STATUTORY INSTRUMENTS

1968 No. 471

PENSIONS

The Superannuation (Transfers between the Civil Service and Public Boards) (Amendment) Rules 1968

Made - - -	*22nd March* 1968
Laid before Parliament	*28th March* 1968
Coming into Operation	*29th March* 1968

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:—

1.—(1) The Superannuation (Transfers between the Civil Service and Public Boards) Rules 1950(b) (hereafter in these Rules referred to as "the principal Rules"), as amended(c), shall be further amended as follows:—

(*a*) by substituting for sub-paragraph (*d*) of paragraph (1) of Rule 7 thereof the following sub-paragraph:—

"(*d*) has not become eligible for a pension under the Superannuation Act 1965(d), or, if he has become so eligible, has not been granted a pension under that Act; and";

(*b*) by inserting after Rule 8 thereof the following Rule:—

"8A. Where the officer on ceasing to be employed as a civil servant is eligible for a pension under the Superannuation Act 1965, he shall, upon the Treasury's paying a transfer value in respect of him under Rule 8 of these Rules, cease to be so eligible."

(2) Rule 5 of the Superannuation (Transfers between the Civil Service and Public Boards) (Amendment) Rules 1955(e) (which provides for the application of Part III of the principal Rules to a person entering the National Industrial Fuel Efficiency Service after ceasing to be employed as a civil servant where he has become eligible for, but has not been awarded, a pension under the Superannuation Act 1965) shall cease to have effect.

(a) 1948 c. 33.
(b) S.I. 1950/1539 (1950 II, p. 291).
(c) The relevant amending instruments are S.I. 1955/127, 1966/454 (1955 II, p. 1822; 1966 I, p. 974).
(d) 1965 c. 74.
(e) S.I. 1955/127 (1955 II, p. 1822).

2.—(1) The principal Rules shall have effect as if the following body were added to the Schedule thereto, that is to say:—

The British Airports Authority

(2) In their application to any person who becomes employed as a civil servant after ceasing to be in the pensionable employment of the British Airports Authority the principal Rules shall have effect as if—

(*a*) the references to the date of the making of the principal Rules in Rule 3(1)(*d*) and (*e*) thereof were references to the date of the making of these Rules; and

(*b*) the references to the coming into operation of the principal Rules in Rule 3(2) thereof were references to the coming into operation of these Rules.

(3) In their application to any person who enters the pensionable employment of the British Airports Authority after ceasing to be employed as a civil servant the principal Rules shall have effect as if—

(*a*) the reference to the date of the making of the principal Rules in Rule 7(1)(*e*) thereof were a reference to the date of the making of these Rules; and

(*b*) the references to the coming into operation of the principal Rules in Rule 7(2) thereof were references to the coming into operation of these Rules.

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

4. These Rules may be cited as the Superannuation (Transfers between the Civil Service and Public Boards) (Amendment) Rules 1968, and shall come into operation on 29th March 1968.

B. K. O'Malley,
Harry Gourlay,
Two of the Lords Commissioners
of Her Majesty's Treasury.

22nd March 1968.

(a) 1889 c. 63.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules amend the Superannuation (Transfers between the Civil Service and Public Boards) Rules 1950. The principal Rules provide for the aggregation of service and for a single superannuation award in cases where a person transfers from an established post in the Civil Service to pensionable service with one of the bodies specified in the Schedule to those Rules or vice versa, and these Rules extend the Treasury's power to pay transfer values so as to allow for their payment where a former civil servant enters the employment of one of these bodies after reaching the age at which he is eligible for a pension under the Superannuation Act 1965, provided that he has not been granted a pension under that Act.

These Rules also add the British Airports Authority to the list of bodies in the Schedule to the principal Rules, and under the powers of section 2(5) of the Superannuation (Miscellaneous Provisions) Act 1948 the principal rules are applied, subject to certain conditions, to persons who have transferred between the Civil Service and the British Airports Authority before the coming into operation of these rules.