
STATUTORY INSTRUMENTS

2001 No. 853

CIVIL AVIATION

**The Transport Act 2000 (Civil Aviation
Authority Pension Scheme) Order 2001**

Made - - - - - *5th March 2001*
Laid before Parliament *9th March 2001*
Coming into force *31st March 2001*

**THE TRANSPORT ACT 2000 (CIVIL AVIATION
AUTHORITY PENSION SCHEME) ORDER 2001**

1. Citation and commencement
 2. Interpretation
 3. Allocation
 4. Amendment of the Scheme
- Signature

SCHEDULE 1 — The New Provisions
— **THE TRUST DEED**

1.

GOVERNING PROVISIONS

- 1.1 With effect from the Effective Date, the Trustees shall hold...
- 1.2 The benefits, rights and options of Members who were in...
- 1.3 Subject to the allocation of individuals to the CAA Section...

2.

INTERPRETATION

- 2.1 In this Trust Deed and the Rules, the expressions this...
- 2.2 The provisions of any Appendices (and any Schedules to such...
- 2.3 Notwithstanding the provisions of Clause 1 of the Previous Definitive...
- 2.4 For the avoidance of doubt it is stated that the...

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2.5 In this Trust Deed and Rules: (a) unless the context...

3.

THE CAA AND NATS SECTIONS

- 3.1 With effect from the Effective Date, the CAA Section and...
- 3.2 Those individuals who, on the day immediately before the Effective...
- 3.3 All other Members together with all other individuals having an...

4.

THE FUND AND ALLOCATION OF SECTION ASSETS

- 4.1 The Trustees shall hold and manage the Fund under irrevocable...
- 4.2 The assets and liabilities of the Scheme as at the...
- 4.3 The Section Assets in respect of each Section shall be...
- 4.4 The Trustees shall maintain records at all times which are...

5.

APPOINTMENT, RESIGNATION AND REMOVAL OF TRUSTEES

- 5.1 Subject as hereinafter provided the power of appointing new trustees...
- 5.2 (a) The provisions of this Clause 5 shall be subject...
- 5.3 Where proposed alternative arrangements have been implemented in accordance with...
- 5.4 The Principal Employer covenants with the Trustees to exercise the...
- 5.5 The Principal Employer shall not unreasonably withhold the appointment as...
- 5.6 Subject to the following provisions of this Clause 5, each...
- 5.7 The Trustees or any of them may resign their appointment...
- 5.8 The Principal Employer may by resolution remove any Employers' Trustee...
- 5.9 If a Trustee fails over a period of six months...
- 5.10 The Trustee may request the Principal Employer to remove any...
- 5.11 A copy of a resolution of the Principal Employer certified...
- 5.12 The above provisions of this Clause shall be without prejudice...

6.

PROCEEDINGS OF THE TRUSTEES

- 6.1 The Principal Employer shall from time to time nominate one...
- 6.2 The Chairman or any two Trustees together may by written...
- 6.3 Notices of meetings of the Trustees stating the general nature...
- 6.4 Subject always to Clause 8.2 the Trustees may meet together...
- 6.5 All business brought before a meeting of the Trustees shall,...
- 6.6 The quorum for the transaction of business at any meeting...
- 6.7 A resolution in writing circulated to all the Trustees for...
- 6.8 The Trustees shall cause proper minutes to be kept of...

7.

POOLED FUNDS AND SECTION STRATEGIC ASSET ALLOCATION COMMITTEES

- 7.1 Without prejudice to the Trustees' powers under Clause 15, the...
- 7.2 The Trustees shall establish and maintain an Investment Policy Committee...
- 7.3 The Trustees shall establish and maintain for each Section of...
- 7.4 Each Section Strategic Asset Allocation Committee shall be composed of...
- 7.5 Without prejudice to their powers under Clause 8.6, the Trustees...
- 7.6 Each Section Strategic Asset Allocation Committee shall from time to...
- 7.7 Each Section Strategic Asset Allocation Committee shall meet together for...
- 7.8 The Trustees may request information or documents from any Section...

8.

TRUSTEES' DUTIES AND GENERAL POWERS

- 8.1 The Trustees shall be the Administrator of the Scheme for...
- 8.2 The Trustees shall meet for the despatch of business relevant...
- 8.3 The Trustees shall have all powers rights and privileges in...
- 8.4 (a) The Trustees shall have power from time to time...
- 8.5 The Trustees shall have power to authorise such persons and...
- 8.6 The Trustees shall have power to obtain the advice or...
- 8.7 The Trustees shall, have power to make arrangements for the...
- 8.8 The Trustees shall have power (whether as Trustees or Administrator)...
- 8.9 The Trustees shall secure that such arrangements as are required...
- 8.10 Subject always to Clause 8.9 above, the Trustees shall have...
- 8.11 The Trustees shall have power to insure any or all...
- 8.12 The Trustee shall have power from time to time whenever...

9.

SCHEME SECRETARY

- 9.1 The Trustees shall appoint a secretary to the Scheme, such...

10.

