STATUTORY INSTRUMENTS

1971 No. 741

SAVINGS BANKS

The Trustee Savings Banks (Pensions) (Civil Service Transfers) Order 1971

Made - - -	*4th May* 1971
Laid before Parliament	*17th May* 1971
Coming into Operation	*1st June* 1971

The Minister for the Civil Service, in exercise of the powers conferred upon him by section 82(1) and (3)(*c*) of the Trustee Savings Banks Act 1969(**a**) and of all other powers enabling him in that behalf, and after consulting the National Debt Commissioners, hereby makes the following Order :—

PART I

GENERAL

Citation, commencement and extent

1.—(1) This Order may be cited as the Trustee Savings Banks (Pensions) (Civil Service Transfers) Order 1971, and shall come into operation on 1st June 1971.

(2) This Order shall extend to Northern Ireland, the Isle of Man and the Channel Islands.

Interpretation

2.—(1) In this Order, unless the context otherwise requires :—

"civil servant" has the meaning assigned to it by section 98 of the Superannuation Act 1965(**b**) ;

"Inspection Committee" has the meaning assigned to it by section 95(1) of the Trustee Savings Banks Act 1969 ;

"the Minister" means the Minister for the Civil Service ;

"pension", "pension scheme" and "pensionable employment" have the meanings respectively assigned to them by section 17(1) of the Superannuation (Miscellaneous Provisions) Act 1948(**c**) ;

"trustee savings bank" has the meaning assigned to it by section 95(1) of the Trustee Savings Banks Act 1969 ;

"trustee savings bank employment" means pensionable employment in the service of a trustee savings bank or the Inspection Committee.

(2) The Interpretation Act 1889(**d**) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

(**a**) 1969 c. 50.
(**b**) 1965 c. 74.
(**c**) 1948 c. 33.
(**d**) 1889 c. 63.

PART II

PERSONS TRANSFERRING FROM THE CIVIL SERVICE TO TRUSTEE SAVINGS BANK EMPLOYMENT

Application of Part II

3.—(1) This Part of this Order shall apply to any person who—

(*a*) becomes employed in trustee savings bank employment within twelve months after ceasing to be employed as a civil servant or within such longer period as the Minister may allow in any particular case; and

(*b*) has not become eligible for a pension under the Superannuation Acts 1965 and 1967(**a**), or, if he has become so eligible, has not been granted a pension under those Acts; and

(*c*) within three months after the date on which he becomes employed in trustee savings bank employment or within six months after the date of the coming into operation of this Order, whichever period last expires, or within such longer period as the Minister may allow in any particular case, notifies his employer that he desires the provisions of this Order to apply to him, and furnishes his employer with particulars of his previous pensionable employment; and

(*d*) has before or after changing his employment as aforesaid obtained the consent of the Head of the Department in which he ceased to be employed.

(2) In this Part of this Order a person to whom this Part of this Order applies is referred to as "the officer", and the trustees of the trustee savings bank or the Inspection Committee, as the case may be, in whose service the officer is employed are referred to as "the bank".

Reckoning of service

4.—(1) If the bank receives from the Minister a transfer value, calculated in accordance with paragraph (2) of this article, in respect of the service which the officer was entitled to reckon, for the purposes of the Superannuation Acts 1965 and 1967, immediately before he ceased to be employed as a civil servant, such service shall be reckoned for the purposes of the pension scheme administered by the bank as service in trustee savings bank employment.

(2) The transfer value referred to in the foregoing paragraph shall be calculated by reference to the Tables set out in Schedule 1 to the Local Government Superannuation (Transfer Value) Regulations 1954(**b**), account being taken of any amount by which any pension for which the officer may become eligible under the pension scheme administered by the bank will be reduced in consequence of the National Insurance Act 1965(**c**).

PART III

PERSONS TRANSFERRING FROM TRUSTEE SAVINGS BANK EMPLOYMENT TO THE CIVIL SERVICE

Application of Part III

5.—(1) This Part of this Order shall apply to any person who—

(*a*) becomes employed as a civil servant within twelve months after ceasing to be in trustee savings bank employment or within such longer

(**a**) 1965 c. 74; 1967 c. 28.
(**b**) S.I. 1954/1212 (1954 II, p. 1723).
(**c**) 1965 c. 51.

period thereafter as the Minister may allow in any particular case; and

(*b*) has not become eligible for a pension in respect of his service in trustee savings bank employment, or, if he has become so eligible, has not been granted such a pension; and

(*c*) within three months after the date on which he becomes employed as a civil servant or within six months after the date of the coming into operation of this Order, whichever period last expires, or within such longer period as the Minister may allow in any particular case, notifies the Head of his Department that he desires the provisions of this Order to apply to him.

(2) In this Part of this Order a person to whom this Part of this Order applies is referred to as "the officer", and the trustees of the trustee savings bank or the Inspection Committee, as the case may be, in whose service he was employed immediately before he ceased to be in trustee savings bank employment are referred to as "the bank".

Power of bank to pay transfer values

6.—(1) Upon the provisions of this Order becoming applicable to the officer, the bank may, with the approval of the National Debt Commissioners, pay to the Minister a transfer value calculated in accordance with paragraph (2) of this article in respect of such of his service as is reckonable for the purposes of the pension scheme administered by the bank as service in trustee savings bank employment.

(2) The transfer value referred to in the foregoing paragraph shall be calculated by reference to the Tables set out in Schedule 1 to the Local Government Superannuation (Transfer Value) Regulations 1954, account being taken of any amount by which any pension for which the officer may become eligible under the Superannuation Acts 1965 and 1967 will be reduced in consequence of the National Insurance Act 1965.

Persons transferred to cease to be eligible for a pension under the pension scheme administered by the bank

7. Where an officer on ceasing to be in trustee savings bank employment was eligible for a pension under the pension scheme administered by the bank, he shall, upon the bank's paying a transfer value in respect of him under article 6 of this Order, cease to be so eligible.

Given under the official seal of the Minister for the Civil Service on 4th May 1971.

(L.S.)

K. H. McNeill,
Authorised by the Minister
for the Civil Service.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order provides for the aggregation of service and for a single superannuation award in cases where persons transfer from established service in the Civil Service to service with the trustee savings banks or the Inspection Committee or vice versa. Where such a transfer is made, the person is enabled, subject to the payment of an appropriate transfer value, to reckon previous service for pension under the superannuation scheme to which he transfers.