STATUTORY INSTRUMENTS

1969 No. 1470

PENSIONS

The Increase of Pensions (Judicial Pensions) Regulations 1969

Made - - -	14*th October* 1969
Laid before Parliament	23*rd October* 1969
Coming into Operation	31*st October* 1969

ARRANGEMENT OF REGULATIONS

1. Citation and commencement.
2. Interpretation.
3. Higher Judiciary in England, Scotland and Northern Ireland.
4. County Court Judges.
5. Salaried Sheriffs-Substitute.
6. Recorders of Liverpool and Manchester.
7. Masters of the Supreme Court and Bankruptcy, Probate and Admiralty Registrars.
8. Official Referees.
9. Lord Chancellor's Legal Visitor.
10. Clerks of Assize.
11. Members of the Lands Tribunal.
12. County Court Registrars.
13. Metropolitan Police Magistrates and Stipendiary Magistrates.
14. President of the Transport Tribunal.
15. National Insurance Commissioners.
16. President of the Industrial Court.
17. Chairmen and Deputy Chairmen of London Sessions.
18. Effective date of increases.

Schedule—Scale of salaries of certain County Court Registrars.

The Minister for the Civil Service, in exercise of the powers conferred on him by section 3(2) and (4) of the Pensions (Increase) Act 1959(a), as applied by section 8(2) of the Pensions (Increase) Act 1962(b) and section 5(2) of the Pensions (Increase) Act 1965(c), and by paragraphs 12 and 14 of Schedule 2 to the Pensions (Increase) Act 1969(d), 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 (Judicial Pensions) Regulations 1969, and shall come into operation on 31st October 1969.

(a) 1959 c. 50.
(b) 1962 c. 2 (11 & 12 Eliz. 2).
(c) 1965 c. 78.
(d) 1969 c. 7.

Interpretation

2.—(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 shall be construed, unless the context otherwise requires, as a reference to those provisions as amended by any subsequent enactment.

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

Higher Judiciary in England, Scotland and Northern Ireland

3. In relation to any of the following pensions, that is to say—

(*a*) a pension payable under the Lord Chancellor's Pension Act 1832(**b**),

(*b*) a pension payable under the Appellate Jurisdiction Act 1876(**c**),

(*c*) a pension payable under section 14 of the Supreme Court of Judicature (Consolidation) Act 1925(**d**),

(*d*) a pension payable under the Judges' Pensions (Scotland) Act 1808(**e**), other than a pension payable to the Chairman of the Scottish Land Court,

(*e*) a pension payable under section 19 of the Supreme Court of Judicature (Ireland) Act 1877(**f**), or

(*f*) a pension payable under Part I of the Administration of Justice (Pensions) Act 1950(**g**) in respect of service of any person as Lord Chancellor or in any of the offices listed in Schedule 1 to the Judicial Pensions Act 1959(**h**), not being a pension payable in respect of service of any person as Chairman of the Scottish Land Court,

section 1(2) of the Act of 1969 shall apply as if the percentage therein mentioned were as follows—

(i) if the pension began not later than 9th July 1959, 18 per cent.;

(ii) if the pension began after 9th July 1959 but not later than 1st April 1966, 9 per cent.

County Court Judges

4. In relation to any pension payable under section 9 of the County Courts Act 1934(**i**) or to any pension payable under Part I of the Administration of Justice (Pensions) Act 1950 in respect of service of any person as a Judge appointed for a district under the County Courts Act 1934, section 1(2) of the Act of 1969 shall apply as if the percentage therein mentioned were as follows—

(*a*) if the pension began not later than 18th April 1957, 18 per cent.;

(*b*) if the pension began after 18th April 1957 but not later than 13th May 1959, 16 per cent.;

(*c*) if the pension began after 13th May 1959 but not later than 29th November 1963, 14 per cent.;

(*d*) if the pension began after 29th November 1963 but not later than 19th May 1966, 8 per cent.;

(*e*) if the pension began after 19th May 1966 but not later than 23rd July 1969, 4 per cent.

(**a**) 1889 c. 63.
(**b**) 1832 c. 111.
(**c**) 1876 c. 59.
(**d**) 1925 c. 49.
(**e**) 1808 c. 145.
(**f**) 1877 c. 57.
(**g**) 1950 c. 11 (14 & 15 Geo. 6).
(**h**) 1959 c. 9 (8 & 9 Eliz. 2).
(**i**) 1934 c. 53.