AUDITOR AND ACCOUNTS

- 10.1 The Trustees shall appoint as auditor to the Scheme an...
- 10.2 The Trustees may remove and replace such auditor as they...
- 10.3 The Trustees shall keep such accounts, entries, registers and records...
- 10.4 The Trustees shall arrange for the production of an annual...
- 10.5 A copy of such annual report or the relevant schedules...
- 10.6 The Trustees shall, in addition, comply with the Disclosure Regulations...
- 10.7 The Trustees shall provide such information to the Pensions Ombudsman,...

11.

APPOINTMENT OF ACTUARY

- 11.1 The Trustees shall, without prejudice to the generality of Clause...

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- 11.2 The Trustees may remove and replace such Actuary as they...

12.

ACTUARIAL VALUATION

- 12.1 The Trustees shall instruct the Actuary to investigate the financial...
12.2 The Trustees shall also require the Actuary to submit certificates...
12.3 The Trustees shall make any such valuation report and certificate...
12.4 The Actuary shall in making a report upon the financial...

13.

EXPENSES

- 13.1 All costs, charges and expenses (including for the avoidance of...
13.2 All other costs, charges and expenses shall be allocated between...

14.

APPOINTMENT AND DUTIES OF FUND MANAGERS AND CUSTODIANS

- 14.1 Where the Fund consists of or includes investments (within the...
14.2 A fund manager appointed under Clause 14.1 shall be empowered...
14.3 Each fund manager so appointed shall exercise the powers referred...
14.4 The Trustees shall, without prejudice to the generality of Clause...

15.

POWERS OF INVESTMENT AND OTHER TRANSACTIONS

- 15.1 The Trustees shall have the following powers in respect of...
15.2 The Trustees shall have the power to sell convert vary...
15.3 The Trustees shall hold all the investments, monies and other...
15.4 The Trustees shall exercise their powers under this Clause 15...
15.5 The Trustees shall secure that there is prepared, maintained and...
15.6 Notwithstanding anything contained herein to the contrary the Trustees shall...
15.7 Power to Borrow

16.

TRUSTEES' ENTITLEMENTS

- 16.1 Any Trustee not being an Employee shall be entitled to...
16.2 Any Trustee who is a Member shall be entitled to...

17.

POWER OF AMENDMENT

- 17.1 Where a proposed amendment relates solely to the provisions of...
17.2 Subject to Clause 17.3, the Principal Employer may with the...
17.3 In proposing an amendment under Clause 17.2, the Principal Employer...
17.4 Without prejudice to the powers of the Principal Employer under...
17.5 As soon as practicable after agreeing or deciding to amend...

18.

LIABILITY OF TRUSTEES

- 18.1 No Trustee shall be liable for any actions claims or...
- 18.2 Trustee indemnity
- 18.3 Where any action, claim or demand arises in connection with...
- 18.4 To the extent that they are not indemnified by the...
- 18.5 The Trustees shall not be liable in respect of any...
- 18.6 The Trustees shall be liable only for such monies and...
- 18.7 Trustee insurance

19.

ESTABLISHING NEW SECTIONS

- 19.1 An Employer currently participating in a Section or a Subsidiary...
- 19.2 If the applicant is permitted under Clause 19.1 above to...

20.

CHANGE OF PRINCIPAL EMPLOYER

- 20.1 If legislation is passed for the reconstruction or reconstitution of...
- 20.2 If the Principal Employer gives notice in writing to the...
- 20.3 If it appears to the Principal Employer that the Trustees...

21.

INSOLVENCY: POWERS OF INDEPENDENT TRUSTEES

- 21. In the circumstances when an insolvency practitioner or the official...

APPENDIX 1— —

DEFINITIONS

APPENDIX 2— —

RULES OF THE CAA

SECTION

PART 1: — ADMINISTRATIVE PROVISIONS

1.

APPOINTMENT OF TRUSTEES

- 1.1 The provisions relating to the appointment, removal and resignation of...

2.

GENERAL POWERS OF THE TRUSTEES

- 2.1 The provisions relating to the general powers of the Trustees...

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3.

PROCEEDINGS OF THE TRUSTEES

3.1 The provisions relating to the proceedings of the Trustees are...

4.

LIABILITY OF THE TRUSTEES

4.1 The Provisions relating to the liability of the Trustees are...

5.

DISPUTES

5.1 The provisions relating to disputes about matters related to the...

6.

POWER TO INSURE SECTION ASSETS

6.1 The provisions relating to the powers of the Trustees to...

7.

SECTION ACCOUNTS

7.1 The provisions relating to Section accounts are set out in...

8.

TRUSTEE REPORTS

8.1 The provisions relating to the preparation of trustees reports and...

9.

INTERIM SECTION ASSESSMENTS

- 9.1 If the Sponsoring Section Employer so requests, the Trustees may...
- 9.2 The Trustees shall make any such Interim Section Assessment available...
- 9.3 The costs associated with the preparation of such Interim Section...

10.

