STATUTORY INSTRUMENTS

1972 No. 1675

PENSIONS

The Overseas Service (Pensions Supplement) (Amendment) Regulations 1972

Made - - - -	*6th November* 1972
Laid before Parliament	*10th November* 1972
Coming into Operation	*1st December* 1972

In exercise of the powers conferred on me by section 11 of the Pensions (Increase) Act 1971(**a**) and with the approval of the Minister for the Civil Service, I hereby make the following Regulations:—

Citation, construction and commencement

1.—(1) These Regulations may be cited as the Overseas Service (Pensions Supplement) (Amendment) Regulations 1972 and shall be construed as one with the Overseas Service (Pensions Supplement) Regulations 1972(**b**) (hereinafter referred to as "the principal Regulations").

(2) These Regulations and the principal Regulations may be cited together as the Overseas Service (Pensions Supplement) Regulations 1972.

(3) These Regulations shall come into operation on 1st December 1972.

Amendment of Regulation 11 of the principal Regulations

2. Regulation 11 of the principal Regulations is amended by the addition of the following paragraph after paragraph (2):—

"(3) No supplement shall be payable to a dependent pensioner in respect of a derivative pension granted under the provisions of section 17 of the Malaysia Pensions Ordinance 1951 as amended by the Malaysia Pensions (Amendment) (No. 2) Act 1972, or under any corresponding enactment replacing those provisions."

Amendment of Regulation 14 of the principal Regulations

3. Regulation 14 of the principal Regulations is amended:—

(*a*) by the substitution of the following sub-paragraph for sub-paragraph (1)(*a*):

"(*a*) in the case of a colony for whose external relations the United Kingdom is responsible or a territory outside Her Majesty's dominions in which Her Majesty has jurisdiction in right of Her Government in the United Kingdom, the middle rate in the official exchange market between the currency of such colony or territory and sterling obtaining on the last day of the immediately preceding review period as specified in section 2 of the Act as amended by section 25 of the Superannuation Act 1972(**c**);"

(*b*) by the addition of the following at the end of sub-paragraph (1)(*b*):—

"Malta.....21st September 1964;"

(**a**) 1971 c. 56. (**b**) S.I. 1972/550 (1972 I, p. 1837). (**c**) 1972 c. 11.

(*c*) by the substitution of the following paragraph for paragraph (2):—

"(2) Where at the end of the immediately preceding review period the rate of the basic pension enjoyed by the pensioner was greater in terms of sterling when ascertained in accordance with the middle rate in the official exchange market between the currency in which the basic pension is payable and sterling than the sterling rate of the basic pension calculated in accordance with the preceding paragraph, then for the purpose of ascertaining any supplement payable under these Regulations the difference between the amounts shall be regarded as an overseas increase paid to the pensioner."

(*d*) by the addition of the following paragraph after paragraph (2):—

"(3) Whenever it is necessary to ascertain in terms of sterling the amount of an overseas increase payable in another currency, the rate of exchange to be taken shall be the rate set out in sub-paragraph (1)(*a*) of this regulation or, if the overseas increase was paid at the rate specified in a Public Officers' Agreement, that rate."

Alec Douglas-Home,
Secretary of State for Foreign and Commonwealth Affairs.

6th November 1972

Consent of the Minister for the Civil Service given under his Official Seal on 6th November 1972.

(L.S.)

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

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations amend the Overseas Service (Pensions Supplement) Regulations 1972 so as to:—

(1) exclude from supplements under the Regulations any derivative pension which is granted to a dependent pensioner under the provisions of the Malaysia Pensions Ordinance 1951 as amended by the Malaysia Pensions (Amendment) (No. 2) Act 1972;

(2) specify a date for the determination of the rate of exchange in the case of pensions payable in the currency of Malta;

(3) provide that once a pension supplement has been assessed it will not be adjusted on account of fluctuations in rates of exchange during a review period.

SI 1972/1675
ISBN 0-11-021675-X

