PENSIONS

INTERCHANGE RULES

1954 No. 981

The Superannuation (Civil Service and Imperial Institute) Transfer Rules, 1954

Made - - - -	22*nd July*, 1954
Laid before Parliament	26*th July*, 1954
Coming into Operation	27*th July*, 1954

The Lords Commissioners of Her Majesty's Treasury, in exercise of the powers conferred upon 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

General Provisions

1.—(1) These Rules may be cited as the Superannuation (Civil Service and Imperial Institute) Transfer Rules, 1954.

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

(3) These Rules shall come into operation on the twenty-seventh day of July, nineteen hundred and fifty-four.

2.—(1) In these Rules, unless the context otherwise requires:—

(*a*) the following expressions have the meanings hereby respectively assigned to them:—

"the Act" means the Superannuation (Miscellaneous Provisions) Act, 1948;

"Imperial Institute employment", in relation to any person, means employment in the service of the Imperial Institute, being employment in which that person is a participant in the Imperial Institute Pension Scheme;

"the Imperial Institute Pension Scheme" means the pension scheme established by the Imperial Institute for members of its staff; and

"the Superannuation Acts" means the Superannuation Acts, 1834 to 1950;

(*b*) the expressions "civil servant" and "pension" have the meanings respectively assigned to them by the Act.

(2) Any reference in these Rules to the provisions of any enactment shall be construed, unless the context otherwise requires, as a reference to those provisions as amended or re-enacted by any subsequent enactment.

(a) 11 & 12 Geo. 6. c. 33.

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

PART II

Provisions relating to Persons transferring from the Imperial Institute to the Civil Service

3.—(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 in Imperial Institute employment 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 in Imperial Institute employment or became employed as a civil servant before the coming into operation of these Rules or before the passing of the Act:

Provided that:—

(*a*) he consents to these Rules applying to him; and

(*b*) he has not ceased to be employed as a civil servant before the first day of April, nineteen hundred and fifty-four.

(3) In this part of these Rules, a person to whom this part of these Rules applies is referred to as "the officer".

4. The period of the officer's continuous service in respect of which, immediately before he ceased to be employed in Imperial Institute employment, contributions were paid by him and the Imperial Institute under the Imperial Institute Pension Scheme shall, for the purpose only of determining whether the officer has served for the minimum period prescribed by the Superannuation Acts as necessary for any pension to be paid to or in respect of him, but for no other purpose, be reckoned as service in the capacity of a civil servant.

5. Where section 32 of the Superannuation Act, 1949(a), applies to the officer, that section shall have effect in relation to him as if for the references in subsections (1) and (2) thereof to twenty years there were substituted references to the number of years by which twenty years exceeds the number of completed years in such period of the officer's continuous service as is mentioned in the last preceding Rule.

PART III

Provisions relating to Persons transferring from the Civil Service to the Imperial Institute

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

(*a*) becomes employed in Imperial Institute employment 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; 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

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

(*d*) within three months after the date on which he enters Imperial Institute employment or within six months after the coming into operation of these Rules, whichever period last expires, notifies the Department in which he ceased to be employed that he desires 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 in Imperial Institute employment before the coming into operation of these Rules or before the passing of the Act:

Provided that:—

(*a*) he has not ceased to be employed in Imperial Institute employment before the first day of April, nineteen hundred and fifty-four; and

(*b*) the Treasury consent.

(3) In this part of these Rules a person to whom this part of these Rules applies is referred to as "the officer".

7. If the Imperial Institute undertakes to invest or secure the investment of the transfer value hereinafter mentioned for the officer's benefit under the Imperial Institute 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 the Imperial Institute Pension 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 the officer, pay to the Imperial Institute a transfer value calculated in accordance with tables prepared by the Treasury in respect of such of the officer's service as is reckonable for the purposes of the Superannuation Acts as service in the capacity of a civil servant.

Dated this 22nd day of July, 1954.

Hendrie D. Oakshott,
Martin Redmayne,
Two of the Lords Commissioners
of Her Majesty's Treasury.

EXPLANATORY NOTE

(*This Note is not part of these Rules, but is intended to indicate their general purport.*)

The purpose of these Rules is to provide a measure of integration of the different superannuation conditions applicable to persons who transfer between established service in the Civil Service and pensionable employment with the Imperial Institute.

Under Part II, pensionable service in the Imperial Institute before transfer to the Civil Service will count towards any period of service necessary to qualify for benefits under the Superannuation Acts. This Part of the Rules is retrospective provided the officer had not retired before 1st April, 1954.

Under Part III, where an established civil servant transfers to pensionable employment with the Imperial Institute a transfer value may be paid by the Treasury to the Imperial Institute Trustees. The sum so paid must be invested for the officer's benefit in an insurance policy under the Imperial Institute Pension Scheme and subject to prescribed conditions.