TREATMENT OF DEFICIENCY AND SURPLUS

- 10.1 If any actuarial investigation under Clause 12 reveals the existence...
- 10.2 (a) Subject as provided in paragraph (c) below, if any...
- 10.3 The disposal surplus or any balance which remains after carrying...
- 10.4 The Trustees shall also operate this Rule 10 if required...

11.

SCHEDULE OF CONTRIBUTIONS AND PAYMENT OF EXPENSES

- 11.1 The Actuary shall certify the sum or sums (inclusive of...
- 11.2 The Trustees shall maintain a schedule of contributions in accordance...
- 11.3 Each Employer shall pay the amounts required under Rule 11.1...
- 11.4 Each Employer may also, subject to the consent of the...
- 11.5 The Trustees shall pay all costs charges and expenses incurred...

12.

AUGMENTATION

- 12.1 If the Sponsoring Section Employer, or any other Employer with...

13.

INVESTMENT OF SECTION ASSETS

- 13.1 The Section Strategic Asset Allocation Committee (appointed in accordance with...

14.

POWER TO BORROW

- 14.1 The provisions relating to the Trustees' powers to borrow monies...

15.

SECTION AMENDMENTS

- 15.1 This Rule applies where a proposed amendment relates solely to...
- 15.2 The Sponsoring Section Employer with the consent of the Trustees...
- 15.3 The Trustees shall have the right subject, where required in...
- 15.4 Without prejudice to the powers of the Sponsoring Section Employer...
- 15.5 As soon as practicable after agreeing or deciding to amend...

16.

ADMISSION AND REMOVAL OF OTHER EMPLOYERS

- 16.1 The Sponsoring Section Employer shall have power with the consent...
- 16.2 The Sponsoring Section Employer shall have power with the consent...

17.

CHANGE OF SPONSORING SECTION EMPLOYER

- 17.1 (a) If legislation is passed for the reconstruction or reconstitution...
- 17.2 If it appears to the Sponsoring Section Employer that the...
- 17.3 If the Sponsoring Section Employer ceases to contribute to the...

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18.

EVENTS LEADING TO WINDING-UP OF THE CAA SECTION

- 18.1 Triggering events
- 18.2 Deferment of winding-up

19.

WINDING-UP OF THE CAA SECTION

- 19.1 Cessation of death benefits and of further accrual
- 19.2 Giving effect to winding-up
 - Return to Employers
 - Transfer of remainder of Section Assets
- 19.3 Transfer of remainder of Section Assets
 - Section A—Pensions Act 1995 Priorities
 - Section B—Other Priorities
- 19.4 Purchase of additional benefits
- 19.5 Methods of securing benefits

20.

PARTIAL WINDING-UP OF THE CAA SECTION

- 20.1 Employer ceasing to participate
- 20.2 Partial winding-up of the CAA Section
 - PART 2: — BENEFITS AND THE ADMINISTRATION OF BENEFITS**

21.

JOINING THE CAA SECTION

- 21.1 With effect on and from the Effective Date and subject...
- 21.2 Persons who become eligible to join the CAA Section on...
- 21.3 Discretionary entry
- 21.4 Restrictions on Membership
- 21.5 Notwithstanding Rules 21.1 to 21.4 above, for as long as...
- 21.6 Following the admission of a Controlling Director to membership of...

22.

FURNISHING OF PARTICULARS AND EVIDENCE

- 22.1 (a) A Member shall furnish evidence of health at such...
- 22.2 A Member and any other person (or the parent or...
- 22.3 Payment of any benefit under the CAA Section to any...
- 22.4 Any notice required to be given under the CAA Section...

23.

CONTRIBUTIONS TO THE CAA SECTION

- 23.1 Member's ordinary contributions
- 23.2 Employer's contributions
- 23.3 Members' voluntary contributions

- 23.4 Limit on Members' contributions
- 23.5 Cessation of Members' contributions
- 23.6 Return of surplus voluntary contributions
- 23.7 Suspending or reducing contributions
- 23.8 Members' Contribution Options

24.

AMOUNT OF MEMBERS' PENSIONS AT NORMAL PENSION DATE

- 24.1 Current Members
- 24.2 Members who have ceased to be Current Members
- 24.3 Increases in deferred pensions
- 25. AMOUNT OF DEATH BENEFITS
- 25.1 Lump sum
- 25.2 Pension
- 25.3 The Trustees shall have power at their absolute discretion to...
- 25.4 For the purposes of this Rule Relevant Pension means:

26.

DEATH BEFORE PAYMENT OF RETIREMENT BENEFIT

- 26.1 Lump sum
- 26.2 If a Member who has ceased to be a Current...
- 26.3 If a Member who has paid voluntary contributions to the...
- 26.4 Spouse's pension
- 26.5 Children's pensions
- 26.6 If a Member of the CAA Section dies before any...
- 26.7 Any pension payable under Rules 26.5 or 26.6 above shall...
- 26.8 Notwithstanding the previous provisions of this Rule, the Trustees may...
- 26.9 Dependants' pensions

27.

