
STATUTORY INSTRUMENTS

1966 No. 1629

**The Overseas Service Pensions
(Scheme and Fund) Regulations 1966**

PART III

CONTRIBUTIONS

Contributors

12.—(1) Any person from the United Kingdom or the Republic of Ireland employed in an overseas territory in public or social service under or by such authority or body corporate established in that territory or an authority or body corporate so established of such a class as the Minister shall from time to time direct (hereinafter referred to as “overseas service”) may apply to the Minister to participate in the Scheme. The Minister may require to be satisfied as to the health of the applicant. If the Minister approves the application the applicant shall become a contributor to the Fund with effect from the date of commencement of these Regulations or the date on which his current tour of overseas service began, whichever is the later.

(2) Any person appointed, or any person not being a contributor reappointed, to overseas service after the date of commencement of these Regulations who did not become a contributor on such appointment or re-appointment may apply to the Minister to participate in the Scheme at any time after such appointment or re-appointment and if the Minister is satisfied as to the health of the applicant and approves the application such person shall become a contributor to the Scheme with effect from—

- (a) the date on which his current tour began, or
- (b) the date of his application,

whichever the person notifies to the Crown Agents.

(3) No person shall be eligible to apply to participate in the Scheme if he has attained an age which is within five years of the pension age applicable to him.

(4) Overseas service for the purpose of these Regulations shall be deemed to include periods of earned leave in respect of contributory service overseas.

Normal rates of contributions

13. Subject as hereinafter provided normal contributions shall be at the rates specified in Schedule 1, Table A, and shall be paid, in respect of any period of overseas service, monthly from the date on which the person becomes a contributor to the Scheme until the date on which his overseas service terminates or until the termination of such further period during which the contributor is permitted to contribute under regulation 15(1):

Provided that no contributions shall be paid by or in respect of a contributor after he attains the pension age.

Special rates of contributions

14.—(1) Where a contributor has elected to have regulation 24 applied to him contributions shall be paid monthly at the rate specified in Schedule 2, Table A, in lieu of those specified in Schedule 1, Table A.

(2) Where a contributor to whom regulation 13 or paragraph (1) of this regulation applies has elected to have regulation 29(4) applied to him, contributions shall be paid monthly at the rate specified in Table B of Schedule 1 or Table B of Schedule 2, as the case may be.

Contributions after leaving Overseas Service

15.—(1) Where a contributor who has not attained the pension age leaves overseas service, he may, if he so elects within three months after the termination of such service and subject to the discretion of the Minister, continue to contribute at his own expense to the Scheme for a further period ending on—

- (a) the date of expiry of five years from his leaving overseas service, or
- (b) the date on which he attains the pension age, or
- (c) the date of his re-appointment to overseas service,

whichever is the earliest.

(2) Contributions payable under this regulation shall be related to the salary last taken for the purposes of contributions payable during his overseas service.

Contributions to be continuous

16. Contributions shall continue to be payable whether the contributor is in receipt of full or part salary and shall in either case be based on the salary last taken for the purposes of contributions to the Fund. No contributions shall be payable in respect of any period of overseas service in respect of which no salary is payable to a contributor.

Repayment of contributions on withdrawal from the Scheme

17.—(1) Where a contributor leaves overseas service before attaining the pension age (otherwise than on medical grounds), he may elect at any time thereafter to receive a refund of the contributions which he has paid to the Scheme.

(2) If a contributor elects to receive a refund of contributions under these Regulations he shall cease to rank for benefit under the Scheme as from the date of the receipt of his election.

(3) Where a contributor is dismissed from overseas service whether before or after attaining the pension age, he shall not be entitled at any time thereafter to receive a fund of the contributions which he has paid to the Scheme, or any part thereof, unless the Minister so directs.

Part return of contributions

18.—(1) Where a male contributor is granted a pension under regulations 23, 24 or 26 and—

- (a) has been a bachelor throughout the period for which the Scheme has applied to him; or
- (b) he has no wife or children when the aforesaid pension is granted,

the whole of the contributions paid by him which on the advice of the Government Actuary were attributable to the provision of pensions under regulation 28 shall be returned to him:

Provided that if the contributor had had a wife or children during the period the Scheme applied to him no refund shall be made in respect of any period prior to the date on which he last had such a wife or children.

(2) Where a female contributor is granted a pension under regulations 23, 24 or 26 the whole of the contributions paid by her which on the advice of the Government Actuary were attributable to the provision of pensions under regulation 28 shall be returned to her.

Return of contributions where ineligible for pension

19. If a contributor who has ceased to contribute to the Scheme and has not elected to receive a refund of contributions under regulation 17 attains the pension age and is not eligible for the grant of a pension under the Scheme or not having completed five years contributory service dies before that age, there shall be refunded to him or to his personal representatives the whole of the contributions paid by him to the Scheme.

Interest on contributions repaid

20. Where contributions are repaid under regulations 17, 18 or 19, compound interest shall be added thereto at the rate of three per centum per annum with yearly rests and shall be calculated in the case of each contribution from the 1st January in the year following the year in which that contribution was paid to the end of the period of contributory service.

Payment of contributions by the Minister

21. Notwithstanding anything contained in these Regulations—

- (a) the whole of the contributions at the rates specified in Schedule 1, Table A, payable to the Scheme by a member of the Corps of Specialists; and
- (b) such part of the contributions payable to the Scheme by persons employed by the Minister on technical assistance terms as may be approved by the Treasury,

shall be payable by the Minister:

Provided that—

- (a) this regulation shall not apply to contributions payable under regulation 15 (contributions after leaving overseas service); and
- (b) where a member of the Corps of Specialists elects to have regulation 24 or paragraph (4) of regulation 29 or both such regulation and such paragraph applied to him, he shall himself pay the difference between the rates of contributions specified in Schedule 1, Table A, and the rates of contributions specified in Schedule 1, Table B, Schedule 2, Table A, or Schedule 2, Table B, as the case may be.

Avoidance of doubt

22. For avoidance of doubt it is hereby declared that in regulations 17, 18, 19 and 32 references to contributions paid by a contributor do not include references to contributions paid wholly or partly by the Minister in pursuance of regulation 21.