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STATUTORY INSTRUMENTS

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**1999 No. 780**

**PARLIAMENT**

**The Parliamentary Pension Scheme (Additional Voluntary Contributions) (Amendment) Regulations 1999**

<i>Made</i>	- - - -	<i>12th March 1999</i>
<i>Laid before Parliament</i>		<i>12th March 1999</i>
<i>Coming into force</i>	- -	<i>2nd April 1999</i>

The Leader of the House of Commons, in exercise of the powers conferred on her by section 2(1), (3) and (4) of the Parliamentary and other Pensions Act 1987<sup>(1)</sup>, with the consent of the Minister for the Civil Service<sup>(2)</sup> and after consultation with the Trustees of the Parliamentary Contributory Pension Fund and with such persons as appeared to her to represent persons likely to be affected by the Regulations, hereby makes the following Regulations:—

**Title and commencement**

1. These Regulations may be cited as the Parliamentary Pension Scheme (Additional Voluntary Contributions) (Amendment) Regulations 1999 and shall come into force on 2nd April 1999.

**Interpretation**

2. In these Regulations—

“the AVC Regulations” means the Parliamentary Pension Scheme (Additional Voluntary Contributions) Regulations 1993<sup>(3)</sup>;

and other expressions shall have the same meaning as in the AVC Regulations.

**Class A contributor**

3. For the definition of “Class A contributor” in regulation 2(1) of the AVC Regulations, there shall be substituted—

““Class A contributor” means any contributor who joined the principal scheme on or after 1st June 1989 or any other contributor who has elected to become a Class A contributor (however termed) by giving notice in writing to the Trustees.”.

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(1) 1987 c. 45; section 2 was amended by the Ministerial and other Pensions and Salaries Act 1991 (c. 5), section 2.

(2) See article 3 of the Transfer of Functions (Treasury and Minister for the Civil Service) Order 1995 (S.I.1995/269).

(3) S.I. 1993/3252.

### **Contributions**

4. For regulation 5(2)(a) of the AVC Regulations, there shall be substituted—
- “(a) such amount determined by the Trustees on a basis acceptable to the Board of Inland Revenue as is likely to provide benefits equal to the limits set out in regulation 11;”.

### **Surplus monies**

5. For regulation 12 of the AVC Regulations, there shall be substituted—
- “12. The Trustees shall comply with the requirements of regulation 5 (restriction on discretion to approve other schemes) of the Retirement Benefits Schemes (Restriction on Discretion to Approve) (Additional Voluntary Contributions) Regulations 1993(4) and, where the AVC scheme is the leading scheme in relation to a contributor, with the requirements of regulation 6 (calculation of surplus funds) of those Regulations so far as they concern main schemes.”.

12th March 1999

*Rt hon Margaret Beckett*  
Leader of the House of Commons

I consent

12th March 1999

*Rt hon Dr Jack Cunningham*  
for the Minister for the Civil Service

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

These Regulations amend the Parliamentary Pension Scheme (Additional Voluntary Contributions) Regulations 1993.

Regulation 3 amends the definition of “Class A contributor” to provide for a person who became a member of the Parliamentary pension scheme before 1st June 1989, by giving notice in writing to the Trustees of the Parliamentary Contributory Pension Fund, to elect to be treated as if he had become a member of the scheme on or after that date.

Within overall Inland Revenue constraints, regulation 4 relaxes the limits on contributions to the AVC scheme.

Regulation 5 satisfies Inland Revenue requirements by requiring the Trustees to comply with regulations 5 and 6 of the Retirement Benefits Schemes (Restriction on Discretion to Approve) (Additional Voluntary Contributions) Regulations 1993 by maintaining records and providing information and by dealing with any surplus AVC funds.