

**DRAFT PUBLIC EMPLOYEES (CONTRIBUTORY  
RETIREMENT SCHEME) (TRANSITIONAL PROVISIONS)  
(No. 2) (JERSEY) REGULATIONS, 1988.**

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**Lodged au Greffe on 23rd February, 1988  
by the Establishment Committee.**

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**STATES OF JERSEY**

**STATES GREFFE**

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**Report.**

The Public Employees (Contributory Retirement Scheme) (Transitional Provisions) (Jersey) Regulations, 1987 provided that members of the Scheme who retired between 3rd December, 1986 (the date after agreement was reached with the staff groups) and before 1st January, 1988 (when the new arrangements were due to come into force) should have the benefit of three specified improvements in benefits. The Transitional Provisions Regulations do not extend to members of the Scheme who retired on or after 1st January, 1988.

It has not proved possible to bring before the States the new Regulations which would give effect to the proposals for the modification of the Scheme. These Transitional Provisions Regulations will provide for the three specified improvements in benefits to be available to those members of the Scheme who retire between 1st January and 30th April, 1988 and who might otherwise suffer because of the delay.

**Explanatory Note.**

The purpose of these Regulations is, effectively, to continue, for a further four months, arrangements made by the Public Employees (Contributory Retirement Scheme) (Transitional Provisions) (Jersey) Regulations, 1987, as amended.

**Public Employees (Retirement) (Jersey) Law, 1967.**

**PUBLIC EMPLOYEES (CONTRIBUTORY RETIREMENT  
SCHEME) (TRANSITIONAL PROVISIONS) (No. 2)  
(JERSEY) REGULATIONS, 1988.**

*(Promulgated on the day of , 1988.)*

**STATES OF JERSEY.**

The day of , 1988.

**WHEREAS** there is in existence a Scheme to provide pensions for certain public employees;

**WHEREAS** the States intend to amend that Scheme by the introduction of new provisions;

**WHEREAS** those provisions have not yet been brought into force;

**WHEREAS** the States deemed it desirable that some of those amendments should have effect as from the third day of December, 1986, being the day after the date on which agreement on those amendments was reached between representatives of the States and the employees and, to that end, made the Public Employees (Contributory Retirement Scheme) (Transitional Provisions) (Jersey) Regulations, 1987<sup>1</sup> ;

**WHEREAS** those Regulations ceased to have effect after the thirty-first day of December 1987;

**WHEREAS** it is further desirable that the said amendments should continue to have effect;

**NOW THEREFORE THE STATES**, in pursuance of Article 2 of the Public Employees (Retirement) (Jersey) Law, 1967,<sup>2</sup> have made the following Regulations -

1.-(1) These Regulations shall be construed as one with the Public Employees (Contributory Retirement Scheme) (Jersey) Regulations, 1967, as amended,<sup>3</sup> (hereinafter referred to as "the principal Regulations").

(2) In these Regulations -

"the effective date" means the date of the coming into force of these Regulations;

"member" means a contributory member who was an employee of the States before 1st January, 1988 and who continued to be so employed after that date.

2. Where a member becomes entitled to receive a retirement pension on or after the effective date but before 30th April, 1988, he may elect, in accordance with the provisions of Regulation 7 of these Regulations, that these Regulations shall apply to him.

3. Where a member became entitled to receive a retirement pension on or after 1st January, 1988, but before the effective date, he may elect that these Regulations shall apply to him and, in such case, the Committee shall apply these Regulations to him as from the date on which he became so entitled in accordance with such advice as the actuary shall specify as appropriate to the particular case.

2 Recueil des Lois, Volume 1966-1967, page 528.

3 Nos. 5010 and 7225.

4. Where a member became entitled to receive a retirement pension on or after 1st January, 1988 but died before the effective date or within one month thereafter without having made an election under these Regulations, he shall be deemed to have made such an election if, in accordance with advice which the Committee shall obtain from the actuary, it would be in the interests of the member's family or estate.

5. A member who dies in service before 30th April, 1988 shall be deemed to have made an election under these Regulations, if, in accordance with advice which the Committee shall obtain from the actuary, it would be in the interests of the member's family or estate.

6. Where a member has made an election, or is deemed to have made an election, under these Regulations these Regulations shall apply to him until 30th April, 1988.

7. An election made under these Regulations shall be made -

- (a) on a form provided for that purpose by the Committee;
- (b) within one month next following the effective date in respect of members to whom a retirement pension was payable between 1st January, 1988 and the effective date;
- (c) before the date of retirement in respect of all other members.

8.-(1) In respect of any member to whom these Regulations apply, the principal Regulations shall be amended, in paragraph (1) of Regulation 1, by deleting in the definition of "average salary" the words "average of the annual", and by substituting for the words "three years" the words "best successive 365 days in the three years".

(2) In respect of any member to whom these Regulations apply and who dies before 30th April, 1988, the principal Regulations shall be amended by substituting, in sub-paragraph (a) of paragraph (1) of Regulation 7, for the word "ten" the word "five".

(3) In any case where a member to whom these Regulations apply becomes entitled to receive a retirement pension, he may exchange up to a maximum of one-quarter of the annual amount of his annual pension for a lump sum payment, in which case for each one pound of the pension the sum of nine pounds shall be payable.

9. These Regulations may be cited as the Public Employees (Contributory Retirement Scheme) (Transitional Provisions) (No. 2) (Jersey) Regulations, 1988 and shall come into force forthwith on promulgation.