

1973 No. 942

PENSIONS

The Pensions Increase (Power Jets) Regulations 1973

<i>Made</i>	- - -	22nd May 1973
<i>Laid before Parliament</i>		31st May 1973
<i>Coming into Operation</i>		22nd June 1973

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(a) and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Pensions Increase (Power Jets) Regulations 1973, and shall come into operation on 22nd June 1973.

Interpretation

2.—(1) In these Regulations—

“the civil service pension scheme” means, in relation to a person whose reckonable service ended not later than 29th February 1972, the Superannuation Acts 1965 and 1967(b) 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(c);

“the Power Jets pension scheme”, in relation to any male person, means the pension scheme established by Power Jets Limited for its male employees and, in relation to any female person, means the pension scheme established by Power Jets (Research and Development) Limited for its female employees;

“reckonable service”, in relation to any person, means the period after 30th June 1946 in respect of which, while he was employed by Power Jets (Research and Development) Limited or in the civil service of the State, contributions were paid in his case under the Power Jets pension scheme.

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

(3) Any reference in these Regulations to the provisions of any enactment shall be construed, unless the context otherwise requires, as a reference to those provisions as amended by any subsequent enactment.

(a) 1971 c. 56.
(c) 1972 c. 11.

(b) 1965 c. 74; 1967 c. 28.
(d) 1889 c. 63.

Persons to whom the Regulations apply

3. These Regulations apply to any person who—

- (a) has been employed in the civil service of the State after ceasing to be employed by Power Jets (Research and Development) Limited; and
- (b) has, while employed by Power Jets (Research and Development) Limited and in the civil service of the State, been a participant in the Power Jets pension scheme; and
- (c) has been such a participant for a continuous period of not less than ten years; and
- (d) either—
 - (i) has retired from the civil service of the State after attaining the age of sixty years or on account of physical or mental infirmity; or
 - (ii) having retired from the civil service of the State not earlier than 14th July 1949 in circumstances other than those described above, has attained the age of sixty years or satisfies the Minister for the Civil Service that he is disabled by physical or mental infirmity; or
 - (iii) having been transferred from the civil service of the State to employment which is approved employment for the purposes of the civil service pension scheme, has retired from such employment after attaining the age of sixty years or on account of physical or mental infirmity; and
- (e) has received, or become entitled to receive, retirement benefit under the Power Jets pension scheme.

Notional pension and lump sum

4.—(1) There shall be ascribed to each 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 be 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.

Payment of benefit equivalent to pension increase

5. The Minister for the Civil Service may, in respect of any period beginning on or after 1st September 1971, pay to any person to whom these Regulations

apply an amount equal to the increase which would be payable to him under the Pensions (Increase) Act 1971 if there were payable to him—

- (a) 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 reckonable service, and
- (b) in a case where a notional 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, that notional lump sum and beginning on the day following the end of the period of his reckonable service.

Given under the official seal of the Minister for the Civil Service on 22nd May 1973.

(L.S.)

Kenneth Baker,
Parliamentary Secretary to
the Civil Service Department.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations apply to certain persons who have retired from the civil service and were formerly employed by Power Jets (Research and Development) Limited, and who receive retirement benefits under certain pension schemes providing benefits by means of insurance policies.

The Regulations provide for the payment of allowances corresponding to the increases for which the persons concerned would have been eligible under the Pensions (Increase) Act 1971 if they had been pensionable in the normal way under the principal civil service pension scheme. The allowances will be calculated on a "notional pension" and, in certain circumstances, a "notional lump sum" corresponding to the pension and lump sum a person would have received if he had been subject to the civil service pension scheme and entitled to reckon under that scheme his service during which he was subject to the insurance policy scheme.

In accordance with the power conferred by section 13(5) of the 1971 Act, the Regulations provide for the increase to take effect from 1st September 1971.

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