in (*a*), (*b*) and (*c*)(i) above are not known, his accumulated contributions calculated in accordance with paragraph (7) below;

and, in a case where a person's period of F.S.S.U. service ended before he attained the age of sixty years, there shall be added to any capital sum determined in accordance with (*b*), (*c*) or (*d*) above compound interest at four per cent. per annum calculated with annual rests for the period beginning immediately after the end of his period of F.S.S.U. service and ending with his qualifying date.

(5) In determining the capital sum in accordance with paragraph (4)(*a*), (*b*) or (*c*)(i) above, there shall be left out of account any sum which is not attributable to the person's period of F.S.S.U. service.

(6) Where a person has made a payment in consideration of a period of service forming part of his period of F.S.S.U. service being treated as reckonable service for the purposes of the Superannuation Acts or the civil service pension scheme, the capital sum determined in accordance with paragraph (4) above shall be reduced by the amount of the payment.

(7) For the purpose of paragraph (4)(*c*)(ii) or (4)(*d*) above, "accumulated contributions" means, in relation to any person, the total sum which would have accumulated at the end of his period of F.S.S.U. service if, in respect

of each year of his period of 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 the proportionate part of such annual rate) had been accumulated with compound interest at four per cent. per annum with yearly rests from the beginning of such year or uncompleted part of a year until the end of his period of F.S.S.U. service:

Provided that where a person's period of F.S.S.U. service includes a period of service in respect of which a transfer value has been paid, and any such service was, for the purpose of calculating the amount of the transfer value, taken into account at a fraction of its actual length, then in respect of the service so taken into account the percentage of the annual rate of his salary to be used in calculating his accumulated contributions shall, instead of fifteen per cent., be the appropriate fraction of fifteen per cent.

(8) In the table in Schedule 3 to these Regulations—

(*a*) the appropriate rate for a person aged under sixty years shall be found by taking the rate for a person aged sixty years;

(*b*) the appropriate rate for a person aged over sixty-five years shall be found by taking the rate for a person aged sixty-five years; and

(*c*) the appropriate rate for a person aged more than sixty years and less than sixty-five years shall be found by interpolating between the rates for persons aged respectively sixty and sixty-five years, a person's age for this purpose being taken to the nearest quarter of a year.

Annuity value for persons whose F.S.S.U. service ends after the coming into operation of these Regulations

7.—(1) There shall be ascribed to every person to whom these Regulations apply and whose period of F.S.S.U. service ends after the coming into operation of these Regulations an annuity value calculated in accordance with the following provisions of this Regulation.

(2) In a case where a person has, not later than the end of his period of F.S.S.U. service, attained the age of sixty years or has retired on account of physical or mental infirmity, his annuity value shall, subject to paragraphs (4) and (5) below, be taken to be the best annuity which could be purchased with the capital sum payable on his retirement under the insurance policies held on his behalf under an F.S.S.U. scheme.

(3) In any case other than that specified in paragraph (2) above, a person's annuity value shall, subject to paragraphs (4) and (5) below, be taken to be—

(*a*) the best annuity which could be purchased at his qualifying date, with the moneys payable at that date under the insurance policies held on his behalf under an F.S.S.U. scheme, at the rates offered at that date for immediate annuities by the insurance companies with whom the policies have been effected; or

(*b*) if his annuity value cannot be determined in accordance with (*a*) above, the annuity which, at the end of his period of F.S.S.U. service, such insurance companies estimate could be purchased, on his attaining the age of sixty years, with the moneys payable under such insurance policies if they were immediately converted to paid up policies.

(4) In determining the annuity value in accordance with paragraph (2) or (3) above, there shall be left out of account any sum or benefit which is not attributable to the person's period of F.S.S.U. service.

(5) Where a person has made a payment in consideration of a period of service forming part of his period of F.S.S.U. service being treated as reckonable service for the purposes of the Superannuation Acts or the civil service pension scheme, the capital sum specified in paragraph (2) above or the moneys payable under insurance policies specified in paragraph (3)(*a*) or (*b*) above shall be reduced by the amount of the payment.

