1966 No. 24

PENSIONS

The Increase of Pensions (Injury Warrant Pensions) Regulations 1966

Made - - - -	11*th January* 1966
Laid before Parliament	18*th January* 1966
Coming into Operation	19*th January* 1966

The Treasury, in exercise of the powers conferred on them by paragraph 7 of Schedule 2 to the Pensions (Increase) Act 1956(a), section 3(2) and (4) of the Pensions (Increase) Act 1959(b), and that section as applied by section 8(2) of the Pensions (Increase) Act 1962(c) and section 5(2) of the Pensions (Increase) Act 1965(d), and of all other powers enabling them in that behalf, hereby make the following Regulations :—

1. These Regulations shall apply to any pension payable under the Injury Warrants 1952 to 1965(e), being a pension which is reduced by virtue of paragraph 16 or paragraph 25(1)(b) or (c) of the Injury Warrant 1952 or paragraph 10 of the Injury Warrant 1965 (which paragraphs provide for reduction by reason of other benefits).

2.—(1) In relation to any pension to which these Regulations apply, section 1 of the Act of 1965 shall apply subject to the modification specified in paragraph (2) of this Regulation.

(2) In calculating, in accordance with section 1(3) of the Act of 1965, the adjusted rate of a pension to which these Regulations apply, any reduction in such pension by virtue of paragraph 16 or paragraph 25(1)(b) or (c) of the Injury Warrant 1952 or paragraph 10 of the Injury Warrant 1965 shall be disregarded.

3.—(1) In relation to any pension to which these Regulations apply, section 1(1) of, and Schedule 2 to, the Act of 1956, section 1(1) of the Act of 1959, sections 1 and 2 of the Act of 1962 and section 1 of the Act of 1965 shall apply subject to the modification specified in paragraph (2) of this Regulation.

(a) 4 & 5 Eliz. 2. c. 39.

(b) 7 & 8 Eliz.2. c. 50.

(c) 11 & 12 Eliz. 2. c. 2.

(d) 1965 c. 78.

(e) S.I. 1952/60, 1957/1354, 1965/1024 (1952 II, p.2400; 1957 II, p.1758; 1965 I, p.2496).

(2) The aggregate of—

(*a*) any increases by virtue of the Act of 1956, the Act of 1959 and the Act of 1962, as modified by Regulations 1, 2 and 3 of the Increase of Pensions (Modification) (No. 1) Regulations 1963(**a**), and

(*b*) any increase by virtue of the Act of 1965, as modified by Regulation 2 of these Regulations,

of a pension to which these Regulations apply shall not exceed the amount (if any) by which the aggregate of—

(i) the adjusted rate of such pension calculated in accordance with section 1(3) of the Act of 1965, as modified by Regulation 2 of these Regulations, and

(ii) the increase thereof which would, apart from this paragraph, be payable by virtue of the Act of 1965, as modified by Regulation 2 of these Regulations,

exceeds the rate of the benefits in respect of which such pension is reduced by virtue of paragraph 16 or paragraph 25(1)(b) or (c) of the Injury Warrant 1952 or paragraph 10 of the Injury Warrant 1965.

(3) Regulation 4 of the Increase of Pensions (Modification) (No. 1) Regulations 1963 shall cease to have effect on the coming into operation of these Regulations.

4. Any increase authorised by these Regulations shall be payable in respect of any period beginning on or after 1st January 1966.

5.—(1) In these Regulations the expression "the Act of" any specified year means the Pensions (Increase) Act of that year.

(2) Any reference in these Regulations to the provisions of any enactment or instrument shall be construed, unless the context otherwise requires, as a reference to those provisions as amended or re-enacted by any subsequent enactment or instrument.

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

6. These Regulations may be cited as the Increase of Pensions (Injury Warrant Pensions) Regulations 1966, and shall come into operation on 19th January 1966.

Harriet Slater,

Ifor Davies,

Two of the Lords Commissioners

of Her Majesty's Treasury.

11th January 1966.

(**a**) S.I. 1963/677 (1963 I, p.833).

(**b**) 52 & 53 Vict. c. 63.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

Under the Injury Warrants 1952 to 1965 allowances are paid to civil servants and other persons employed by the Government who are injured on duty, and to the dependants of those who have died as a result of their injuries. These allowances are reduced by the value of certain benefits under the National Insurance Act 1965, the National Insurance (Industrial Injuries) Act 1965 and the Family Allowances Act 1965. These Regulations provide for pensions increase under the Pensions (Increase) Act 1965 to be calculated on the modified basis of application to the gross amount of the allowance (including any increases under the Pensions (Increase) Acts of 1956, 1959 and 1962) before the reduction for other benefits is made. The aggregate amount, however, of the increase payable under the Acts of 1956, 1959, 1962 and 1965 is not to exceed the amount by which the gross allowance, if increased on the modified basis, would exceed the rate of benefits in respect of which the allowance is reduced.