1971. No. 53 [C]

PENSIONS

The Federated Superannuation System for Universities (Pensions Increase) Regulations (Northern Ireland) 1971

REGULATIONS, DATED 19TH FEBRUARY 1971, MADE BY THE MINISTRY OF FINANCE UNDER SECTION 3(2)(*a*) OF THE PENSIONS (INCREASE) ACT (NORTHERN IRELAND) 1966, AS EXTENDED BY SECTION 1(5) OF, AND PARAGRAPH 6 OF SCHEDULE 2 TO, THE PENSIONS (INCREASE) ACT (NORTHERN IRELAND) 1969.

The Ministry of Finance (hereinafter referred to as "the Ministry"), in exercise of the powers conferred on it by section 3(2)(*a*) of the Pensions (Increase) Act (Northern Ireland) 1966(**a**), as extended by section 1(5) of, and paragraph 6 of Schedule 2 to, the Pensions (Increase) Act (Northern Ireland) 1969(**b**), and of all other powers enabling it in that behalf, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Federated Superannuation System for Universities (Pensions Increase) Regulations (Northern Ireland) 1971 and shall come into operation on 1st March 1971.

Interpretation

2. In these Regulations—

"accumulated contributions" means, in relation to any person, the total sum which would have accumulated at the date of his retirement if, in respect of each year of the period of his FSSU service and any uncompleted part of a year at the end of such period, a sum equal to fifteen per cent. of the annual rate of the salary to which he was entitled at the beginning of such year (or in the case of any such uncompleted part of a year, fifteen per cent. of the proportionate part of such annual rate) had been accumulated with compound interest at three per cent. per annum calculated with yearly rests from the beginning of such year or uncompleted part of a year as aforesaid until the date of his retirement:

Provided that where a person's period of FSSU service includes a period of service in respect of which a transfer value has been paid, and any such service was, for the purpose of calculating the amount of the transfer value, taken into account at a fraction of its actual length, then in respect of the service so taken into account the percentage of the annual rate of his salary to be used in calculating his accumulated contributions shall, instead of fifteen per cent., be the appropriate fraction of fifteen per cent.;

"adjusted rate", in relation to a person's notional annuity, means the aggregate of that annuity and the annual rate of any allowances for which he is eligible under the Regulations of 1965 and 1966, any fraction of a pound in that aggregate being treated as a whole pound;

(a) 1966. c. 5 (N.I.). (b) 1969. c. 5 (N.I.).

"civil servant" has the meaning assigned to it by section 91(2) of the Superannuation Act (Northern Ireland) 1967(**c**);

"the civil service" means the civil service of Northern Ireland;

"date of retirement" means, in relation to a person retiring from the civil service, the date of such retirement and, in relation to a person who retires from an employment which is approved employment within the meaning of section 40 of the Superannuation Act (Northern Ireland) 1967 and to whom Regulation 3(1)(*a*)(iv) applies, the date of his retirement from that employment;

"FSSU scheme" means a superannuation scheme operated under the Federated Superannuation System for Universities;

"government annuity tables" means, in relation to any time before 1st August 1962, the tables in force at that time under section 53 of the Government Annuities Act 1929(**d**) and in relation to any time on or after 1st August 1962, the tables in force under the said section 53 at the commencement of the Finance Act 1962(**e**) as varied by any Order of the Treasury in force at that time under section 33(4) of the Finance Act 1962;

"notional annuity" means—

(*a*) in the case of a person to whom neither Regulation 3(1)(*c*)(iii) nor 3(1)(*c*)(v) applies and whose superannuation benefits are provided by means of an insurance policy, the annuity (calculated in accordance with the guaranteed rates of the insurance company with whom the policy is taken out) which would have been payable to him if he had elected to take the benefits payable under the policy at the date of his retirement in the form of an annuity, and

(*b*) in the case of a person to whom neither Regulation 3(1)(*c*)(iii) nor 3(1)(*c*)(v) applies and whose superannuation benefits are provided not by means of an insurance policy but by means of the investment and accumulation of contributions, the annuity (calculated in accordance with the government annuity tables applicable at the date of his retirement) which would have been payable to him if he had elected to take the benefits payable to him at the date of his retirement in the form of an annuity, and

(*c*) in the case of a person to whom either Regulation 3(1)(*c*)(iii) or 3(1)(*c*)(v) applies, the annuity (calculated in accordance with the government annuity tables applicable at the date of his retirement) which a sum equal to his accumulated contributions would purchase for him at the date of his retirement:

Provided that in each case the annuity to be calculated as aforesaid shall be calculated only in respect of the person's period of FSSU service;

"period of FSSU service" means, in relation to any person, the period in respect of which, while he was employed in relevant employment, contributions were paid in his case under an FSSU scheme but does not include any period in respect of which the employer's contributions paid in his case have been refunded by him and for this purpose any contributions refunded by him shall be taken to be those employer's contributions which were last paid in his case before he ceased to be subject to an FSSU scheme; and the said expression includes, in relation to a person in respect of whom the following conditions are fulfilled: —

(**c**) 1967. c. 24 (N.I.).
(**d**) 19 & 20 Geo. 5. c. 29.
(**e**) 10 & 11 Eliz. 2. c. 44.

(*a*) that he has been employed in employment in which his service would, if he had continued to serve in that employment, have rendered him eligible for a pension specified in Schedule 1 to the Pensions (Increase) Act (Northern Ireland) 1969; and

(*b*) that a transfer value paid in respect of his service in that employment on his leaving that employment and entering other employment has been invested for his benefit under the Federated Superannuation System for Universities in the purchase of a policy of insurance on his life,

the period of service in respect of which that transfer value was paid;

"the Regulations of 1965" means the Federated Superannuation System for Universities (Pensions Increase) Regulations (Northern Ireland) 1965(**f**);

"the Regulations of 1966" means the Federated Superannuation System for Universities (Pensions Increase) Regulations (Northern Ireland) 1966(**g**);

"relevant employment" means any of the following kinds of employment:—

(*a*) employment in the civil service;

(*b*) employment by a university or university college in the United Kingdom or by a college of the University of Oxford or Cambridge;

(*c*) employment by any of the bodies specified in the Schedule;

"the Superannuation Acts" means the Superannuation Acts (Northern Ireland) 1967 and 1969.

Benefits corresponding to those of the Pensions (Increase) Act (Northern Ireland) 1969

3.—(1) This Regulation shall apply to any person who—

(*a*) either—

(i) retires from the civil service after attaining the age of sixty years, or

(ii) having retired from the civil service not earlier than the 11th August 1949 after attaining the age of fifty years, attains the age of sixty years without having again become employed in relevant employment, or

(iii) retires from the civil service on account of physical or mental infirmity, or

(iv) having been transferred with the consent of his department from employment in the civil service to employment which is approved employment within the meaning of section 40 of the Superannuation Act (Northern Ireland) 1967 and in which he is subject to an FSSU scheme (not being employment which is relevant employment), retires from the latter employment or from a subsequent employment which is approved employment within the meaning of the said section 40 and in which he is subject to an FSSU scheme (not being employment which is relevant employment) in such circumstances that he is eligible for a superannuation allowance, additional allowance or gratuity under the said section 40 or would be so eligible if he were a person to whom that section applies and, unless he retires on account of physical or mental infirmity, has before retirement attained or thereafter attains the age of sixty years; and

(**f**) S.R. & O. (N.I.) 1965, No. 219. (**g**) S.R. & O. (N.I.) 1966, No. 236.