



# **CIVIL SERVICE ADDITIONAL VOLUNTARY CONTRIBUTION SCHEME (AMENDMENT) SCHEME 2018**

Laid before Parliament on 31 October 2018 pursuant to sections 1 and 2 of the Superannuation Act 1972



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## **CIVIL SERVICE ADDITIONAL VOLUNTARY CONTRIBUTION SCHEME (AMENDMENT) SCHEME 2018**

The Minister for the Civil Service makes this Scheme in exercise of the powers conferred by sections 1, 2(2), 2(4)(a) and 2(9) of the Superannuation Act 1972<sup>(a)</sup> and now vested in the Minister<sup>(b)</sup>.

In accordance with section 1 of that Act, the Minister has consulted the representatives of such persons as appear to the Minister likely to be affected by the Scheme.

### **Citation and Commencement**

1.-(1) This scheme may be cited as the Civil Service Additional Voluntary Contribution Scheme (Amendment) Scheme 2018.

(2) This scheme—

(a) comes into operation on 31st October 2018; and

(b) has effect from 1st September 2018.

### **Amendments to the Civil Service Additional Voluntary Contribution Scheme 1988**

2. The Civil Service Additional Voluntary Contribution Scheme 1988 is amended as set out in the schedule to this Scheme.

**Authorised on behalf of  
the Minister for the Civil Service**



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<sup>(a)</sup> 1972 c.11.

<sup>(b)</sup> See article 2(1)(c) of S.I. 1981/1670 and article 3 of S.I. 1995/269.

## SCHEDULE

### Rules of the Civil Service AVC Scheme

#### Amendment of Rule 1 and New Rule 2A

**1.(1)-** In Rule 1 (Definitions), in the definition of “Pensionable Service”, after “means” insert “, subject to Rule 2A.”.

**(2)-** After Rule 2, insert—

**“2A Pensionable Service in this Scheme after 31st December 2018**

(1) After 31st December 2018 no person is in, or is eligible to be in, Pensionable Service in this Scheme unless the person is a continuing member.

(2) A person who ceases to be a Member or a continuing member ceases to be, or to be eligible to be, in Pensionable Service in this Scheme.

(3) In this Rule, “continuing member” means a person —

(i) who holds protected life cover arrangements with Equitable Life or where that Member’s Scheme Assets are applied in whole or in part to the Equitable Life with profits fund;

(ii) whose Scheme Assets are applied in whole or in part to a Scottish Widows or Standard Life with profits fund; or

(iii) who was a Member of this Scheme on 31st August 2018 and who notified the Minister before 31st December 2018 that they wish to continue as a Member of this Scheme.”.

#### Amendment of Rule 3

**2.(1)-** In Rule 3.1 (Payment of contributions and switching), after “Declaration of this Scheme” insert “and Rule 3.2”.

**(2)** After Rule 3.1, insert—

**“3.2 Contributions after 31st August 2018**

(1) After 31st August 2018 no person who is not a reserved member may make contributions to the Scheme.

(2) In this Rule, “reserved member” means a person who holds protected life cover arrangements with Equitable Life or where that Member’s Scheme Assets have been applied in whole or in part to the Equitable Life with profits fund.”.

#### Amendment of Rule 4

**3.** After Rule 4.7 (Leaving the scheme), insert—

**“4.8 Transfer of Member's accrued rights without consent**

(1) This Rule applies if the rights of one or more Members (“the transferred members”) are transferred to another occupational pension scheme from this Scheme without their consent in accordance with section 73(2)(a)(i) and (4)(b)

(form of short service benefit and its alternatives) of the Pension Schemes Act 1993.

(2) The transfer payment to be made in respect of the rights of the transferred members is an amount that the Minister determines to be appropriate.

(3) This Scheme has effect with any modifications the Minister considers necessary in consequence of the transfer.”.

#### **EXPLANATORY NOTE**

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

The schedule to this Scheme amends the rules of the Civil Service Additional Voluntary Contribution Scheme.

Paragraph 1 provides that no person other than a ‘continuing member’ may be in pensionable service under this Scheme after 31st December 2018. A continuing member is defined as a Member whose Scheme Assets have been applied in whole or in part to particular Equitable Life, Scottish Widows or Standard Life investment funds or who has notified the Minister that their Scheme Assets should remain in this Scheme.

Paragraph 2 provides that no person other than a ‘reserved member’ may make further contributions to this Scheme. A reserved member is defined as a Member whose Scheme Assets have been applied in whole or in part to particular Equitable Life investment funds.

Paragraph 3 enables the Minister to transfer a Member’s short service benefit to which they are entitled under this Scheme to another occupational pension scheme without their consent.

In accordance with section 1 of the Superannuation Act 1972, the Minister has consulted with persons appearing to the Minister to represent persons likely to be affected by this amendment scheme.

The amendments take effect from 1 September 2018. Retrospective amendment is permitted by s2(4) of the Superannuation Act 1972.