
STATUTORY INSTRUMENTS

1973 No. 1068

PENSIONS

**The Pensions Increase (Federated Superannuation
Scheme for Nurses and Hospital Officers)
(Civil Service) (Amendment) Regulations 1973**

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| <i>Made</i> | - - - - | <i>18th June 1973</i> |
| <i>Laid before Parliament</i> | | <i>26th June 1973</i> |
| <i>Coming into Operation</i> | | <i>18th July 1973</i> |

The Minister for the Civil Service, in exercise of the powers conferred on him by section 13(2) and (5) of the Pensions (Increase) Act 1971 and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

1. These Regulations may be cited as the Pensions Increase (Federated Superannuation Scheme for Nurses and Hospital Officers) (Civil Service) (Amendment) Regulations 1973, and shall come into operation on 18th July 1973.

2.—(1) In these Regulations “the principal Regulations” means the Pensions Increase (Federated Superannuation Scheme for Nurses and Hospital Officers) (Civil Service) Regulations 1972(1).

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

3. The principal Regulations shall be amended, in Regulation 2(1), by substituting for the definition of “the civil service pension scheme” the following definition:—

““the civil service pension scheme” means, in relation to a person whose service in the civil service of the state ended not later than 29th February 1972, the Superannuation Acts 1965 and 1967(2) and, in relation to a person whose reckonable service ended after that date, the principal civil service pension scheme within the meaning of section 2 of the Superannuation Act 1972(3) and for the time being in force;”.

4. The principal Regulations shall be amended, in Regulation 4, by substituting for paragraphs (1) and (2) the following paragraphs:—

(1) (1972 I, p. 1486).
(2) 1965 c. 74
(3) 1972 c. 11.

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“(1) There shall be ascribed to every person to whom these Regulations apply a notional pension equal to the amount of the annual pension for which he would have been eligible under the civil service pension scheme if he had during the period of his employment in the civil service of the state been subject to that scheme and his reckonable service had been reckonable for the purposes of that scheme.

(2) Where a person to whom these Regulations apply has retired from the civil service of the State in such circumstances that, if the civil service pension scheme applied to him, a lump sum would become payable to him by way of retiring allowance upon his subsequently attaining a particular age or becoming disabled by physical or mental infirmity before that age, there shall be ascribed to him a notional lump sum, treated as if it became payable on his attaining that age or becoming so disabled, as the case may be, of an amount equal to the lump sum for which he would have been eligible under the civil service pension scheme if he had during the period of his employment in the civil service of the State been subject to that scheme and his reckonable service had been reckonable for the purposes of that scheme”.

5. The principal Regulations shall be amended, in Regulation 5, by substituting for paragraph (a) the following paragraph:—

“(a) there were payable to him—

- (i) an annual pension under the civil service pension scheme of an amount equal to the notional pension ascribed to him under Regulation 4(1) above and beginning on the day following the end of the period of his service in the civil service of the State, and
- (ii) in a case where a lump sum is ascribed to him under Regulation 4(2) above, a lump sum under the civil service pension scheme of an amount equal to, and becoming payable at the same time as, the notional lump sum and beginning on the day following the end of the period of his service in the civil service of the State, and”.

6. Any increase of benefit attributable to these Regulations shall take effect in respect of any period beginning on or after 1st December 1972.

Given under the official seal of the Minister for the Civil Service on 18th June 1973.

L.S.

Kenneth Baker
Parliamentary Secretary of the Civil Service
Department

EXPLANATORY NOTE

These Regulations amend the Pensions Increase (Federated Superannuation Scheme for Nurses and Hospital Officers) (Civil Service) Regulations 1972, which provide for the payment of allowances corresponding to pension increases under the Pensions (Increase) Act 1971 to persons who have retired from the civil service and receive superannuation benefits under a scheme operated under the Federated Superannuation Scheme for Nurses and Hospital Officers.

The principal change is that, in the case of a person who has retired after 29th February 1972, the notional pension and notional lump sum on which his allowances are based are to be calculated, in accordance with the principal civil service pension scheme, by reference to the year's salary in his last three years of service which is most favourable to him, instead of on the average of his salary for such last three years. His reckonable service will also be counted in years and days, instead of in completed years.

The Regulations also make it clear that the notional pension and lump sum are to be treated as “beginning”, for the purposes of applying the Pensions (Increase) Act 1971, on the day following the end of a person's service in the civil service.

In accordance with the power conferred by section 13(5) of the 1971 Act, the Regulations provide for any increase in allowances attributable to the Regulations to take effect from 1st December 1972.