STATUTORY INSTRUMENTS

1978 No. 1368

PENSIONS

The National Insurance Commissioners' Pensions (Requisite Benefits) Amendment Order 1978

Made - - - -	*20th September* 1978
Laid before Parliament	*22nd September* 1978
Coming into Operation	*13th October* 1978

The Secretary of State for Social Services, in exercise of the powers conferred upon him by section 65 of the Social Security Act 1973(a) as read with section 64 of that Act, as the appropriate authority designated for that purpose by the Minister for the Civil Service in accordance with the said provisions, hereby makes the following Order:—

Citation commencement and interpretation

1.—(1) This Order may be cited as the National Insurance Commissioners' Pensions (Requisite Benefits) Amendment Order 1978 and shall come into operation on 13th October 1978.

(2) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889(b) shall apply for the purposes of the interpretation of this Order as they apply for the purposes of the interpretation of an Act of Parliament.

Amendment of the National Insurance Commissioners' Pensions (Requisite Benefits) Order 1978

2.—(1) The National Insurance Commissioners' Pensions (Requisite Benefits) Order 1978(c) shall be amended by substituting for paragraph (1) of Article 7 the following paragraphs, namely—

"(1) As from the death of a Commissioner (whether before or after pensionable age) his widow shall be entitled for the purposes of this Order to a pension under a scheme.

(2) Subject to paragraphs (3) and (4), the annual rate of the widow's pension under paragraph (1) shall be 5/8th's per cent. of the final salary (or last salary before death) of the Commissioner multiplied by the number of years of relevant service completed by him before he attained pensionable age.".

(2) Paragaphs (2) and (3) of Article 7 shall be amended by substituting the words "Paragraph (2)" for the words "Paragraph (1)".

(3) The said paragraphs (2) and (3) of Article 7 shall be re-numbered as paragraphs (3) and (4).

David Ennals,
Secretary of State for Social Services.

20th September 1978.

(a) 1973 c. 38. (b) 1889 c. 63. (c) S.I. 1978/408.

EXPLANATORY NOTE

(This Note does not form part of the Order.)

This Order amends the National Insurance Commissioners' Pensions (Requisite Benefits) Order 1978 (the principal Order) so as to provide that where a Commissioner dies, after ceasing to hold office, having completed less than five years of qualifying service, his widow shall be entitled to a pension of not less than her guaranteed minimum. The amount of such a pension is, by virtue of Article 7(4) of the amended principal Order, to be calculated in accordance with Article 9(1) of the said principal Order.

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