Payment of benefit to persons whose F.S.S.U. service ended not later than the coming into operation of these Regulations

8.—(1) The authority may pay to any person to whom these Regulations apply and whose period of F.S.S.U. service ended not later than the coming into operation of these Regulations, in respect of any period beginning on or after 1st September 1971 but not before his qualifying date, an allowance at whichever is, at the relevant date, the higher of the following annual rates:—

(*a*) the amount by which the aggregate of—

(i) his notional annuity,

(ii) the annual rate of any allowances which might (but for the 1971 Act) have been paid to him under the Regulations of 1947 to 1969,

(iii) the annual rate of any addition which would be made under section 6(5) of the 1971 Act if he were in receipt of an official pension of an amount equal to the aggregate of (i) and (ii) above beginning on the day following the end of his period of F.S.S.U. service, and

(iv) the annual rate of any increase which would be payable to him under section 1 of the 1971 Act (except any increase to bring the rate up to the 1969 standard) and under any Order in force at the relevant date under section 2 of the 1971 Act if he were in receipt of an official pension of an amount equal to the aggregate of (i), (ii) and (iii) above beginning on the day following the end of his period of F.S.S.U. service,

exceeds his notional annuity; or

(*b*) the amount by which the aggregate of—

(i) his appropriate pension rate multiplied by the multiplier given in Schedule 4 to these Regulations for the year or other period in which his period of F.S.S.U. service ended, and

(ii) the annual rate of any increase which would be payable to him under any Order in force at the relevant date under section 2 of the 1971 Act if he were in receipt of an official pension equal to the amount specified in sub-paragraph (*b*)(i) above beginning on the day following the end of his period of F.S.S.U. service,

exceeds his annuity value.

(2) Where a person is in receipt of an allowance calculated in accordance with paragraph (1)(*a*) above, and an Order under section 2 of the 1971 Act comes into operation after the relevant date, the aggregate of the amounts specified in paragraph (1)(*a*)(i) to (iv) above and of any increase previously made under this paragraph may be increased in accordance with the Order as if such aggregate were an official pension beginning on the day following the end of his period of F.S.S.U. service, and the allowance payable to him under paragraph (1) above may be increased accordingly.

(3) Where a person is in receipt of an allowance calculated in accordance with paragraph (1)(*b*) above, and an Order under section 2 of the 1971 Act comes into operation after the relevant date, the aggregate of the amounts

specified in paragraph (1)(*b*)(i) and (ii) above and of any increase previously made under this paragraph may be increased in accordance with the Order as if such aggregate were an official pension beginning on the day following the end of his period of F.S.S.U. service, and the allowance payable to him under paragraph (1) above may be increased accordingly.

(4) For the purposes of this Regulation "relevant date" means, in relation to any person, his qualifying date or the date of the coming into operation of these Regulations, whichever is the later.

Payment of benefit to persons whose F.S.S.U. service ends after the coming into operation of these Regulations

9.—(1) The authority may pay to any person to whom these Regulations apply and whose period of F.S.S.U. service ends after the coming into operation of these Regulations, in respect of any period beginning after his qualifying date, an allowance at an annual rate of the amount by which the aggregate of—

(*a*) his appropriate pension rate, and

(*b*) the annual rate of any increases which would be payable to him under any Order in force at his qualifying date under section 2 of the 1971 Act if he were in receipt of an official pension of an amount equal to his appropriate pension rate beginning on the day following the end of his period of F.S.S.U. service,

exceeds his annuity value.

(2) Where an allowance is payable to a person under paragraph (1) above, and an Order under section 2 of the 1971 Act comes into operation after his qualifying date, the aggregate of the amounts specified in paragraph (1)(*a*) and (*b*) above and of any increase previously made under this paragraph may be increased in accordance with the Order as if such aggregate were an official pension beginning on the day following the end of his period of F.S.S.U. service, and the allowance payable to him under paragraph (1) above may be increased accordingly.

Given under the official seal of the Minister for the Civil Service on 9th June 1972.

(L.S.)

