## CHAP. 60.

An Act to alter and amend the Acts enabling Her Majesty to grant Pensions to persons having held certain high civil offices. [9th August 1869.]

A.D. 1869.

WHEREAS it is expedient to amend the law relating to pensions to be granted to persons who have held offices in the civil service of the Crown which are usually held by members of the House of Lords or the House of Commons, and which offices are herein-after referred to as political offices: Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Application of Act.

**1.** This Act, with the exception of the reservation herein-after contained, shall not apply to any office in the permanent civil service of the Crown or in Her Majesty's household, or to any legal office, other than the office of Judge Advocate General.

Classification of political offices.

**2.** Political offices shall for the purposes of this Act be divided into three classes; viz.:—

Class 1. Containing the office of the First Lord of the Admiralty and all other political offices remunerated with a yearly salary of not less than five thousand pounds:

Class 2. Containing all such offices remunerated with a yearly salary of less than five thousand pounds and not less than two thousand pounds:

Class 3. Containing all such offices remunerated with a yearly salary of less than two thousand pounds and more than one thousand pounds.

Limit of amount of pensions.

**3.** Subject to the provisions of this Act Her Majesty may, if She shall think fit, by warrant under her royal sign manual, countersigned by two or more Commissioners of Her Majesty's Treasury, grant to any person in respect of his services, whether before or

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after the passing of this Act, in any office included in any of the above classes, a pension during life according to the following scale, viz.:—

1st. A first-class pension, not exceeding two thousand pounds a year, in respect of a service of not less than four years, or its equivalent, in an office of the first class.

2d. A second-class pension, not exceeding one thousand two hundred pounds a year, in respect of a service of not less than six years, or its equivalent, in an office of the second class.

3d. A third-class pension, not exceeding eight hundred pounds a year, in respect of a service of not less than ten years in an office of the third class.

Mode of calculating time of service.

**4.** For the purposes of this Act, service for any time in an office of the third class shall count as service for one half of that time in an office of the second class; and service for any time in an office of the second class shall count as service for one half of that time in an office of the first class; but no person shall be entitled to a first-class pension who has not actually served two years in an office of the first class, nor to a second-class pension who has not actually served three years in an office of the second class. Any person who, having served for three years in a lower class, has afterwards served in a higher class for such time as would, if the service had been in the lower class, have entitled him to a pension in the lower class, shall be entitled to reckon the whole of his service as if it had been passed in the lower class.

The time of service in political offices may for the purposes of this Act be continuous or at different times and in different offices of the above classes; but no pension under this Act shall be granted in any class while four pensions of that class are subsisting; nor shall more than one pension under this Act be granted in the same year: Provided that no office hereafter created shall be entitled to rank as one of the political offices within the meaning of this Act, unless such office shall have been created by Act of Parliament, nor shall in future any addition to the salary of any political office now existing, or hereafter to be created, made otherwise than under the authority of an Act of Parliament, entitle such office to rank in any higher class than that in which it would have ranked without such addition.

Pensions payable out of Indian revenue.

**5.** Pensions in respect of service in offices the salary of which is paid out of the revenues of India shall be paid out of those revenues.

Pensioner not to hold pension under another Act.

**6.** Where a person receiving a pension under this Act was at the time of his application for such pension, or is afterwards, entitled to any emolument (including in the term any salary, compensation, superannuation allowance or pension,) which is payable out of any monies raised by taxation or out of other public revenue in any part of Her Majesty's dominions, or is received by way of fees or otherwise in respect of his holding any public office or employment in any part of Her Majesty's dominions, the payment of the pension under this Act shall, so long as he receives such emolument, if the amount thereof is greater than or equal to the pension under this Act, be suspended, and if less be diminished by the amount of such emolument; and if any person is at the time of his application for or while receiving a pension under this Act entitled to any such emolument, he shall forthwith deliver to the Commissioners of Her Majesty's Treasury a declaration under his hand stating the nature and amount thereof.

Sect. 6 of 4 & 5 W. 4. c. 24. to apply to pensions under this Act.

**7.** Section six of the Act of the session of the fourth and fifth years of the reign of King William the Fourth, chapter twenty-four, shall apply to pensions under this Act in the same manner as if they had been granted under the provisions of the said Act.

Pensions under this Act payable quarterly out of the Consolidated Fund.

**8.** Every pension, not being chargeable on the revenues of India, granted under this Act shall be issued and payable out of and charged and chargeable upon the Consolidated Fund of the United Kingdom of Great Britain and Ireland next in order of payment to and after paying or reserving sufficient to pay all such sums of money as have been directed to be paid by any former Act or Acts, but with preference to all other payments hereafter to be charged thereon as aforesaid, and the same shall from time to time be paid and payable quarterly.

Repeal of provisions in schedule to this Act.

**9.** The Acts specified in the schedule to this Act are hereby repealed to the extent in the schedule mentioned:

Provided that—

(1.) This repeal shall not affect any pensions which have been granted under any of the said Acts before the passing of this Act and are still in force, and those Acts shall apply to such pensions as if this Act had not passed.

(2.) Where a person is qualified by service before the passing of this Act to receive a pension under any of the said Acts, it shall be lawful for Her Majesty to grant a pension to such person in pursuance of those Acts; and those Acts shall apply, in the case of such pension, in the same manner as if this Act had not passed.

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(3.) Where a person who is in the permanent civil service of the state is qualified by service before the passing of this Act to receive a pension under any of the said Acts, or would but for this repeal have become so qualified by service partly before and partly after the passing of this Act, then either—

22 & 23 Vict. c. 26.

(*a*) Such person may claim a superannuation allowance under the Superannuation Act, 1859:

Or,

(*b*) Such person may claim, and Her Majesty may grant to him, a pension under the provisions of the said Acts; and those Acts shall apply, in the case of such pension, in the same manner as if this Act had not passed.

Short title.

**10.** This Act may be cited as "The Political Offices Pension Act, 1869."

## SCHEDULE.

ACTS REPEALED.

| Date of Act. | Title of Act. | Extent of Repeal. |
|---|---|---|
| 57 Geo. 3. c. 65. - | An Act to enable His Majesty to recompense the services of persons holding or who have held certain high and efficient civil offices. | The whole Act. |
| 6 Geo. 4. c. 90. - | An Act to amend an Act of the fifty-seventh year of His late Majesty, for enabling His Majesty to recompense the services of persons holding or who have held certain high and efficient civil offices. | The whole Act. |
| 4 & 5 Will. 4. c. 24. | An Act to alter, amend, and consolidate the laws for regulating the pensions, compensations, and allowances to be made to persons in respect of their having held civil offices in His Majesty's service. | Sections one, two, three, four, five, and seven. |

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