COMMENCEMENT OF MEMBER'S PENSION

- 27.1 At Normal Pension Date
- 27.2 Before Normal Pension Date
 - Incapacity
 - Payment of pensions under Rule 27.2
 - After Normal Pension Date
- 27.3 Service after Normal Pension Date
 - Postponement of deferred pensions

28.

DEATH AFTER PENSION STARTS

- 28.1 Lump sum
- 28.2 If a Member of the CAA Section who opted under...
- 28.3 Spouse's pension
- 28.4 Children's pension
- 28.5 If a Member of the CAA Section dies after a...
- 28.6 Any pension payable under Rules 28.4 or 28.5 shall be...

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- 28.7 Notwithstanding the previous provisions of this Rule the Trustees may...
- 28.8 Dependants' pensions

29.

CASH SUM IN LIEU OF PENSION

- 29.1 Commutation of trivial pensions
- 29.2 Tax free cash sum
- 29.3 Serious ill-health
- 29.4 General
- 29.5 A cash sum payable in respect of any person under...

30.

OPTIONAL SPOUSE'S OR DEPENDANT'S PENSION

- 30.1 Subject to the following provisions of this Rule, a Member...
- 30.2 Exercise of this option shall be by notice given in...
- 30.3 Except as above mentioned, the exercise of the option may...
- 30.4 The amount of pension surrendered by a Member under this...
- 30.5 The pension described in Rule 30.1 above shall, unless the...
- 30.6 The option described in Rule 30.1 above may be exercised...

31.

CEASING TO BE ELIGIBLE AND VOLUNTARY WITHDRAWAL

- 31.1 Ceasing to be eligible
- 31.2 Voluntary withdrawal

32.

MEMBERS WHO CEASE TO BE IN SERVICE

- 32.1 Refund of contributions
- 32.2 Deferred pension
- 32.3 Any pension to which a Member of the CAA Section...
- 32.4 Option for buy-out or transfer
- 32.5 Restriction on option
- 32.6 Separate periods of Pensionable Service

33.

PROVISION OF BENEFITS UNDER APPROVED POLICIES

- 33.1 Subject as hereinafter provided, upon receipt, before any benefits become...
- 33.2 In their application of this Rule 33 the Trustees shall...
- 33.3 The Trustees may at their discretion make arrangements as described...
- 33.4 Prior to the completion of arrangements made in accordance with...

34.

TRANSFERS FROM THE CAA SECTION

- 34.1 Subject to Rule 34.2 and to any undertaking given to...

- 34.2 Any payment made under this Rule shall be subject to...
- 34.3 At the written request of a Member to whom Rule...
- 34.4 Upon a payment being made under this Rule the Member...

35.

TRANSFERS TO THE CAA SECTION

- 35.1 Subject to Rule 35.2 below and to any undertaking given...
- 35.2 Before accepting any payment or transfer to the CAA Section...
- 35.3 Upon such acceptance as aforesaid the Trustees shall, subject to...
- 35.4 Such part, but only such part, of the assets so...
- 35.5 The Trustees shall not assume liability in respect of a...
- 35.6 In the event of the Member leaving Service in the...

36.

TEMPORARY ABSENCE FROM WORK

- 36.1 If a Current Member of the CAA Section is temporarily...
- 36.2 Rule 36.1 shall not apply in respect of any period...
- 36.3 Continuation or suspension of contributions
- 36.4 A person who is deemed to remain a Current Member...
Maternity leave
- 36.5 Paid Maternity Absence
Maternity leave after Paid Maternity Absence
- 36.6 Concurrent membership of sick pay scheme
- 36.7 Continuation of death benefits
- 36.8 Adjustment of remuneration
- 36.9 If at the expiry of the appropriate period specified in...

37.

APPLICATION OF DEATH BENEFITS

- 37.1 In respect of any benefit which is expressed to be...
- 37.2 If at the end of the period of two years...
- 37.3 In the case of a Member of the CAA Section...
- 37.4 In this Rule 37: Dependents means in respect of a...
- 37.5 Before making any payment in accordance with this Rule 37...

38.

PAYMENT OF PENSIONS

- 38.1 Payment of pensions
- 38.2 Subject always to Rule 39, the amount of each instalment...
- 38.3 A pension payable from the CAA Section to or in...
- 38.4 A pension payable from the CAA Section to or in...
- 38.5 Change in manner of payment and variable pension option
- 38.6 Method of payment of benefits

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39.

INCREASES IN PENSIONS IN PAYMENT

39. Pensions in course of payment from the CAA Section shall...

40.

MEMBER'S CATEGORY OPTION

40.1 All Members of the CAA Section shall be Class B...

40.2 A Class B Member who wishes to be treated for...

41.

NON-ASSIGNABILITY, FORFEITURE AND UNCLAIMED BENEFITS

41.1 No benefit provided from the CAA Section is capable of...

41.2 Any person who: (a) purports or attempts to assign, charge...

41.3 Where a benefit payable under the CAA Section to any...

41.4 Unclaimed benefits

42.