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

Regulation 2(1)

SCHEDULE 1

The Regulations referred to in the definition of "the Regulations of 1947 *to* 1969"

Regulations	References
The Federated Superannuation System for Universities (Pensions Increase) Regulations 1947.	S.R. & O. 1947/1531 (Rev. XVII, p. 628: 1947 I, p. 1564).
The Federated Superannuation System for Universities (Pensions Increase) Regulations 1953.	S.I. 1953/121 (1953 II, p. 1527).
The Federated Superannuation System for Universities (Pensions Increase) Regulations 1956.	S.I. 1956/1938 (1956 II, p. 1725).
The Federated Superannuation System for Universities (Pensions Increase) Regulations 1959.	S.I. 1959/1609 (1959 II, p. 2004).
The Federated Superannuation System for Universities (Pensions Increase) Regulations 1963.	S.I. 1963/757 (1963 I, p. 916).
The Federated Superannuation System for Universities (Pensions Increase) (No. 2) Regulations 1964.	S.I. 1964/1393 (1964 III, p. 3195).
The Federated Superannuation System for Universities (Pensions Increase) Regulations 1966.	S.I. 1966/151 (1966 I, p. 273).
The Federated Superannuation System for Universities (Pensions Increase) Regulations 1969.	S.I. 1969/1321 (1969 III, p. 3927).

Regulation 2(1)

SCHEDULE 2

The bodies referred to in the definition of "relevant employment"

Agricultural Research Council.
Animal Diseases Research Association.
Animal Virus Research Institute.
British Society for the Promotion of Vegetable Research.
British Society for Research in Agricultural Engineering.
Cambridge Institute of Education.
Commonwealth Agricultural Bureaux.
Cranfield Institute of Technology (incorporating the former College of Aeronautics, Cranfield).
East of Scotland College of Agriculture.
Freshwater Biological Association.
Glasshouse Crops Research Institute.
Grassland Research Institute.
Hannah Research Institute.
Harper Adams Agricultural College.
Hill Farming Research Organisation.
Houghton Poultry Research Station.
Imperial Cancer Research Fund.
Institute for Marine Biochemistry (incorporating the former Fisheries Biochemical Research Unit).
Institute for Marine Environmental Research (incorporating the former Fish Helminthology Unit).
Institute of Seaweed Research.
John Innes Institute.
Kent Incorporated Society for Promoting Experiments in Horticulture.
Lawes Agricultural Trust, Rothamsted Experimental Station.
Long Ashton Research Station.
Macaulay Institute for Soil Research.
Marine Biological Association of the United Kingdom.
Marine Invertebrate Biology Unit.
Medical Research Council.
National Institute of Agricultural Botony.
National Institute for Research in Dairying.
National Museum of Wales.
Natural Environment Research Council.
North of Scotland College of Agriculture.
Plant Breeding Institute.
Rowett Research Institute.
Royal Agricultural College.
Ruskin College.
Science Research Council.
Scottish Agricultural Development Council.
Scottish Horticultural Research Institute.
Scottish Marine Biological Association.
Scottish Society for Research in Plant Breeding.
Seale-Hayne Agricultural College.
Social Science Research Council.
Studley College.
Welsh Plant Breeding Station.
West of Scotland Agricultural College.

Regulation 6(2)

SCHEDULE 3

Table for finding the annuity which can be purchased with the capital sum referred to in Regulation 6(2)

(Note: for method of using table, see Regulation 6(8).)
Annuity available for each £100 of the capital sum

