STATUTORY INSTRUMENTS

1986 No. 465

PENSIONS

The Pensions (Miscellaneous Offices) (Preservation of Benefits) (Amendment) Order 1986

Made - - - -	10*th March* 1986
Laid before Parliament	20*th March* 1986
Coming into Operation	1*st October* 1986

The Treasury, in exercise of the powers conferred on them by section 65 of the Social Security Act 1973(**a**) and article 61(1) of the Social Security Pensions (Northern Ireland) Order 1975(**b**), as the appropriate authority designated for that purpose by the Treasury(**c**) in accordance with the said provisions, hereby make the following Order:—

Citation and Commencement

1. This Order may be cited as the Pensions (Miscellaneous Offices) (Preservation of Benefits) (Amendment) Order 1986 and shall come into operation on 1st October 1986.

Interpretation

2. In this Order—

(a) "the principal Order" means the Pensions (Miscellaneous Offices) (Preservation of Benefits) Order 1977(**d**); and

(b) except where the context otherwise requires, expressions used in the principal Order shall have the same meaning as they have for the purposes of that Order.

Definition of "full rate"

3. In article 2(1) of the principal Order, for the definition of "full rate" there shall be substituted the following—

" "full rate" means the rate at which a pension might have been granted to an office holder if his service had continued to normal pension age, but calculated by reference to the last annual salary paid to him;".

Transitional provision

4. Unless he elects otherwise, this Order shall not apply in relation to any office holder who ceases to hold office for the purposes of the principal Order before the commencement of this Order.

(**a**) 1973 c.38.
(**b**) S.I. 1975/1503 (N.I. 15).
(**c**) *See* the Transfer of Functions (Minister for the Civil Service and Treasury) Order 1981 (S.I. 1981/1670, article 2(1)*(c)*).
(**d**) S.I. 1977/1653.

A. G. Hamilton,
Michael Neubert,
Two of the Lords Commissioners
of Her Majesty's Treasury.

Dated 10th March 1986.

EXPLANATORY NOTE

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

This Order amends the Pensions (Miscellaneous Offices) (Preservation of Benefits) Order 1977 in order to clarify that the preserved pension of a holder of an office listed in the Schedule to that Order is to be calculated by reference to his last salary before retirement (subject to any increases made pursuant to the Pensions Increase Legislation) rather than by reference to the salary he would have been earning had he retired at the time when the pension became due for payment.

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