PAYMENTS TO MINORS AND PERSONS UNDER A DISABILITY

42. Notwithstanding anything contained to the contrary in the Trust Deed...

43.

TAXATION

43. Without prejudice to any express provision contained in the Trust...

44.

CESSATION OF EMPLOYERS' CONTRIBUTIONS

44. Any Employer may at any time without the agreement of...

45.

PART-TIME SERVICE

45. Notwithstanding any other provision of the CAA Section, the amount...

46.

SET OFF

46. If a Member is discharged from Service in the CAA...

47.

CONDITIONS APPLICABLE TO TEST PILOTS

47. Subject always to Appendices 4 and 5, the following modifications...

48.

ADJUSTMENT FOR FAMILY BENEFIT CONTRIBUTIONS

- 48.1 The amount of any lump sum death benefit payable from...
- 48.2 (a) Upon the cessation of Service of a Member to...

49.

OVERPAYMENT OF BENEFITS

- 49. In the event of any overpayment of benefits under the...

SCHEDULE 1 TO — S Category Members

APPENDIX 2

- S1 Applicability of Schedule
- S2 Interpretation of Schedule
- S3 Option to cease S category membership
- S4 Member's contributions
- S5 Amount of members' pensions at normal pension date
- S6 Amount of death benefits
- S7 Death before payment of retirement benefit
- S8 Commencement of member's pension
- S9 Death after commencement of pension
- S10 Cash sum in lieu of pension
- S11 Application of death benefits
- S12 Payment of Spouse's Pension and Variable Pension Option
- S13 Increases in pensions in payment
- S14 Repayments to members

SCHEDULE 2 TO — PENSION SHARING ON DIVORCE

APPENDIX 2

- 1. Application of schedule
- 2. Definitions
- 3.1 Options of ex-spouse participant in respect of pension credit
- 3.2 Pension
- 3.3 Trivial Pension Serious Ill-health and Dependant's Pension Option
- 3.4 Normal Commutation
- 3.5 Death before Pension starts
- 3.6 Death After Pension Starts
- 3.7 Transfer Out (Ex-Spouse Participant)
- 4. Ex-Spouse participant also member of the CAA section
- 5.1 Effect on Inland Revenue Limits
 - Maximum Pension
 - Maximum Lump Sum
 - Maximum Dependants Pension
 - Member also an Ex-Spouse Participant
- 6. Reduction in Members' benefits
- 7. Transfers in
- 8. Transfer Out (Member)
- 9. Non-Assignment/Forfeiture
- 10. Restriction of Contracted Out Benefits
- 11. Winding up
- 12. Charges

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APPENDIX 3— —
RULES OF THE NATS
SECTION
PART 1: — ADMINISTRATIVE PROVISIONS

1.

APPOINTMENT OF TRUSTEES

1. The provisions relating to the appointment, removal and resignation of...

2.

GENERAL POWERS OF THE TRUSTEES

2. The provisions relating to the general powers of the Trustees...

3.

PROCEEDINGS OF THE TRUSTEES

3. The provisions relating to the proceedings of the Trustees are...

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LIABILITY OF THE TRUSTEES

4. The provisions relating to the liability of the Trustees are...

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DISPUTES

5. The provisions relating to disputes about matters related to the...

6.

POWER TO INSURE SECTION ASSETS

6. The provisions relating to the powers of the Trustees to...

7.

SECTION ACCOUNTS

7. The provisions relating to Section accounts are set out in...

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TRUSTEE REPORTS

8. The provisions relating to the preparation of trustees reports and...

9.

INTERIM SECTION ASSESSMENTS

- 9.1 If the Sponsoring Section Employer so requests, the Trustees may...
- 9.2 The Trustees shall make any such Interim Section Assessment available...
- 9.3 The costs associated with the preparation of such Interim Section...

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- 10.1 If any actuarial investigation under Clause 12 reveals the existence...
- 10.2 (a) Subject as provided in paragraph (c) below, if any...
- 10.3 The disposable surplus or any balance which remains after carrying...
- 10.4 The Trustees shall also operate this Rule 10 if required...

11.

SCHEDULE OF CONTRIBUTIONS AND PAYMENT OF EXPENSES

- 11.1 The Actuary shall certify the sum or sums (inclusive of...
- 11.2 The Trustees shall maintain a schedule of contributions in accordance...
- 11.3 Each Employer shall pay the amounts required under Rule 11.1...
- 11.4 Each Employer may also, subject to the consent of the...
- 11.5 The Trustees shall pay all costs charges and expenses incurred...

12.

AUGMENTATION

- 12. If the Sponsoring Section Employer, or any other Employer with...

13.

INVESTMENT OF SECTION ASSETS

- 13. The Section Strategic Asset Allocation Committee (appointed in accordance with...

14.

POWER TO BORROW

- 14. The provisions relating to the Trustees' powers to borrow monies...

15.

SECTION AMENDMENTS

- 15.1 This Rule applies where a proposed amendment relates solely to...
- 15.2 The Sponsoring Section Employer with the consent of the Trustees...
- 15.3 The Trustees shall have the right subject, where required in...
- 15.4 As soon as practicable after agreeing or deciding to amend...