Salaried Sheriffs-Substitute

5. In relation to—

(*a*) a pension payable under section 1 of the Sheriffs' Pensions (Scotland) Act 1961(**a**) to any person in respect of service as a salaried sheriff-substitute, or

(*b*) a pension payable under Part I of the Administration of Justice (Pensions) Act 1950 in respect of service of any person as a salaried sheriff-substitute, being a person who served in that capacity at some time on or after 19th July 1961,

section 1(2) of the Act of 1969 shall apply as if the percentage therein mentioned were as follows—

(i) if the pension began not later than 1st January 1964, 11 per cent.;

(ii) if the pension began after 1st January 1964 but not later than 1st September 1965, 8 per cent.;

(iii) if the pension began after 1st September 1965 but not later than 1st July 1968, 4 per cent.

Recorders of Liverpool and Manchester

6.—(1) In relation to any pension payable under section 4(5) of the Criminal Justice Administration Act 1956(**b**) or to any pension payable under Part I of the Administration of Justice (Pensions) Act 1950 in respect of service of any person as the Recorder of Liverpool or of Manchester, section 1(1) of the Act of 1962, section 1(1) of the Act of 1965 and section 1(2) of the Act of 1969 shall apply subject to the modifications specified in paragraphs (2), (3) and (4) of this Regulation.

(2) Section 1(1) of the Act of 1962 shall apply with the substitution for the words "which began not later than 1st April 1961" of the words "which began not later than 29th November 1963", and with the substitution for the words from "that is to say" to the end of the subsection of the words "that is to say, 4 per cent."

(3) Section 1(1) of the Act of 1965 shall apply with the substitution for the words "which began not later than 1st April 1964" of the words "which began not later than 29th November 1963", and with the substitution for the words from "that is to say" to the end of the subsection of the words "that is to say, 10 per cent."

(4) Section 1(2) of the Act of 1969 shall apply as if the percentage therein mentioned were as follows—

if the pension began not later than 29th November 1963, 14 per cent.

Masters of the Supreme Court and Bankruptcy, Probate and Admiralty Registrars

7.—(1) In relation to any of the following pensions, that is to say—

(*a*) a pension payable under the Superannuation Acts 1965 and 1967(**c**), as applied by section 128 of the Supreme Court of Judicature (Consolidation) Act 1925, to any person in respect of service which included service in any of the following offices—

Senior Master of the Supreme Court (Queen's Bench Division),

Chief Master of the Supreme Court (Chancery Division),

(**a**) 1961 c. 42.
(**b**) 1956 c. 34.
(**c**) 1965 c. 74; 1967 c. 28.

Chief Master of the Supreme Court (Taxing Office),
Master of the Court of Protection,
Chief Registrar, High Court in Bankruptcy,
Senior Registrar, Probate Division, or

(*b*) a pension payable under Part I of the Administration of Justice (Pensions) Act 1950 in respect of such service as is specified in sub-paragraph (*a*) of this paragraph,

section 1(2) of the Act of 1969 shall apply as if the percentage therein mentioned were as follows—

(i) if the pension began not later than 1st April 1956, 18 per cent.;

(ii) if the pension began after 1st April 1956 but not later than 1st February 1959, 17 per cent.;

(iii) if the pension began after 1st February 1959 but not later than 1st October 1959, 14 per cent.;

(iv) if the pension began after 1st October 1959 but not later than 1st August 1963, 9 per cent.;

(v) if the pension began after 1st August 1963 but not later than 1st September 1965, 8 per cent.;

(vi) if the pension began after 1st September 1965 but not later than 1st July 1968, 4 per cent.

(2) In relation to any of the following pensions, that is to say—

(*a*) a pension payable under the Superannuation Acts 1965 and 1967, as applied by section 128 of the Supreme Court of Judicature (Consolidation) Act 1925, to any person in respect of service in any of the following offices (being service which did not include service in any of the offices specified in sub-paragraph (*a*) of paragraph (1) of this Regulation)—

Master of the Supreme Court (Queen's Bench Division),

Assistant Master of the Supreme Court (Queen's Bench Division),

Master of the Supreme Court (Chancery Division),

Master of the Supreme Court (Taxing Office),

Registrar, High Court in Bankruptcy,

Taxing Master, High Court in Bankruptcy,

Registrar, Probate Division (not including a district probate registrar),

(*b*) a pension payable under Part I of the Administration of Justice (Pensions) Act 1950 in respect of such service as is specified in sub-paragraph (*a*) of this paragraph,

section 1(2) of the Act of 1969 shall apply as if the percentage therein mentions were as follows—