Date F.S.S.U. service ended	*Male*		*Female*	
	Age 60	*Age 65*	*Age 60*	*Age 65*
	£	£	£	£
In or before 1946	8·05	9·56	6·85	8·01
1947	8·00	9·50	6·88	8·06
1948	7·93	9·43	6·83	8·00
1949	7·94	9·43	6·84	8·00
1950	8·05	9·53	6·93	8·07
1951	8·14	9·62	7·00	8·14
1952	8·35	9·81	7·25	8·37
1953	8·57	10·05	7·47	8·58
1954	8·57	10·05	7·47	8·58
1955	8·67	10·17	7·60	8·73
1956	9·10	10·59	8·05	9·16
1957	9·09	10·58	8·05	9·16
1958	9·27	10·75	8·25	9·34
1959	9·20	10·68	8·18	9·29
1960	9·25	10·73	8·21	9·32
1961	9·43	10·91	8·40	9·49
1962	9·69	11·17	8·69	9·77
1963	9·58	11·06	8·58	9·68
1964	9·53	11·01	8·53	9·63
1965	9·79	11·27	8·79	9·90
1966	10·09	11·57	9·12	10·17
1967	10·36	11·83	9·36	10·44
1968	10·62	12·11	9·63	10·65
1.1.69 to 31.3.69	11·22	12·68	10·23	11·30
1.4.69 to 30.9.69	11·79	13·26	10·81	11·89
1.10.69 to 31.3.70	12·24	13·70	11·30	12·38
1.4.70 to 30.9.70	12·42	13·89	11·55	12·59
1.10.70 to 31.3.71	12·53	13·99	11·63	12·67
1.4.71 to 30.9.71	12·59	14·05	11·63	12·70
1.10.71 to date of coming into operation of these Regulations	12·15	13·59	11·18	12·24

SCHEDULE 4

Regulation 8(1)

Table giving the multiplier referred to in Regulation 8(1)(*b*)(i)

(Note: the period to be taken is the period in which the period of F.S.S.U. service ended.)

Period	*Multiplier*
Any year up to 1944	3·6014
1945	3·0479
1946	2·7706
1947	2·7459
1948	2·5712
1949	2·5004
1950	2·4296
1951	2·2255
1952	2·0390
1953	1·9765
1954	1·9411
1955	1·8573
1956	1·7712
1957	1·7086
1958	1·6567
1959	1·6485
1960	1·6319
1961	1·5788
1962	1·5128
1963	1·4844
1964	1·4372
1965	1·3712
1966	1·3192
1967	1·2874
1968	1·2296
1.1.69 to 1.4.69	1·1800
2.4.69 to 1.10.69	1·1600
2.10.69 to 1.4.70	1·1400
2.4.70 to 1.10.70	1·1000
2.10.70 to 1.4.71	1·0600

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations provide for allowances to be paid to persons who have been subject to the Federated Superannuation System for Universities (FSSU) and who have retired from the Civil Service.

The allowances correspond to the increases for which the persons concerned would have been eligible under the Pensions (Increase) Act 1971 if they had been pensionable in the normal way under the principal Civil Service scheme, but are modified so as to be applicable to benefits based on an insurance scheme.

For an employee whose period of F.S.S.U service ends after the Regulations come into operation, the allowance will be calculated on an "appropriate pension rate" corresponding broadly to the pension benefits which he would have received if that service had been subject to the principal civil service pension scheme. The allowance will include also any amount by which that "appropriate pension rate" exceeds his "annuity value". His "annuity value" (defined in regulation 7) is the best annuity which could be purchased with the capital sum payable, or estimated to be payable, on his F.S.S.U. policies at the date of his retirement (or, if later, the date of his qualifying for increases under the Regulations).

For an employee whose period of F.S.S.U. service ends not later than the coming into operation of the Regulations (and who is therefore already receiving an allowance calculated on a "notional annuity" or "hypothetical annuity" calculated in accordance with earlier Pensions Increase (Federated Superannuation System for Universities) Regulations) an allowance calculated broadly on the basis indicated in the previous paragraph will be payable except where it is more advantageous for the pensioner to receive his existing allowance with the addition of any age supplement payable under section 6(5) of the 1971 Act and of the appropriate percentage increase under section 1 of that Act in respect of the rise of the cost of living after 1st April 1969 (the latter being calculated on the total of the notional or hypothetical annuity, the existing allowance and any age supplement).

The Regulations continue to give effect to the arrangements (of which the civil service element was introduced by the F.S.S.U. (Pensions Increase) Regulations 1969 (S.I. 1969/1321)) whereby an employee who retires from the civil service, a university, or one of the bodies listed in Schedule 2 to the Regulations, will have his F.S.S.U. pension benefits augmented by his last employer in respect of the whole of his period of F.S.S.U. service.

In accordance with the power conferred by section 13(5) of the Act, the Regulations provide for increases to take effect from 1st September 1971. The Regulations also provide for further increases to be paid on the occasion of any orders made under section 2 of the Act in consequence of annual reviews of public service pensions.

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