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ADMISSION AND REMOVAL OF OTHER EMPLOYERS

- 16.1 The Sponsoring Section Employer shall have power with the consent...
- 16.2 The Sponsoring Section Employer shall have power with the consent...

17.

CHANGE OF SPONSORING SECTION EMPLOYER

- 17.1 (a) If legislation is passed for the reconstruction or reconstitution...
- 17.2 If it appears to the Sponsoring Section Employer that the...
- 17.3 If the Sponsoring Section Employer ceases to contribute to the...

18.

EVENTS LEADING TO WINDING-UP OF THE NATS SECTION

- 18.1 Triggering events
- 18.2 Deferment of winding-up

19.

WINDING-UP OF THE NATS SECTION

- 19.1 Cessation of death benefits and of further accrual
- 19.2 Giving effect to winding-up
 - Return to Employers
 - Transfer of remainder of Section Assets

19.3

ORDER OF PRIORITY

- Section A—Pensions Act 1995 Priorities
- Section B—Other Priorities
- 19. Purchase of additional benefits
- 19.5 Methods of securing benefits

20.

PARTIAL WINDING-UP OF THE NATS SECTION

- 20.1 Employer ceasing to participate
- 20.2 Partial winding-up of the NATS Section
 - PART 2: — BENEFITS AND THE ADMINISTRATION OF BENEFITS

21.

JOINING THE NATS SECTION

- 21.1 With effect on and from the Effective Date and subject...
- 21.2 Persons who become eligible to join the NATS Section on...
- 21.3 In special circumstances, a person who has not otherwise become...
- 21.4 A person shall not be eligible to join the NATS...

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- 21.5 Notwithstanding Rules 21.1 to 21.4 above, for as long as...
- 21.6 Following the admission of a Controlling Director to membership of...

22.

FURNISHING OF PARTICULARS AND EVIDENCE

- 22.1 (a) A Member shall furnish evidence of health at such...
- 22.2 A Member and any other person (or the parent or...
- 22.3 Payment of any benefit under the NATS Section to any...
- 22.4 Any notice required to be given under the NATS Section...

23.

CONTRIBUTIONS TO THE NATS SECTION

- 23.1 Member's ordinary contributions
- 23.2 Employer's contributions
- 23. Members' voluntary contributions
- 23.4 Limit on Member's contributions
- 23.5 Cessation of Member's contributions
- 23.6 Return of surplus voluntary contributions
- 23.7 Suspending or reducing contributions
- 23.8 Members' Contribution Options

24.

AMOUNT OF MEMBERS' PENSIONS AT NORMAL PENSION DATE

- 24.1 Current Members
- 24.2 Members who have ceased to be Current Members
- 24.3 Increases in deferred pensions

25.

AMOUNT OF DEATH BENEFITS

- 25.1 Lump sum
- 25.2 Pension
- 25.3 The Trustees shall have power at their absolute discretion to...
- 25.4 For the purposes of this Rule Relevant Pension means:

26.

DEATH BEFORE PAYMENT OF RETIREMENT BENEFIT

- 26.1 Lump sum
- 26.2 If a Member who has ceased to be a Current...
- 26.3 If a Member who has paid voluntary contributions to the...
- 26.4 Spouse's pension
- 26.5 Children's pensions
- 26.6 If a Member of the NATS Section dies before any...
- 26.7 Any pension payable under Rules 26.5 or 26.6 above shall...
- 26.8 Notwithstanding the previous provisions of this Rule, the Trustees may...
- 26.9 Dependants' pensions

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27.

COMMENCEMENT OF MEMBER'S PENSION

- 27.1 **At Normal Pension Date**
- 27.2 Before Normal Pension Date
 - Incapacity
 - Payment of pensions under Rule 27.2
- After Normal Pension Date
- 27.3 Service after Normal Pension Date
 - Postponement of deferred pensions

28.

DEATH AFTER PENSION STARTS

- 28.1 Lump sum
- 28.2 If a Member of the NATS Section who opted under...
- 28.3 Spouse's pension
- 28.4 Children's pension
- 28.5 If a Member of the NATS Section dies after a...
- 28.6 Any pension payable under Rules 28.4 or 28.5 shall be...
- 28.7 Notwithstanding the previous provisions of this Rule the Trustees may...
- 28.8 Dependants' Pension

29.

CASH SUM IN LIEU OF PENSION

- 29.1 Commutation of trivial pensions
- 29.2 Tax free cash sum
- 29.3 Serious ill-health
- 29.4 General
- 29.5 A cash sum payable in respect of any person under...

30.

OPTIONAL SPOUSE'S OR DEPENDANT'S PENSION

- 30.1 Subject to the following provisions of this Rule, a Member...
- 30.2 Exercise of this option shall be by notice given in...
- 30.3 Except as above mentioned, the exercise of the option may...
- 30.4 The amount of pension surrendered by a Member under this...
- 30.5 The pension described in Rule 30.1 above shall, unless the...
- 30.6 The option described in Rule 30.1 above may be exercised...

