
STATUTORY INSTRUMENTS

1973 No. 1838

PENSIONS

**The Pensions Increase (Parliamentary
Pensions) Regulations 1973**

<i>Made</i>	- - - -	<i>5th November 1973</i>
<i>Laid before Parliament</i>		<i>9th November 1973</i>
<i>Coming into Operation</i>		<i>1st December 1973</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) Regulations 1973, and shall come into operation on 1st December 1973.

2.—(1) In these Regulations—

“the 1965 Act” means the Ministerial Salaries and Members' Pensions Act 1965;

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

“the 1972 Regulations” means the Pensions Increase (Parliamentary Pensions) Regulations 1972(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 provisions of the Pensions (Increase) Act 1971 shall apply in relation to a pension payable under Part II of the 1965 Act or Part I of the 1972 Act subject to the modifications specified in the following provisions of these Regulations.

4. Subject to the provisions of Regulations 5 and 6 below, the modifications subject to which the provisions of the Pensions (Increase) Act 1971 apply, by virtue of the 1972 Regulations, in relation to a pension payable under Part II of the 1965 Act or Part I of the 1972 Act shall be disregarded in calculating the amount by which such a pension may be increased under the Pensions Increase (Annual Review) Order 1973(2) or any subsequent Order under section 2 of the Pensions (Increase) Act 1971.

(1) (1972 III, p. 4863).

(2) (1973 II, p. 4234).

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5. For the purpose of calculating the increase that may be made under the Pensions Increase (Annual Review) Order 1973 or any subsequent Order under section 2 of the Pensions (Increase) Act 1971 in a pension payable under Part II of the 1965 Act or Part I of the 1972 Act beginning on or before 1st July 1972, the amount of any increase under section 1 of the Pensions (Increase) Act 1971 or under the Pensions Increase (Annual Review) Order 1972⁽³⁾ shall be taken to be the amount of any increase under that section or that Order as modified by the 1972 Regulations.

6. For the purpose of calculating the increase that may be made under the Pensions Increase (Annual Review) Order 1973 or any subsequent Order under section 2 of the Pensions (Increase) Act 1971 in a pension payable under Part I of the 1972 Act beginning in the six months following 1st July 1972, the pension shall be treated as beginning on 1st July 1972, and the amount of any increase under section 1 of the Pensions (Increase) Act 1971 or under the Pensions Increase (Annual Review) Order 1972 shall be taken to be the amount of any increase under that section or that Order as modified by the 1972 Regulations.

7. For the purposes of the Pensions (Increase) Act 1971 and any Order under section 2 of that Act, a pension under Part I of the 1972 Act beginning on or after 2nd January 1973 shall be treated as beginning on 1st January 1973.

Given under the official seal of the Minister for the Civil Service on 5th November 1973.

L.S.

Kenneth Baker
Parliamentary Secretary to the Civil Service
Department

⁽³⁾ (1972 II, p. 3910).

EXPLANATORY NOTE

These Regulations apply the Pensions (Increase) Act 1971 to the pensions of former Members of Parliament subject to certain modifications. Members whose pensions were awarded under the Ministerial Salaries and Members' Pensions Act 1965 or under section 8 of the Parliamentary and other Pensions Act 1972 and Members who retired under the Parliamentary and other Pensions Act 1972 with pensions based partly on salary before 1st January 1972 and partly on salary after that date received increases in their pensions which were modified under the Pensions Increase (Parliamentary Pensions) Regulations 1972. That modification restricted increases so as to secure that the pension concerned did not exceed the pension awarded to a Member retiring on 31st December 1972 with a similar length of service.

These Regulations apply the increases authorised by the Pensions Increase (Annual Review) Order 1973 and any subsequent Orders made under section 2 of the Pensions (Increase) Act 1971 to the pensions of former Members in the following way. For pensions which began on or before 1st July 1972 the increase under the Annual Review Order of 1973 and subsequent years is to be calculated on the basic pension as increased under the 1972 Regulations.

For pensions which began in the 6 months following 1st July 1972 the pensions will be treated for pensions increase purposes as having begun on 1st July 1972 so that they qualify under the 1973 Annual Review Order and subsequent Orders for the same increase as pensions beginning on or before 1st July 1972. The increases are to be calculated on the basic pension as increased under the 1972 Regulations. For pensions beginning after 1st January 1973 the pensions will be treated for pensions increase purposes as having begun on 1st January 1973.