(i) if the pension began not later than 1st July 1955, 18 per cent.;

(ii) if the pension began after 1st July 1955 but not later than 1st February 1959, 17 per cent.;

(iii) if the pension began after 1st February 1959 but not later than 1st July 1960, 14 per cent.;

(iv) if the pension began after 1st July 1960 but not later than 1st August 1963, 13 per cent.;

(v) if the pension began after 1st August 1963 but not later than 1st September 1965, 8 per cent.;

(vi) if the pension began after 1st September 1965 but not later than 1st July 1968, 4 per cent.

Official Referees

8. In relation to any pension payable under the Superannuation Acts 1965 and 1967, as applied by section 128 of the Supreme Court of Judicature (Consolidation) Act 1925, to any person in respect of service in the office of Official Referee to the Supreme Court, or in relation to any pension payable under Part I of the Administration of Justice (Pensions) Act 1950 in respect of service of any person in the office of Official Referee to the Supreme Court, section 1(2) of the Act of 1969 shall apply as if the percentage therein mentioned were as follows—

(*a*) if the pension began not later than 18th April 1957, 18 per cent.;

(*b*) if the pension began after 18th April 1957 but not later than 1st February 1959, 16 per cent.;

(*c*) if the pension began after 1st February 1959 but not later than 1st August 1963, 14 per cent.;

(*d*) if the pension began after 1st August 1963 but not later than 1st September 1965, 8 per cent.;

(*e*) if the pension began after 1st September 1965 but not later than 1st July 1968, 4 per cent.

Lord Chancellor's Legal Visitor

9. In relation to any pension payable under the Superannuation Acts 1965 and 1967, as applied by section 128 of the Supreme Court of Judicature (Consolidation) Act 1925, to any person in respect of service in the office of Lord Chancellor's Legal Visitor, or in relation to any pension payable under Part I of the Administration of Justice (Pensions) Act 1950 in respect of service of any person in the office of Lord Chancellor's Legal Visitor, section 1(2) of the Act of 1969 shall apply as if the percentage therein mentioned were as follows—

if the pension began not later than 1st September 1965, 10 per cent.

Clerks of Assize

10. In relation to any pension payable under the Superannuation Acts 1965 and 1967, as applied by section 128 of the Supreme Court of Judicature (Consolidation) Act 1925 and section 1 of the Supreme Court of Judicature (Circuit Officers) Act 1946(**a**), to any person in respect of service in the office of Clerk of Assize, or in relation to any pension payable under Part I of the Administration of Justice (Pensions) Act 1950 in respect of service of any person in the office of Clerk of Assize, section 1(2) of the Act of 1969 shall apply as if the percentage therein mentioned were as follows—

(*a*) if the pension began not later than 1st April 1963, 14 per cent.;

(*b*) if the pension began after 1st April 1963 but not later than 1st August 1963, 10 per cent.;

(*c*) if the pension began after 1st August 1963 but not later than 1st September 1965, 8 per cent.;

(*d*) if the pension began after 1st September 1965 but not later than 1st January 1968, 4 per cent.

(**a**) 1946 c. 78.

Members of the Lands Tribunal

11. In relation to any pension payable under section 2(6) of the Lands Tribunal Act 1949(a) to a former member of the Lands Tribunal, or in relation to any pension payable under Part I of the Administration of Justice (Pensions) Act 1950 in respect of service of any person in the office of member of the Lands Tribunal, section 1(2) of the Act of 1969 shall apply as if the percentage therein mentioned were as follows—

(*a*) if the pension began not later than 1st February 1959, 16 per cent.;

(*b*) if the pension began after 1st February 1959 but not later than 1st April 1963, 14 per cent.;

(*c*) if the pension began after 1st April 1963 but not later than 1st August 1963, 10 per cent.;

(*d*) if the pension began after 1st August 1963 but not later than 1st September 1965, 8 per cent.;

(*e*) if the pension began after 1st September 1965 but not later than 1st July 1968, 4 per cent.

