STATUTORY INSTRUMENTS

1974 No. 1702

PENSIONS

The Pensions Increase (Metropolitan Civil Staffs) Regulations 1974

Made - - -	*14th October* 1974
Laid before Parliament	*23rd October* 1974
Coming into Operation	*6th November* 1974

The Secretary of State for the Home Department in exercise of his powers under sections 1(1), (2) and (4) and 4(1) and (3)(a) of the Pensions (Increase) Act 1974(**a**) and of all other powers enabling him in that behalf, with the consent of the Minister for the Civil Service, hereby makes the following Regulations:—

1. These Regulations may be cited as the Pensions Increase (Metropolitan Civil Staffs) Regulations 1974 and shall come into operation on 6th November 1974.

2.—(1) In these Regulations, "the Act" means the Pensions (Increase) Act 1974.

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

3. Pensions payable under section 15(2) of the Superannuation (Miscellaneous Provisions) Act 1967(**c**) (which relates to the superannuation of the metropolitan civil staffs) are hereby prescribed for the purposes of section 1(1) of the 1974 Act.

4.—(1) Of the pensions prescribed by these Regulations, the pensions payable in respect of service ending with employment in a non-industrial capacity not being either an employment specified in paragraph (2) below or employment as a bath attendant, fire officer or traffic warden are pensions as respects which, in the opinion of the Secretary of State, increases in the emoluments relevant for the purpose of calculating the pension were deferred during the period beginning with 6th November 1972 and ending with 31st March 1973 in consequence of provisions of the Counter-Inflation (Temporary Provisions) Act 1972(**d**) and accordingly are pensions to which section 1(2)(a) of the Act applies.

(2) The employment referred to in paragraph (1) above is employment by the Committee of Magistrates for the Inner London Area at a rate of pay agreed upon by the National Joint Council for Local Authorities.

(**a**) 1974 c. 9. (**b**) 1889 c.63. (**c**) 1967 c. 28.
(**d**) 1972 c. 74.

5. The date on which, in the opinion of the Secretary of State, the emoluments relevant for the purpose of calculating a pension prescribed by these Regulations were increased by the principal pay increase made or to be made during the year ending with 6th November 1974 in accordance with the code in force under section 2 of the Counter-Inflation Act 1973(**a**) at the time of the increase is, in the case of a pension related to employment—

(*a*) as a bath attendant or fire officer, 7th November 1973;

(*b*) as a chef, 13th December 1973;

(*c*) as a traffic warden, or in a non-industrial capacity and as specified in paragraph (2) of the last foregoing regulation, 1st July 1974;

(*d*) in a non-industrial capacity, otherwise than as mentioned in paragraphs (*a*) to (*c*) above, 1st January 1974;

(*e*) in an industrial capacity in the printing branch, 17th June 1974;

(*f*) in an industrial capacity otherwise than in the printing branch, 1st July 1974.

6.—(1) The 1974 Act shall, in relation to any pension prescribed by these Regulations which is calculated by reference to the provisions of paragraphs 2(2) or 6 of Schedule 1 to the Superannuation Act 1965(**b**) (preservation of vested pension rights of certain female persons) as those provisions apply in relation to members of the metropolitan civil staffs, have effect subject to the amendments specified in paragraph (2) below.

(2) In relation to such a pension as is described in paragraph (1) above, the Schedule to the Act shall have effect as if—

(*a*) in paragraph 5, for the words "before 1st April 1974" there were substituted the words "on or before the relevant date", and

(*b*) paragraphs 6, 7 and 16 were omitted,

and accordingly such a pension, if it begins after the relevant date for the pension, shall not be increased under the 1974 Act.

7. Any increase of pension payable by virtue of these Regulations shall have effect in respect of any period beginning on or after 1st December 1973.

Roy Jenkins,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
14th October 1974.

Consent of the Minister for the Civil Service given under his Official Seal on 14th October 1974.

W. G. Bristow,
Authorised by the Minister for the Civil Service.

(**a**) 1973 c. 9. (**b**) 1965 c. 74

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations make provision in relation to pensions of the metropolitan civil staffs whereby the basic rate of certain of those pensions may be increased under the Pensions (Increase) Act 1974. Regulation 6 modifies the operation of the Act in relation to any pension which, exceptionally, falls to be calculated by reference to the pay immediately before retirement, instead of by reference to the average pay over a period, so that no increase is payable on such pensions which begin after the specified relevant date.

The Regulations have effect from 1st December 1973 by virtue of provision made under section 4(3)(a) of the Act.

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