1965 No. 1025

PENSIONS

The Superannuation (Service under the Federated Superannuation System for Universities) Regulations 1965

Made - - - -	*22nd April* 1965
Laid before Parliament	*28th April* 1965
Coming into Operation	*29th April* 1965

The Treasury, in exercise of the powers conferred upon them by paragraph 7 of Schedule 2 to the Superannuation (Amendment) Act 1965(a) and of all other powers enabling them in that behalf, hereby make the following Regulations :—

1.—(1) Where a person serving as a civil servant after the coming into operation of these Regulations was, immediately before he became a civil servant, subject to the Federated Superannuation System for Universities while employed in the civil service of the State, then, subject to the provisions of this Regulation, the continuous period of his F.S.S.U. service immediately preceding the time when he became a civil servant 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.

(2) Section 32 of the Superannuation Act 1949(b) shall have effect in relation to a person to whom the preceding paragraph applies as if for the references in subsections (1) and (2) of that section to twenty years there were substituted references to a period equivalent to the amount by which twenty years exceeds the continuous period of his F.S.S.U. service immediately preceding the time when he became a civil servant :

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

(3) Where a person to whom paragraph (1) of this Regulation applies dies before the expiration of five years after he has become a civil servant, and by virtue of that paragraph he is treated as having served the minimum period of five years which qualify his personal representatives for the grant of a gratuity under section 2(1) of the Superannuation Act 1909(c), such gratuity shall be reduced by the total amount of any sums payable in respect of his death under the Federated Superannuation System for Universities, or, if that amount is equal to or greater than the amount of the gratuity, a gratuity shall not be granted to his personal representatives under the said section 2(1).

2. Where a person employed after the coming into operation of these Regulations in the civil service of the State in an unestablished capacity is not subject to the Federated Superannuation System for Universities, and he has previously, while employed in the civil service of the State, been subject to the Federated Superannuation System for Universities, any period of his F.S.S.U. service shall, if that period would, but for the payment of

(a) 1965 c. 10. (b) 12, 13 & 14 Geo. 6. c. 44. (c) 9 Edw. 7. c. 10.

contributions in his case under the Federated Superannuation System for Universities, have been reckonable for the purposes of the Superannuation Acts as service in an unestablished capacity, be treated, for the purpose only of the provisions of those Acts with respect to the minimum periods of service which qualify for the benefit of those Acts, as service in an unestablished capacity.

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

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

" F.S.S.U. service ", in relation to any person, means service in the civil service of the State during any period, whether before or after the coming into operation of these Regulations, in respect of which contributions have been paid in his case under the Federated Superannuation System for Universities ;

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

" unestablished capacity " has the meaning assigned to it by section 3(4) of the Superannuation Act 1935(a).

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

4. These Regulations may be cited as the Superannuation (Service under the Federated Superannuation System for Universities) Regulations 1965, and shall come into operation on 29th April 1965.

James Callaghan,
G. H. R. Rogers,
Two of the Lords Commissioners of Her Majesty's Treasury.

22nd April 1965.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations provide that service in the Civil Service during which an officer was subject to the Federated Superannuation System for Universities may be taken into account in determining whether such an officer has served the minimum period in order to qualify for benefit under the Superannuation Acts. The service does not reckon for the purpose of determining the amount of benefit.

(a) 25 & 26 Geo. 5. c. 23. (b) 52 & 53 Vict. c. 63.