County Court Registrars

12.—(1) In relation to any pension payable under the Superannuation Acts 1965 and 1967, as applied by section 21 of the County Courts Act 1934, to any person in respect of service in the office of County Court Registrar, or in relation to any pension payable under Part I of the Administration of Justice (Pensions) Act 1950 in respect of service of any person in the office of County Court Registrar, section 1(2) of the Act of 1969 shall apply subject—

(*a*) where the pension is calculated by reference to a salary which is not in accordance with the scale of salaries set out in the Schedule to these Regulations, to the modifications specified in paragraph (2) of this Regulation, and

(*b*) where the pension is calculated by reference to a salary in accordance with the said scale, to the modifications specified in paragraph (3) of this Regulation.

(2) Section 1(2) of the Act of 1969 shall apply as if the percentage therein mentioned were as follows—

(*a*) if the pension began not later than 1st July 1955, 18 per cent.;

(*b*) if the pension began after 1st July 1955 but not later than 1st February 1959, 17 per cent.;

(*c*) if the pension began after 1st February 1959 but not later than 1st January 1963, 14 per cent.;

(*d*) if the pension began after 1st January 1963 but not later than 1st August 1963, 10 per cent.;

(*e*) if the pension began after 1st August 1963 but not later than 1st September 1965, 8 per cent.;

(*f*) if the pension began after 1st September 1965 but not later than 1st January 1968, 4 per cent.

(3) Section 1(2) of the Act of 1969 shall apply as if the percentage therein mentioned were as follows—

(*a*) if the pension began not later than 1st July 1955, 18 per cent.;

(*b*) if the pension began after 1st July 1955 but not later than 1st October 1958, 17 per cent.;

(a) 1949 c. 42.

(*c*) if the pension began after 1st October 1958 but not later than 1st April 1962, 14 per cent.;

(*d*) if the pension began after 1st April 1962 but not later than 1st August 1963, 11 per cent.;

(*e*) if the pension began after 1st August 1963 but not later than 1st September 1965, 8 per cent.;

(*f*) if the pension began after 1st September 1965 but not later than 1st January 1968, 4 per cent.

Metropolitan Police Magistrates and Stipendiary Magistrates

13. In relation to any pension payable under the Police Magistrates (Superannuation) Acts 1915 and 1929(**a**) (not being a pension payable in respect of service as the Chief Metropolitan Magistrate), to any pension payable under section 33 of the Justices of the Peace Act 1949(**b**), or to any pension payable under Part I of the Administration of Justice (Pensions) Act 1950 in respect of service of any person as a metropolitan police magistrate (other than the Chief Metropolitan Magistrate) or a stipendiary magistrate pensionable under the said section 33, section 1(2) of the Act of 1969 shall apply as if the percentage therein mentioned were as follows—

(*a*) if the pension began not later than 18th April 1957, 18 per cent.;

(*b*) if the pension began after 18th April 1957 but not later than 13th May 1959, 16 per cent.;

(*c*) if the pension began after 13th May 1959 but not later than 23rd November 1960, 14 per cent.;

(*d*) if the pension began after 23rd November 1960 but not later than 29th November 1963, 12 per cent.;

(*e*) if the pension began after 29th November 1963 but not later than 19th May 1966, 8 per cent.;

(*f*) if the pension began after 19th May 1966 but not later than 23rd July 1969, 4 per cent.

President of the Transport Tribunal

14. In relation to any pension payable under the Superannuation Acts 1965 and 1967, as applied by section 128 of the Supreme Court of Judicature (Consolidation) Act 1925 and paragraph 8(2) of Schedule 10 to the Transport Act 1962(**c**), to any person in respect of service in the office of President of the Transport Tribunal, or in relation to any pension payable under Part I of the Administration of Justice (Pensions) Act 1950 in respect of service of any person in the office of President of the Transport Tribunal, section 1(2) of the Act of 1969 shall apply as if the percentage therein mentioned were as follows—

if the pension began not later than 1st August 1963, 14 per cent.

National Insurance Commissioners

15. In relation to any pension payable under section 79 of the National Insurance Act 1965(**d**) or to any pension payable under Part I of the Administration of Justice (Pensions) Act 1950 in respect of service of any person as National Insurance Commissioner, section 1(2) of the Act of 1969 shall apply as if the percentage therein mentioned were as follows—

if the pension began not later than 1st July 1969, 4 per cent.

(**a**) 1915 c. 74; 1929 c. 37.
(**b**) 1949 c. 101.
(**c**) 1962 c. 46.
(**d**) 1965 c. 51.