31.

CEASING TO BE ELIGIBLE AND VOLUNTARY WITHDRAWAL

- 31.1 Ceasing to be eligible
- 31.2 Voluntary withdrawal

32.

MEMBERS WHO CEASE TO BE IN SERVICE

- 32.1 Refund of contributions
- 32.2 Deferred pension
- 32.3 Any pension to which a Member of the NATS Section...
- 32.4 Option for buy-out or transfer
- 32.5 Restriction on option
- 32.6 Separate periods of Pensionable Service

33.

PROVISION OF BENEFITS UNDER APPROVED POLICIES

- 33.1 Subject as hereinafter provided, upon receipt, before any benefits become...
- 33.2 In their application of this Rule 33 the Trustees shall...
- 33.3 The Trustees may at their discretion make arrangements as described...
- 33.4 Prior to the completion of arrangements made in accordance with...

34.

TRANSFERS FROM THE NATS SECTION

- 34.1 Subject to Rule 34.2 and to any undertaking given to...
- 34.2 Any payment made under this Rule shall be subject to...
- 34.3 At the written request of a Member to whom Rule...
- 34.4 Upon a payment being made under this Rule the Member...

35.

TRANSFERS TO THE NATS SECTION

- 35.1 Subject to Rule 35.2 below and to any undertaking given...
- 35.2 Before accepting any payment or transfer to the NATS Section...
- 35.3 Upon such acceptance as aforesaid the Trustees shall, subject to...
- 35.4 Such part, but only such part, of the assets so...
- 35.5 The Trustees shall not assume liability in respect of a...
- 35.6 In the event of the Member leaving Service in the...

36.

TEMPORARY ABSENCE FROM WORK

- 36.1 If a Current Member of the NATS Section is temporarily...
- 36.2 Rule 36.1 shall not apply in respect of any period...
- 36.3 Continuation or suspension of contributions
- 36.4 A person who is deemed to remain a Current Member...
Maternity leave
- 36.5 Paid Maternity Absence
Maternity leave after Paid Maternity Absence
- 36.6 Concurrent membership of sick pay scheme
- 36.7 Continuation of death benefits
- 36.8 Adjustment of remuneration
- 36.9 If at the expiry of the appropriate period specified in...

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37.

APPLICATION OF DEATH BENEFITS

- 37.1 In respect of any benefit which is expressed to be...
- 37.2 If at the end of the period of two years...
- 37.3 In the case of a Member of the NATS Section...
- 37.4 In this Rule 37: Dependants means in respect of a...
- 37.5 Before making any payment in accordance with this Rule 37...

38.

PAYMENT OF PENSIONS

- 38.1 Payment of pensions
- 38.2 Subject always to Rule 39 the amount of each instalment...
- 38.3 A pension payable from the NATS Section to or in...
- 38.4 A pension payable from the NATS Section to or in...
- 38.5 Change in manner of payment and variable pension option
- 38.6 Method of payment of benefits

39.

INCREASES IN PENSIONS IN PAYMENT

- 39.1 Pensions in course of payment from the NATS Section shall...

40.

MEMBER'S CATEGORY OPTION

- 40.1 All Members of the NATS Section shall be Class B...
- 40.2 A Class B Member who wishes to be treated for...
- 41. NON-ASSIGNABILITY, FORFEITURE AND UNCLAIMED BENEFITS
- 41.1 No benefit provided from the NATS Section is capable of...
- 41.2 Any person who: (a) purports or attempts to assign, charge...
- 41.3 Where a benefit payable under the NATS Section to any...
- 41. Unclaimed benefits

42.

PAYMENTS TO MINORS AND PERSONS UNDER A DISABILITY

- 42. Notwithstanding anything contained to the contrary in the Trust Deed...

43.

TAXATION

- 43. Without prejudice to any express provision contained in the Trust...

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44.

CESSATION OF EMPLOYERS' CONTRIBUTIONS

45.

PART-TIME SERVICE

45. Notwithstanding any other provision of the NATS Section, the amount...

46.

SET-OFF

46. If a Member is discharged from Service in the NATS...

47.

ADJUSTMENT FOR FAMILY BENEFIT CONTRIBUTIONS

47.1 The amount of any lump sum death benefit payable from...

47.2 (a) Upon the cessation of Service of a Member to...

48.

