

In order for the Board of Governors to be able to safeguard the continued payment of the pension enhancement for those staff awarded early retirement with pension enhancement from 1 May 1995, the Board have made the Regulations under noted under the power given to the Board by Article 40(1) of Part V of The Edinburgh College of Art (Scotland) Order of Council 1995, namely:

1 ESTABLISHMENT OF FUND

That funds to the initial value of £275,000 being part of the capital monies under the management of the Board together with all interest or other income accruing thereon be regarded as allocated for the specific purpose of paying for the pension enhancement for those staff awarded early retirement with pension enhancement from and after 1 May, 1995 and that such funds so allocated shall be subject to the following detailed regulations which shall each be regulations under Article 40(1) of The Edinburgh College of Art (Scotland) Order of Council 1995 and which shall not be capable of amendment or alteration other than as provided in the said Article 40(1) namely:

2 NAME OF THE FUND

The Fund shall be know as the 'Staff Pensions Enhancement Fund' (hereinafter referred to as 'the Fund').

3 ADMINISTRATION OF THE FUND

The Fund shall be administered on behalf of the Board of Governors by its Finance and General Purposes Committee.

4 POWERS AND DUTIES OF THE COMMITTEE IN RELATION TO THE STAFF PENSIONS ENHANCEMENT FUND

4.1 The Committee shall administer the said sum of £275,000 on behalf of the Board of Governors together with all sums of money which may subsequently be provided by the Board, or by others, for the sole purposes stated hereafter, namely:-

i) for the payment of such audit, legal, consultancy, actuarial valuation, and investment management fees, commissions and expenses as shall be incurred in administering the scheme.

ii) for the payment of the monthly sums awarded by the Board of Governors to any person or to the widow or widower of any person who has been an employee of the Edinburgh College of Art and to whom the Board of Governors has granted early retirement with enhancement of pension rights.

i. for the payment of the lump sums awarded by the Board of Governors to any person who has been an employee of the

Edinburgh College of Art and to whom the Board of Governors has granted early retirement with enhancement of pension rights.

4.2 The Committee shall have, in relation to the Fund, the full powers of the Board of Governors as regards the investment, sale, realisation, re-investment and administration of the Fund.

4.3 The Committee shall arrange for an actuarial valuation of the pensions to be safeguarded by the Fund at periodic intervals by an independent firm of Actuaries.

4.4 The Committee shall make arrangements to monitor the investment performance of the investment managers or stockbrokers appointed to manage the invested funds at regular intervals.

4.5 The Committee shall annually review the College's financial standing in the light of its audited financial statement to determine whether to vary the invested capital of the Fund or the provision made in the College's balance sheet.

4.6 The Committee shall consider and advise the Board of Governors as to the affordability of any proposals by the College management for the early retirement of any staff with enhancement of pension, whether the funding of such proposals is assisted by external bodies such as the Scottish Higher Education Funding Council or whether it is met entirely from the College's own funds.

4.7 The Committee shall arrange for the annual audit of the Fund as part of the audit of the other monies and assets of the Board of Governors by the College's external auditors.

4.8 The Committee shall provide an annual report on the status of the Fund to the Board of Governors.

5 PROHIBITION

The Fund, i.e. the invested capital and income may not be used for any purpose other than that specified in 4.1 (i), (ii) and (iii) above without amendment to and affirmation of such amendment in the manner as specified by The Edinburgh College of Art (Scotland) Order of Council 1995, Part V, article 40.

1 July 1996 (Affirmed)