
STATUTORY INSTRUMENTS

1976 No. 348

PENSIONS

The Pensions Increase (Parliamentary Pensions) (Amendment) Regulations 1976

<i>Made</i>	- - - -	<i>4th March 1976</i>
<i>Laid before Parliament</i>		<i>12th March 1976</i>
<i>Coming into Operation</i>		<i>4th April 1976</i>

The Minister for the Civil Service, in exercise of the powers conferred on him by section 5(3) of the Pensions (Increase) Act 1971 and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

1. These Regulations may be cited as the Pensions Increase (Parliamentary Pensions) (Amendment) Regulations 1976, and shall come into operation on 4th April 1976.

2.—(1) In these Regulations—

“the 1972 Act” means the Parliamentary and other Pensions Act 1972;

“the 1973 Regulations” means the Pensions Increase (Parliamentary Pensions) Regulations 1973(1).

(2) The Interpretation Act 1889 shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

3. The 1973 Regulations shall be amended as follows:—

(a) In Regulation 7 (which provides for pensions beginning on or after 2nd January 1973 to be treated for pensions increase purposes as having begun on 1st January 1973), after the words “2nd January 1973”, there shall be inserted the words “but before 13th June 1975”.

(b) After Regulation 7 there shall be added the following Regulation:—

“8.—(1) where a pension under Part I of the 1972 Act is calculated by reference to a terminal salary which, by virtue of section 7(5) of the 1972 Act, includes the salary for a period before 13th June 1975, the pension (hereafter in this Regulation referred to as “the total pension”) shall be treated for the purposes of the Pensions (Increase) Act 1971 as being divided into two pensions:—

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- (a) a pension (hereafter in this Regulation referred to as “the earlier pension”) at an annual rate equal to so much of the annual rate of the total pension as is based on the salary for a period before 13th June 1975, and
 - (b) a pension at an annual rate equal to so much of the annual rate of the total pension as is based on the salary for a period after 12th June 1975.
- (2) The earlier pension shall, for the purposes of the Pensions (Increase) Act 1971 and any Order under section 2 of that Act, be treated as beginning on 1st January 1973.”.

Given under the official seal of the Minister for the Civil Service on 4th March 1976.

C.R. Morris
Minister of State
Civil Service Department

EXPLANATORY NOTE

Regulation 7 of the Pensions Increase (Parliamentary Pensions) Regulations 1973 provides that pensions of former Members of Parliament which begin on or after 2nd January 1973 are to be treated for pensions increase purposes as having begun on 1st January 1973. These Regulations amend the 1973 Regulations by restricting the application of Regulation 7 to pensions beginning before 13th June 1975, being the date on and after which a Member's ordinary salary for pensions purposes is intended to be regarded as being at the rate of £8,000 a year notwithstanding that payment at that rate is not actually made.

These Regulations also amend the 1973 Regulations by adding to those Regulations a new Regulation 8 which provides that, in the case of Members who retire after 12th June 1975 with pensions based partly on salary before 13th June 1975 and partly on a later salary, that part of the pension attributable to the earlier salary will be treated for pensions increase purposes as having begun on 1st January 1973, so as to ensure that the pension concerned will not be less than the pension which would have been awarded to a Member retiring on 12th June 1975 with a similar length of service.