OVERPAYMENT OF BENEFITS

48. In the event of any overpayment of benefits under the...

SCHEDULE 1 TO — PENSION SHARING ON DIVORCE

APPENDIX 3

1. Application of Schedule
2. Definitions
- 3.1 Options of Ex-Spouse Participant in respect of Pension Credit
- 3.2 Pension
- 3.3 Trivial Pension Serious Ill-health and Dependant's Pension Option
- 3.4 Normal Commutation
- 3.5 Death before Pension starts
- 3.6 Death After Pension Starts
- 3.7 Transfer Out (Ex-Spouse Participant)
4. Ex-Spouse Participant also Member of the NATS Section
- 5.1 Effect of Inland Revenue Limits
 - Maximum Pension
 - Maximum Lump Sum
 - Maximum Dependants Pension
 - Member also an Ex-Spouse Participant
6. Reduction in Members Benefits
7. Transfers in
8. Transfer Out (Member)
9. Non-Assignment/Forfeiture
10. Restriction of Contracted Out Benefits
11. Winding Up
12. Charges

APPENDIX 4 — INLAND REVENUE LIMITS

1. Overriding rule

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- 2.1 Section A (Applicable to Class A Members)
- 2.2 Any pension (before the exercise of any options available under...
- 2.3 Notwithstanding paragraph 2.1 above, the pension which can be calculated...
- 3.1 Any lump sum retirement benefit payable to a Member from...
- 3.2 Any lump sum retirement benefit payable to a Member from...
- 3.3 Notwithstanding paragraph 3.1 above, the lump sum retirement benefit which...
4. In the case of a Member who is or who...
5. Any lump sum benefit (exclusive of any refund of the...
6. Any pension payable to any person from any Section on...
7. If a pension as described in paragraph 6 above is...
8. Any increase in a pension from the relevant Section after...
9. In this Section A of Appendix 4: Final Remuneration means...
- 10.1 Section B (Applicable to Class B Members)
- 10.2 Notwithstanding paragraph 10.1 above, the pension which can be calculated...
- 11.1 Any lump sum retirement benefit payable to a Member from...
- 11.2 Notwithstanding paragraph 11.1 above, the lump sum retirement benefit which...
12. In the case of a Member who is or who...
13. If a pension and/or lump sum retirement benefit becomes payable...
14. If a pension becomes payable after Normal Pension Date to...
15. Any pension payable to any person from the relevant Section...
16. If a pension as described in paragraph 15 above is...
17. Any increase in a pension from the relevant Section after...
18. Any lump sum benefit (exclusive of any refund of the...
19. In this Section B of this Appendix 4: Final Remuneration...

APPENDIX 5 — CONTRACTING-OUT

- 1.1 Section A: Reference Scheme Test
- 1.2 The words and expressions used in this Section of this...
- 1.3 In relation to any period of contracting-out employment on or...
- 1.4 In complying with paragraph 1.3 above, the Trustees must ensure,...
- 2.1 Section B: Guaranteed Minimum Pensions
- 2.2 The words and expressions used in this Section of this...
- 2.3 (a) If a Member has a guaranteed minimum in relation...
- 2.4 Any period or part of a period of a Member's...
- 2.5 If a Member ceases to be in a contracted-out employment...
- 2.6 Except as provided in sections 87 to 92 and 110...
- 2.7 (a) Payment of a Guaranteed Minimum Pension may be suspended...
- 2.8 The Guaranteed Minimum Pension and Spouse's Guaranteed Minimum Pension in...

APPENDIX 6 — METHOD FOR ALLOCATING THE ASSETS AND LIABILITIES OF THE SCHEME TO THE CAA SECTION AND THE NATS SECTION

1. Introduction
- 1.1 The calculations required to place an actuarial value on the...
- 1.2 Words and expressions in this Appendix (and the Schedule to...
2. The General Method of Calculation
- 2.1 The notional share of the assets of the Scheme attributable...
- 2.2 No calculation of liabilities in respect of HIAL Members at...

- 2.3 The assets of the Scheme which are attributable to additional...
- 2.4 The liabilities of the Scheme for and in respect of...
- 2.5 All of the calculation results will be rounded to an...
- 2.6 The membership of the Scheme (excluding HIAL Members) on the...
- 2.7 Under Clause 3.1 of this Deed, separate CAA and NATS...
3. Methods and Assumptions
- 3.1 The actuarial liabilities in respect of CAA Active Members and...
- 3.2 The actuarial liabilities in respect of Deferred Pensioners and Current...
- 3.3 Financial assumptions Return on investments Derived from yields on the...
- 3.4 Demographic assumptions Mortality before retirement Men and women: Standard table...
- 3.5 Procedural assumptions Commutation None. Age Age taken as age nearest...
- 3.6 The value of assets of the Scheme will be the...
- 3.7 No explicit allowance will be made for administration or investment...
- 3.8 The actuarial liabilities in respect of Members attributed to each...
- 3.9 The balance of the assets of the Scheme remaining after...
- 3.10 The calculations in paragraphs 3.8 and 3.9 of this Appendix...
- 3.11 As it will be impracticable to carry out a full...

SCHEDULE TO
APPENDIX 6

1. The derivation of the price inflation assumption is as follows:...
2. However, the above formula takes no account of a minimum...
3. Sample demographic rates (except for published tables) and a sample...
4. Enhanced early retirement terms are available to ATCOs as set...

SCHEDULE 2 — Deeds amending the trust deed of the Scheme

1. The supplemental deed dated 16th December 1999 and made between...
2. The supplemental deed dated 1st December 2000 and made between...
3. The supplemental deed dated 21st December 2000 and made between...

Explanatory Note