1972 No. 1278

SAVINGS BANKS

The Trustee Savings Banks (Pensions) (No. 2) Order 1972

Made - - -	*15th August* 1972
Laid before Parliament	*22nd August* 1972
Coming into Operation	*13th September* 1972

The Minister for the Civil Service, in exercise of the powers conferred upon him by section 82 of the Trustee Savings Banks Act 1969(**a**), as amended by paragraph 76 of Schedule 6 to the Superannuation Act 1972(**b**), and of all other powers enabling him in that behalf, and after consulting the National Dept Commissioners, hereby makes the following Order:—

1.—(1) This Order may be cited as the Trustee Savings Banks (Pensions) (No. 2) Order 1972, and shall come into operation on 13th September 1972.

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

2.—(1) In this Order:—

"the Civil Service Pension Scheme 1972" means the principal civil service pension scheme made by the Minister for the Civil Service under section 1 of the Superannuation Act 1972 on 15th June 1972 and laid on that date before Parliament;

"officer" means an officer of a trustee savings bank or of the Inspection Committee;

"reckonable service" means service as computed for the purpose of determining the amount of a superannuation allowance or an allowance by way of lump sum;

"the transitional period" means that period beginning with 29th February 1972 and ending with 19th July 1972;

"the 1969 Act" means the Trustee Savings Banks Act 1969;

"the 1970 Order" means the Trustee Savings Banks (Pensions) Order 1970(**c**), as amended by the Trustee Savings Banks (Pensions) (Amendment) Order 1972(**d**).

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

3. In their application in relation to any officer who died or retired during the transitional period, the provisions of sections 75 and 77 of the 1969 Act, as amended by the 1970 Order, and of articles 4, 5 and 11 of the 1970 Order shall have effect as if:—

(**a**) 1969 c. 50. (**b**) 1972 c. 11. (**c**) S.I. 1970/1056 (1970 II, p. 3289).
(**d**) S.I. 1972/495 (1972 I, p. 1742). (**e**) 1889 c. 63.

(*a*) for any reference to the average annual amount of the salary and emoluments of his office during the last three years of his service there were substituted a reference to his pensionable pay within the meaning of section 75(3) of the 1969 Act, as amended by article 3(1)(*b*) of the Trustee Savings Banks (Pensions) Order 1972(**a**);

(*b*) for any reference to each year of service there were substituted a reference to each year of service, and so in proportion for any number of days of service beyond a number of completed years each such day being treated as one three hundred and sixty fifth part of a further year;

(*c*) in section 75(1)(*b*) of the 1969 Act the words "after five years' service as such" were omitted;

(*d*) in section 77(1) of the 1969 Act for the reference to section 75(1) as amended by article 3(1) of the 1970 Order there were substituted a reference to section 75(1) as amended by article 3(1) of the 1970 Order and modified by this article;

(*e*) in relation to an officer who retired on medical grounds with not less than ten years' reckonable service, for the provisions contained in article 5 of the 1970 Order there were substituted, with the necessary adaptations, the provisions of rule 3.4 of the Civil Service Pension Scheme 1972;

(*f*) in relation to an officer who retired on medical grounds with at least two but less than ten years' reckonable service, for the provisions contained in article 4 of the 1970 Order (which provides for the grant of short service gratuities) and in section 75(1)(aa) of the 1969 Act, as amended by the 1970 Order, (which provide for the grant of lump sum allowances) there were substituted, with the necessary adaptations, the provisions of rule 3.5 of the Civil Service Pension Scheme 1972 (which provide for the making of ill-health payments), and as if the following words were added to the end of that rule:—

"If an officer is so retired with more than five years' reckonable service, the ill-health payment will be increased by the amount of one month's pensionable pay for each year of such service (and so in proportion for any further part of a year) following whichever is the later of:—

(i) the date on which he completed five years' reckonable service; or

(ii) the first date after his thirtieth birthday on which he completed an exact number of years of reckonable service."

(*g*) the provisions of article 11 of the 1970 Order (which provides for the grant of pensions to widows, children and dependants) were, with the necessary adaptations, subject to the modifications contained in rules 9.8 to 9.16 of the Civil Service Pension Scheme 1972 (which contain transitional provisions in respect of widows' and childrens' benefits).

Given under the official seal of the Minister for the Civil Service on 15th August 1972.

L.S.

W. G. Bristow,
Authorised by the Minister
for the Civil Service.

(**a**) S.I. 1972/1029 (1972 II, p. 3128).

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order applies to officers of trustee savings banks provisions corresponding to those contained in section 9 of the Principal Civil Service Pension Scheme. The provisions give additional superannuation benefits to persons whose service ended in the period from 29th February to 19th July 1972.