STATUTORY INSTRUMENTS

1965 No. 1827

PENSIONS

The Superannuation (Civil Service and Agricultural Research Organisations) Transfer Rules 1965

Made - - - -	21*st October* 1965
Laid before Parliament	28*th October* 1965
Coming into Operation	29*th October* 1965

The Treasury, in exercise of the powers conferred on them by sections 2 and 15 of the Superannuation (Miscellaneous Provisions) Act 1948(a), and of all other powers enabling them in that behalf, hereby make the following Rules:—

PART I

Persons transferring from an Agricultural Research Organisation to the Civil Service

1.—(1) This part of these Rules shall apply to any person who becomes employed as a civil servant within twelve months after ceasing to be employed by an agricultural research organisation in employment in which he was a participant in a relevant pension scheme, or within such longer period thereafter as the Treasury may allow in any particular case.

(2) This part of these Rules shall apply to such person as aforesaid notwithstanding that he ceased to be employed by an agricultural research organisation or became employed as a civil servant before the coming into operation of these Rules:

Provided that—

(*a*) he has not ceased to be employed as a civil servant before the coming into operation of these Rules; and

(*b*) he consents to this part of these Rules applying to him.

2. The period of continuous service in respect of which, immediately before a person to whom this part of these Rules applies ceased as aforesaid to be employed by an agricultural research organisation, contributions were paid in his case under a relevant pension scheme shall, for the purpose only of the provisions of the Superannuation Acts with respect to the minimum periods of service which qualify for the benefit of those Acts, be treated as service in the capacity of a civil servant.

3. Section 32 of the Superannuation Act 1949(b) (which provides for an increase of certain allowances in cases of retirement for ill-health with less than twenty years' service) shall have effect in relation to a person to whom this part of these Rules applies as if for the references in subsections (1) and (2) of that section to twenty years there were substituted references to a

(a) 11 & 12 Geo. 6. c. 33. (b) 12, 13 & 14 Geo. 6. c. 44.

period equivalent to the amount by which twenty years exceeds such period of that person's continuous service as is referred to in Rule 2 of these Rules:

Provided that where the period so substituted is shorter than the period of his service as a civil servant the said section 32 shall not apply to him.

PART II

Persons transferring from the Civil Service to an Agricultural Research Organisation

4.—(1) This part of these Rules shall apply to any person who—

(*a*) within twelve months after ceasing to be employed as a civil servant, or within such longer period thereafter as the Treasury may allow in any particular case, becomes employed by an agricultural research organisation in employment in which he is a participant in a relevant pension scheme; and

(*b*) has before changing his employment as aforesaid obtained the consent of the head of the Department in which he ceased to be employed; and

(*c*) has not become eligible for a pension under the Superannuation Acts; and

(*d*) within three months after the date on which he becomes employed as aforesaid by an agricultural research organisation or within six months after the coming into operation of these Rules, whichever period last expires, or within such longer period as the Treasury may allow in any particular case, notifies the Department in which he ceased to be employed that he desires this part of these Rules to apply to him.

(2) This part of these Rules shall apply to such person as aforesaid notwithstanding that he ceased to be employed as a civil servant or became employed by an agricultural research organisation before the coming into operation of these Rules:

Provided that—

(*a*) he has not ceased to be employed by that organisation before the coming into operation of these Rules; and

(*b*) the Treasury consent to this part of these Rules applying to him.

5. If the agricultural research organisation by whom a person to whom this part of these Rules applies becomes employed as aforesaid undertakes to invest or secure the investment of the transfer value hereinafter mentioned, for the benefit of that person, under the relevant pension scheme in the purchase of a policy of insurance on his life providing for the payment, on his retirement on or after a specified age, or on earlier retirement through incapacity, of an annuity to him or of such joint annuity to him and another as he may be entitled to select in accordance with the terms of that scheme, such annuity or joint annuity not to be capable of assignment or of commutation except to such extent as the Treasury may approve, the Treasury may, upon these Rules becoming applicable to that person, pay to such agricultural research organisation a transfer value calculated in accordance with tables approved by the Treasury in respect of such of his service as is reckonable for the purposes of the Superannuation Acts as service in the capacity of a civil servant.

PART III

General provisions

6.—(1) In these Rules, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say :—

" agricultural research organisation " means any of the bodies specified in the Schedule to these Rules ;

" civil servant " has the meaning assigned to it by section 63(2) of the Superannuation Act 1949 ;

" pension " has the meaning assigned to it by section 17(1) of the Superannuation (Miscellaneous Provisions) Act 1948 ;

" relevant pension scheme " means, in relation to employment by the Agricultural Research Council, the Superannuation Scheme administered by that Council for members of its Clerical and Technical Staff, and, in relation to employment by any other agricultural research organisation, the similar Superannuation Scheme administered by that organisation for members of its Clerical and Technical Staff or for members of its Laboratory Assistant, Clerical and Typing Staff ;

" the Superannuation Acts " means the Superannuation Acts 1834 to 1965 and any Act amending those Acts.

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

7. These Rules may be cited as the Superannuation (Civil Service and Agricultural Research Organisations) Transfer Rules 1965, and shall come into operation on 29th October 1965.

Harriet Slater,
J. McCann,
Two of the Lords Commissioners of Her Majesty's Treasury.

21st October 1965.

Rule 6(1)

SCHEDULE

Agricultural Research Organisations

The Agricultural Research Council.
Animal Diseases Research Association.
The British Society for the Promotion of Vegetable Research.
The British Society for Research in Agricultural Engineering.
The Edinburgh and East of Scotland College of Agriculture.
The Foot-and-Mouth Disease Research Institute.
The Glasshouse Crops Research Institute.
The Grassland Research Institute.
The Hannah Dairy Research Institute.

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

The Hill Farming Research Organisation.
The Houghton Poultry Research Institute.
The John Innes Institute.
Kent Incorporated Society for Promoting Experiments in Horticulture.
Lawes Agricultural Trust, Rothamsted Experimental Station.
Long Ashton Research Station.
The Macaulay Institute for Soil Research.
The National Institute of Agricultural Botany.
The National Institute for Research in Dairying.
The North of Scotland College of Agriculture.
Plant Breeding Institute.
The Rowett Research Institute.
The Scottish Horticultural Research Institute.
Scottish Society for Research in Plant Breeding.
Welsh Plant Breeding Station.
The West of Scotland Agricultural College.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

1. These Rules provide a measure of integration of the different superannuation conditions applicable to persons who transfer between established service in the Civil Service and employment with the Agricultural Research Council which is pensionable under the Council's Superannuation Scheme for Clerical and Technical Staff, or employment with certain other agricultural research organisations which is pensionable under similar superannuation schemes administered by those organisations for members of their Clerical and Technical Staff.

2. Under Part I, employment with an agricultural research organisation under the appropriate superannuation scheme before transfer to the Civil Service will count towards any period of service necessary to qualify for benefits under the Superannuation Acts.

3. Under Part II, where an established civil servant transfers to an agricultural research organisation, a transfer value may be paid by the Treasury to that organisation. The sum so paid must be invested for the officer's benefit in an insurance policy under that organisation's scheme and subject to prescribed conditions.

4. Under the powers conferred by Section 2(5) of the Superannuation (Miscellaneous Provisions) Act 1948, the Rules apply in certain cases to persons who have transferred from one employment to the other before the coming into operation of the Rules (Rules 1(2) and (4(2)).