President of the Industrial Court

16. In relation to any pension payable under the Superannuation (President of Industrial Court) Act 1954(**a**) or to any pension payable under Part I of the Administration of Justice (Pensions) Act 1950 in respect of service of any person as President of the Industrial Court, section 1(2) of the Act of 1969 shall apply as if the percentage therein mentioned were as follows—

if the pension began not later than 1st August 1963, 14 per cent.

Chairmen and Deputy Chairmen of London Sessions

17.—(1) In relation to any pension payable under section 22 of the Administration of Justice (Pensions) Act 1950 or under that section as applied by section 23 of the Administration of Justice Act 1964(**b**), or in relation to any pension payable under Part I of the Administration of Justice (Pensions) Act 1950 in respect of service of any person as Chairman or Deputy Chairman of London Sessions, section 1(1) of the Act of 1962, section 1(1) of the Act of 1965 and section 1(2) of the Act of 1969 shall apply subject to the modifications specified in paragraphs (2), (3) and (4) of this Regulation.

(2) Section 1(1) of the Act of 1962 shall apply with the substitution for the words "which began not later than 1st April 1961" of the words "which began not later than 29th November 1963", and with the substitution for the words from "that is to say" to the end of the subsection of the words "that is to say—

(*a*) if the pension began not later than 13th May 1959, 10 per cent.;

(*b*) if the pension began after 13th May 1959 but not later than 23rd November 1960, 4 per cent.;

(*c*) if the pension began after 23rd November 1960, 2 per cent."

(3) Section 1(1) of the Act of 1965 shall apply with the substitution for the words "which began not later than 1st April 1964" of the words "which began not later than 1st April 1965", and with the substitution for the words from "that is to say" to the end of the subsection of the words "that is to say—

(*a*) if the pension began not later than 13th May 1959, 16 per cent.;

(*b*) if the pension began after 13th May 1959 but not later than 23rd November 1960, 10 per cent.;

(*c*) if the pension began after 23rd November 1960 but not later than 29th November 1963, 8 per cent.;

(*d*) if the pension began after 29th November 1963, 2 per cent."

(4) Section 1(2) of the Act of 1969 shall apply as if the percentage mentioned therein were as follows—

(*a*) if the pension began not later than 13th May 1959, 17 per cent.;

(*b*) if the pension began after 13th May 1959 but not later than 23rd November 1960, 14 per cent.;

(*c*) if the pension began after 23rd November 1960 but not later than 29th November 1963, 12 per cent.;

(*d*) if the pension began after 29th November 1963 but not later than 1st April 1965, 8 per cent.;

(*e*) if the pension began after 1st April 1965 but not later than 19th May 1966, 6 per cent.;

(*f*) if the pension began after 19th May 1966 but not later than 1st July 1969, 4 per cent.

(**a**) 1954 c. 37. (**b**) 1964 c. 42.

Effective date of increases

18. Any increase of pension payable by virtue of these Regulations shall take effect from 1st April 1969.

Given under the official seal of the Minister for the Civil Service on 14th October 1969.

(L.S.)

K. H. McNeill,
Authorised by the Minister for the Civil Service.

SCHEDULE Regulation 12(1)

SCALE OF SALARIES OF CERTAIN COUNTY COURT REGISTRARS

Effective date	Scale of salary
	£
1st January 1952	1,433 — 1,675
1st January 1953	1,540 — 1,775
1st April 1956	1,875 — 2,200
1st July 1957	1,975 — 2,200
1st October 1958	2,305 — 2,800
1st January 1961	2,397 — 2,800
1st April 1962	2,547 — 2,950
1st April 1963	2,623 — 2,950
1st August 1963	2,623 — 3,235
1st January 1964	2,997 — 3,520
1st January 1965	3,074 — 3,520
1st September 1965	3,123 — 3,720
1st January 1966	3,202 — 3,720

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations modify section 1(2) of the Pensions (Increase) Act 1969, and in some instances section 1(1) of the 1962 Act and section 1(1) of the 1965 Act also, in their application to certain pensioners who are in receipt of pensions in respect of service in a judicial or other similar office and whose pensions were calculated by reference to actual salary at retirement rather than by reference to salary averaged over the last 3 or 5 years of service. The Regulations modify the dates before which pensions must have begun in order to be eligible for the rates of increase payable.

In accordance with the powers conferred by section 3(4) of the Pensions (Increase) Act 1959 and paragraph 14 of Schedule 2 to the Pensions (Increase) Act 1969, the Regulations provide for the increases to take effect from 1st April 1969.