
STATUTORY INSTRUMENTS

1966 No. 1629

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

PART V

MISCELLANEOUS

Collection of contributions

35.—(1) Each contributor shall be responsible for payment to the Crown Agents of contributions payable by him under the provisions of these Regulations:

Provided that contributions may be collected by the Ministry of Overseas Development from the emoluments of participants in the employment of the Ministry and such contributions shall be transmitted to the Crown Agents.

(2) Any contributor whose contributions to the Scheme are in default for more than six months may be declared by the Minister to have withdrawn from the Scheme and shall thereupon cease to be a participant:

Provided that where a person, other than a member of the Corps of Specialists or a person employed by the Minister on technical assistance terms, so ceases to be a participant the whole of the contributions paid by him to the Scheme shall be returned to him without interest.

Elections

36. Subject to the provisions of these Regulations, any election required or authorised to be made shall—

- (a) be made in writing and sent by post to the Crown Agents, and
- (b) be irrevocable.

Income tax deductions from repaid contributions

37. Where the Crown Agents are liable for income tax under the legislation of any country or territory other than the United Kingdom in respect of any contributions (with any allowance of interest) returned to contributors during their lifetime, the Crown Agents shall be entitled to deduct from any such sum to be returned an amount not exceeding any income tax in respect thereof for which they become so liable:

Provided that the amount of tax to be deducted shall not be such that it reduces the amount to be refunded to the contributor to an amount less than the amount of his contributions to the Fund.

Payment of pensions

38. Every pension and other sum payable under these Regulations shall, unless it consists of a single payment, be paid monthly or, at the option of the contributor, quarterly, in arrears with proportionate payment on death or other terminating event.

Payment in respect of deceased contributors

39. On the death of a contributor to whom or to whose estate any sum not exceeding £500 is due under these Regulations the Minister may, without probate or other proof of title, authorise payment of the said sum to the persons appearing to the Crown Agents to be beneficially entitled to the personal estate of the deceased, or, as the Crown Agents think fit, to one or more of those persons, or authorise its distribution among all or any of those persons in such proportions as the Crown Agents may determine.

Payment in respect of minors and infirm persons

40. If a person to or in respect of whom a pension or other sum is payable under these Regulations is a minor, or, in the opinion of the Crown Agents, is incapable by reason of infirmity of mind or body of managing his affairs, the Minister may direct that the pension or other sum be paid to any person having the care of that person, and, in so far as such pension or other sum is not so paid, it may be applied in such manner as the Minister thinks fit for the benefit of the person to or in respect of whom the pension or other sum is payable or his dependants.

Benefits not assignable

41. A pension, gratuity, or other benefit granted under these Regulations shall not be assignable or transferable.

Provision of information

42. Every contributor affected by these Regulations or, if he is dead, his personal representatives, and every person by or in respect of whom any benefit or payment is claimed under these Regulations, shall give such information and produce such documents to the Crown Agents as they may require for the purposes of their functions under these Regulations.

Determination of questions

43. Any question arising under these Regulations as to any election or nomination, or as to the liability to pay and the amount of any contributions, or as to the entitlement to receive and the amount of any benefit or payment, or as to any other matter, shall be decided by the Minister and his decision thereon shall be final.