

1975 No. 226

PENSIONS

**The Pensions Increase (Presiding Officers and Amendment)
Regulations (Northern Ireland) 1975**

Made 12th August 1975

Coming into operation 16th September 1975

The Department(a) of Finance, in exercise of the powers conferred on it by section 5 of the Pensions (Increase) Act (Northern Ireland) 1971(b), and of every other power enabling it in that behalf, hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the Pensions Increase (Presiding Officers and Amendment) Regulations (Northern Ireland) 1975 and shall come into operation on 16th September 1975.

Interpretation

2. In these regulations—

“the 1971 Act” means the Pensions (Increase) Act (Northern Ireland) 1971;

“the 1975 Order” means the Northern Ireland Assembly (Presiding Officer’s Pension) Order 1975(c).

Presiding officers’ pensions

3. In relation to any period beginning on or after 1st December 1973, the 1971 Act shall, subject to regulations 4 and 5, have effect as if there were inserted after paragraph 1D in Part I of Schedule 2 to the said Act the following paragraph:

“1E. A pension payable under Article 2 of the Northern Ireland Assembly (Presiding Officer’s Pension) Order 1975.”.

4. Subject to regulation 5 a pension payable under Article 2 of the 1975 Order shall, for the purposes of the 1971 Act, be deemed to have begun on 27th July 1973.

5. A pension payable under Article 2 of the 1975 Order to a person who ceases to hold the office of presiding officer of the Northern Ireland Assembly at any time after the coming into operation of that Order when an increased salary is payable in respect of that office shall, for the purposes of the 1971 Act, be treated as beginning on the date on which that increased salary became payable.

Amendments

6. In the Pensions (Increase) Regulations (Northern Ireland) 1975(d) there shall be substituted:

(a) Formerly Ministry: see 1973 c. 36 Sch. 5 para 8(1)
(b) 1971 c. 35 (N.I.)

(c) S.I. 1975/1214
(d) S.R. 1975 No. 38

(1) for regulation 3 the following regulation:

“3. The Act shall have effect in respect of any period beginning on or after 1st September 1971 and ending on 31st December 1973 as if there were inserted after paragraph 12 in Part I of Schedule 2 the following paragraph:

“12A. A pension payable by way of compensation under regulations made under section 4 of the Public Expenditure and Receipts Act (Northern Ireland) 1968(e).”;

(2) for regulation 4 the following regulation:

“4. In relation to any period beginning on or after 2nd April 1973 the Act shall have effect as if there were inserted after paragraph 19 in Part II of Schedule 2 the following paragraphs:

“20. A pension payable by the Northern Ireland Transport Holding Company under any of the following enactments:

- (1) the Local Officers Superannuation Act (Ireland) 1869(f);
- (2) Part III of the Belfast Corporation Act (Northern Ireland) 1943(g);
- (3) Part II of the Belfast Corporation (General Powers) Act (Northern Ireland) 1948(h);
- (4) any regulations or scheme made in pursuance of the provisions of the Local Government (Superannuation) Act (Northern Ireland) 1950(i).

21. A pension payable by the Northern Ireland Transport Holding Company by way of such compensation as is mentioned in section 8(1)(b).”;

(3) for regulation 5 the following regulation:

“5. In relation to any period beginning on or after 1st October 1973 the Act shall have effect—

(1) as if there were inserted after paragraph 12A of Part I of Schedule 2 the following paragraphs:

“12B. A pension payable by a government department by way of such compensation as is mentioned in section 8(1)(b).

12C. A pension payable by a government department under any of the enactments set out in the Second Schedule to the Local Government (Superannuation) Act (Northern Ireland) 1950.”;

(2) as if there were inserted after paragraph 21 in Part II of Schedule 2 the following paragraph:

“22. A pension payable by an Education and Library Board by virtue of Article 73 of the Education and Libraries (Northern Ireland) Order 1972(j).”;

7. In the Pensions Increase (Prime Ministers and Speakers) Regulations (Northern Ireland) 1975(k) there shall be substituted:

(e) 1968 c. 8 (N.I.)
 (f) 1869 c. 79
 (g) 1943 c. i (N.I.)
 (h) 1948 c. i (N.I.)

(i) 1950 c. 10 (N.I.)
 (j) S.I. 1972/1263 (N.I. 12)
 (k) S.R. 1975 No. 154

(1) for regulation 2 the following regulation :

“2. Subject to regulation 3, in relation to any period beginning on or after 1st December 1973 the Act shall have effect as if there were inserted after paragraph 1A in Part I of Schedule 2 the following paragraph :

“1B. A pension payable under section 15 of the Ministerial Salaries and Members' Pensions Act (Northern Ireland) 1965(l)” and for the purposes of the Act any such pension shall be deemed to have begun on 1st April 1965.”; and

(2) for regulation 4 the following regulation :

“4. In relation to any period beginning on or after 1st December 1973 the Act shall have effect as if there were inserted after paragraph 1B in Part I of Schedule 2 the following paragraphs :

“1C. The pension payable under Mr. Speaker Stronge's Retirement Act (Northern Ireland) 1969(m).

1D. The pension payable under Mr. Speaker Neill's Retirement (Northern Ireland) Order 1973(n).”

and for the purposes of the Act the pension payable under Mr. Speaker Stronge's Retirement Act (Northern Ireland) 1969 shall be deemed to have begun on 1st April 1965.”

Sealed with the Official Seal of the Department of Finance for Northern Ireland on 12th August 1975.

(L.S.)

J. Armstrong

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the regulations but is intended to indicate their general purport.)

These regulations apply the Pensions (Increase) Act (Northern Ireland) 1971 to the pensions of former presiding officers of the Northern Ireland Assembly.

The regulations amend the Pensions (Increase) Regulations (Northern Ireland) 1975 and the Pensions Increase (Prime Ministers and Speakers) Regulations (Northern Ireland) 1975, both of which applied the Pensions (Increase) Act (Northern Ireland) 1971 to additional classes of pensions. The amendments have the effect of making textual changes in Schedule 2 to the Act, for the purposes of clarity.

The regulations are retrospective by virtue of section 5(4) of the Act.

(l) 1965 c. 18 (N.I.)
(m) 1969 c. 11 (N.I.)

(n) S.I. 1973/1321 (N.I. 19)