

1972 No. 1742

PENSIONS

**The Superannuation (Civil Service and Local Government)
Interchange (Amendment) Rules 1972**

Made - - - 15th November 1972

Laid before Parliament 24th November 1972

Coming into Operation 18th December 1972

The Minister for the Civil Service, the Secretary of State for the Environment and the Secretary of State for Scotland, in exercise of the powers conferred by section 2 of the Superannuation (Miscellaneous Provisions) Act 1948(a) (as amended by section 11(6) of the Superannuation (Miscellaneous Provisions) Act 1967(b) and paragraph 25 of Schedule 6 to the Superannuation Act 1972(c)) and by section 15 of the said Act of 1948 and now vested in them (d), and of all other powers enabling them in that behalf, hereby jointly make the following Rules:—

1. These Rules may be cited as the Superannuation (Civil Service and Local Government) Interchange (Amendment) Rules 1972, and shall come into operation on 18th December 1972.

2.—(1) In these Rules—

“established civil servant” means a person serving in an established capacity in the permanent civil service of the State within the meaning of section 98 of the Superannuation Act 1965(e);

“the principal Rules” means the Superannuation (Civil Service and Local Government) Interchange Rules 1968(f);

“unestablished pensionable civil servant” means a person to whom the principal civil service pension scheme within the meaning of section 2 of the Superannuation Act 1972 applies, but who is not an established civil servant.

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

3. The principal rules shall be amended as follows:—

(a) by inserting in Rule 2(1) after the definition of “the benefits regulations” the following definition:—

“ “civil servant”, in relation to any time before 1st June 1972, means a person serving in an established capacity in the permanent

(a) 1948 c. 33. (b) 1967 c. 28. (c) 1972 c. 11.
 (d) See S.I. 1951/753, 1900, 1968/1656, 1970/1681 (1951 I, pp. 1354, 1347; 1968 III, p. 4485; 1970 III, p. 5551).
 (e) 1965 c. 74. (f) S.I. 1968/72 (1968 I, p. 182). (g) 1889 c. 63.

civil service of the State within the meaning of section 98 of the Superannuation Act 1965, and, in relation to any time on or after that date, means a person to whom the principal civil service pension scheme within the meaning of section 2 of the Superannuation Act 1972 applies;"

(b) by substituting in Rule 2(1), for the definition of "the Superannuation Act", the following definition:—

“the Superannuation Act” means, in relation to any time before 25th March 1972, the Superannuation Act 1965, and, in relation to any time on or after that date, the principal civil service pension scheme within the meaning of section 2 of the Superannuation Act 1972;”

(c) by omitting from Rule 2(1) the words "civil servant" where they occur after the words "assigned to them by the Act".

4. The principal Rules shall apply to a person who, during the period beginning with 1st June 1972 and ending with the coming into operation of these Rules, became, or ceased to be, employed as an unestablished pensionable civil servant as they apply to a person who became, or ceased to be, employed as an established civil servant:

Provided that the local authority maintaining the superannuation fund to which he is a contributor, or was last a contributor, consent.

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

(L.S.)

Kenneth Baker,
Authorised by the Minister
for the Civil Service.

Geoffrey Rippon,
Secretary of State for
the Environment.

14th November 1972.

Gordon Campbell,
Secretary of State for Scotland.

9th November 1972.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules amend the Superannuation (Civil Service and Local Government) Interchange Rules 1968, which provide for the aggregation of service and a single superannuation award for persons who transfer from employment in the civil service to employment in local government or in the opposite direction. The amendments are consequent upon the replacement of the Superannuation Act 1965 by the principal civil service pension scheme made under section 1 of the Superannuation Act 1972.

Under the powers conferred by section 2(5) of the Superannuation (Miscellaneous Provisions) Act 1948, the 1968 Rules are applied to persons who became, or ceased to be, employed in the civil service between 1st June 1972 and the coming into operation of these Rules as pensionable civil servants under the principal civil service pension scheme, but not as established civil servants.

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