
 STATUTORY INSTRUMENTS

1984 No. 1751

PENSIONS

**The Pensions Increase (Federated Superannuation Scheme
for Nurses and Hospital Officers)
(Civil Service) (Amendment) Regulations 1984**

<i>Made</i>	- - - -	29th October 1984
<i>Laid before Parliament</i>		23rd November 1984
<i>Coming into Operation</i>		30th November 1984

The Treasury, in exercise of the powers conferred by section 13(2) and (5) of the Pensions (Increase) Act 1971(a) and now vested in them(b), and of all other powers enabling them in that behalf, hereby make the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Pensions Increase (Federated Superannuation Scheme for Nurses and Hospital Officers) (Civil Service) (Amendment) Regulations 1984, and shall come into operation on 30th November 1984.

Interpretation

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

Amendments to regulation 3 of the principal Regulations

3. Regulation 3 of the principal Regulations shall be amended as follows:—

(a) by inserting after paragraph (1) the following new paragraph—

“(1A) Notwithstanding the provisions of paragraph (1)(b) of this Regulation, these Regulations apply to any person—

- (a) to whom paragraphs (1)(a) and (c) of this Regulation apply, and
- (b) who retired from employment in the civil service of the State on or after 12th April 1972, and
- (c) who at the date of such retirement had completed ten or, in the case of a person so retiring after 31st May 1972, five years’ reckonable service.”

(a) 1971 c. 56.

(b) S.I. 1981/1670, Art. 2(1)(c).

(c) S.I. 1972/395, amended by S.I. 1973/1068.

(b) by substituting for paragraph (2) the following paragraph:—

“(2) Notwithstanding the foregoing provisions of this Regulation, these Regulations do not apply to any person who by virtue of any provision other than these Regulations is entitled to an increase in the benefits payable under an F.S.S.N. scheme calculated by reference to the Pensions (Increase) Act 1971.”

Amendments to Regulation 4 of the principal Regulations

4. The principal Regulations shall be further amended as follows:—

(a) by omitting from paragraphs (1) and (2) of Regulation 4 the words “he had during the period of his employment in the civil service of the State been subject to that scheme and”; and

(b) by adding after paragraph (3) of Regulation 4 the following new paragraph:—

“(4) For the purposes of this Regulation and Regulation 5 any period of service in respect of which a person is eligible for benefits under the civil service pension scheme by reference to service in respect of which he was not subject to an F.S.S.N. scheme shall be disregarded.”

Amendments to the Schedule to the principal Regulations

5. The principal Regulations shall be further amended as follows:—

(a) by substituting, in paragraph 4 of the Schedule, for the words “Regulation 3(1)(b)” the words “Regulations 3(1)(b) and 3(1A)(c)”; and

(b) by substituting, in paragraph 5 of the Schedule, for the words “in employment described in paragraph 2 above” the following:—

“(a) in employment described in paragraph 2 above, or

(b) employed by a university or university college in Great Britain or Northern Ireland or a college of the University of Oxford or the University of Cambridge, or

(c) employed by an overseas university or university college, or

(d) undertaking a period of professional education or training.”

Date for increases to take effect

6. Any increase of benefit attributable to paragraph (1A) of Regulation 3 of the principal Regulations shall take effect on the coming into operation of these Regulations.

Donald Thompson,

T. Garell-Jones,

Two of the Lords Commissioners of
Her Majesty's Treasury.

29th October 1984.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations further 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 increases in pension which are payable 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 ("F.S.S.N.").

The principal change is that in the case of a person who has retired from the Civil Service on or after 12th April 1972 the allowance corresponding to a pension increase under the Pensions (Increase) Act 1971 will be payable whether or not he or she was subject to an F.S.S.N. scheme at the date of retirement. In addition, in the case of a person who has retired from the Civil Service on or after 31st May 1972 the requirement for ten years' reckonable service as defined in the Schedule to the principal Regulations is reduced to five years.

The Regulations also substitute for the existing Regulation 3(2) a specific provision to avoid the possibility of double benefit and introduce further categories of employment service in which does not disqualify previous service from being reckonable for the purposes of the Regulations.

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