



Cabinet Office

The Civil Service Injury Benefits Scheme (Amendment) Scheme 2019

Laid before Parliament on 18th July 2019 pursuant to sections 1
and 2 of the Superannuation Act 1972

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CIVIL SERVICE INJURY BENEFITS SCHEME (AMENDMENT) SCHEME 2019

The Minister for the Civil Service makes this Scheme in exercise of the powers conferred by sections 1, 2(2), 2(3), 2(4)(a) and 2(9) of the Superannuation Act 1972^(a) and now vested in the Minister^(b).

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 this Scheme

In accordance with section 2(3) of the Act, the persons consulted have agreed to the inclusion of the provisions of this Scheme.

Citation and Commencement

1.-(1) This Scheme may be cited as the Civil Service Injury Benefit Scheme (Amendment) Scheme 2019.

(2) This Scheme shall come into operation on 18th July 2019.

(3) Paragraph 1 of the Schedule shall have effect from 1st September 2018.

(4) Paragraph 2 of the Schedule shall have effect from 27th October 2008.

Amendments to the Civil Service Injury Benefit Scheme 2002

2. The Civil Service Injury Benefit Scheme 2002 is amended as set out in the Schedule to this Scheme.

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

^(a) 1972 c.11.

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

SCHEDULE

Introduction

Amendment of rule 1

1. In rule 1(i), for the definition of “partnership pension account” substitute—

““partnership pension account” has the meaning given in regulation 2 of the Public Service (Civil Servants and Others) Pensions Regulations 2014.”.

Part 1

Amendment of rule 1.8

2. In rule 1.8, for paragraph (iii), substitute—

“(iii) the annuity value or the annual value, as appropriate, of any rights which have accrued or probably will accrue from the injury by way of—

- (a) industrial disablement benefit;
- (b) sickness benefit;
- (c) invalidity pension;
- (d) incapacity benefit;
- (e) employment and support allowance; or
- (f) any other benefit, or proportion thereof, paid from public funds,

except that no account will be taken of—

- (a) any increase of the disablement pension payable under section 104 of the Social Security Contributions and Benefits Act 1992 (increase of a disablement pension where constant attendance is needed) or under section 105 of the Social Security Contributions and Benefits Act 1992 (increase of disablement pension in cases of exceptionally severe disablement); and
- (b) so much of an unemployability supplement as represents an increase payable under paragraph 3 of Schedule 7 to the Social Security Contributions and Benefits Act 1992 (early onset of incapacity for work).”.

EXPLANATORY NOTE

(This note is not part of the Scheme)

The Schedule to this Scheme amends the rules of the Civil Service Injury Benefit Scheme (“CSIBS”).

The amendment to rule 1 updates the definition of 'partnership pension account' to reflect the changed governance structure of that scheme.

The amendment to rule 1.8 clarifies the benefits to be taken into account when calculating the amount of benefit payable under the CSIBS.

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

The amendment to rule 1 takes effect from 1 September 2018 when the changes to the partnership pension account took effect. The amendment to rule 1.8 takes effect from 27 October 2008, the date when Employment and Support Allowance was introduced.

Retrospective amendment is permitted by section 2(4) of the Act 1972 and in accordance with section 2(3) the persons consulted in accordance with section 1 of the Act have agreed to the inclusion of the provisions.