1969 No. 584

PENSIONS

The Increase of Pensions (Injury Warrant Pensions) Regulations 1969

Made - - -	22*nd April* 1969
Laid before Parliament	29*th April* 1969
Coming into Operation	30*th April* 1969

The Minister for the Civil Service, in exercise of the powers conferred on him by paragraph 7 of Schedule 2 to the Pensions (Increase) Act 1956(**a**), section 3(2) of the Pensions (Increase) Act 1959(**b**), 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 paragraphs 12 and 14 of Schedule 2 to the Pensions (Increase) Act 1969(**e**), and of all other powers enabling him in that behalf, hereby makes the following Regulations :—

Citation and commencement

1. These Regulations may be cited as the Increase of Pensions (Injury Warrant Pensions) Regulations 1969, and shall come into operation on 30th April 1969.

Interpretation

2.—(1) In these Regulations the expression "the Act of" a 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 other enactment or instrument.

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

Pensions to which the Regulations apply

3. These Regulations shall apply to any pension payable under the Injury Warrants 1952 to 1967(**g**), 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).

(**a**) 1956 c.39.
(**b**) 1959 c.50.
(**c**) 1962 c.2 (11 & 12 Eliz.2).
(**d**) 1965 c.78.
(**e**) 1969 c.7.
(**f**) 1889 c.63.
(**g**) S.I. 1952/60, 1957/1354, 1965/1024, 1967/876 (1952 II, p.2400; 1957 II, p.1758; 1965 I, p. 2496; 1967 II, p.2614).

Method of calculating adjusted rate of pensions

4.—(1) In relation to any pension to which these Regulations apply, paragraph 2 of Schedule 2 to the Act of 1969 (meaning of "adjusted rate") shall apply subject to the modification specified in paragraph (2) of this Regulation.

(2) In calculating, in accordance with the said paragraph 2 of Schedule 2, 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.

Limit on total amount of increases under Pensions (Increase) Acts

5.—(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, section 1 of the Act of 1965 and section 1(1) and (2) of the Act of 1969 shall apply subject to the modification specified in paragraph (2) of this Regulation.

(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**),

(*b*) any increase by virtue of the Act of 1965, as modified by Regulation 2 of the Increase of Pensions (Injury Warrant Pensions) Regulations 1966(**b**), and

(*c*) any increase by virtue of the Act of 1969, as modified by Regulation 4 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 paragraph 2 of Schedule 2 to the Act of 1969, as modified by Regulation 4 of these Regulations, and

(ii) the increase thereof which would, apart from this paragraph, be payable by virtue of the Act of 1969, as modified by Regulation 4 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 3 of the Increase of Pensions (Injury Warrant Pensions) Regulations 1966 (which is superseded by paragraphs (1) and (2) of this Regulation) shall cease to have effect on the coming into operation of these Regulations.

Effective date of increase

6. Any increase authorised by these Regulations shall be payable in respect of any period beginning on or after 1st April 1969.

(**a**) S.I. 1963/677 (1963 I, p.833). (**b**) S.I. 1966/24 (1966 I, p.34).

Given under the official seal of the Minister for the Civil Service on 22nd April 1969.

(L.S.)

J. E. Herbecq,
Authorised by the Minister for the Civil Service.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

Under the Injury Warrants 1952-1967 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 social security benefits under the National Insurance Act 1965, the National Insurance (Industrial Injuries) Act 1965 and the Family Allowances Act 1965, as amended. These Regulations provide for pensions increase under the Pensions (Increase) Act 1969 to be calculated on the gross amount of the allowance (including any increases under the Pensions (Increase) Acts of 1956, 1959, 1962 and 1965) before the reduction for other benefits is made. The pensions increase so calculated is restricted in order to ensure that the allowances paid to beneficiaries under the Injury Warrants plus pensions increase will not exceed the amount (if any) by which the gross amount of the Warrant allowance plus pensions increase thereon exceeds the value of the social security benefits in respect of which the Warrant allowance is reduced.