

*Status: Point in time view as at 21/07/2008.*

*Changes to legislation: There are currently no known outstanding effects for the Pensions (Increase) Act 1971, SCHEDULE 2. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 2

Sections 4, 5, 7 and 15.

#### OFFICIAL PENSIONS

#### PART I

#### STATE PENSIONS

##### Modifications etc. (not altering text)

- C1** Sch. 2 Pt. I extended by [Judicial Pensions Act 1981 \(c. 20, SIF 71:2\)](#), s. 30, [Sch. 3 para. 7\(1\)–\(4\)](#)  
Sch. 2 Pt. I extended by the Pensions Increase (Civil Service Early Retirement Pension Scheme 1992) Regulations 1993, 1993/806, regs. 3,4 (which Regulations come into force 12.4.1993 but by reg. 4 it is provided that any increase of pensions payable by virtue of those Regulations shall have effect in respect of any pension beginning on or after 1.4.1992).  
[Sch. 2 Pt. I](#) modified (25.7.1995) by [S.I. 1995/1680](#), [reg. 3](#)  
Sch. 2 Pt. I modified (25.7.1995) by [S.I. 1995/1681](#), [reg. 3](#)  
[Sch. 2 Pt. I](#) modified (25.7.1995) by [S.I. 1995/1682](#), [reg. 3](#)  
[Sch. 2 Pt. I](#) modified (25.7.1995) by [S.I. 1995/1683](#), [reg. 3](#)

##### *Ministerial and parliamentary*

- 1 A pension payable under section 3 of the <sup>M1</sup>Ministerial Salaries Consolidation Act 1965 (Prime Ministers) [<sup>F1</sup>or under section 26 or section 27 of the <sup>M2</sup>Parliamentary and other Pensions Act 1972 (Pensions of the Prime Minister and Speaker and their dependants).]

##### Textual Amendments

- F1** Words inserted by Parliamentary and other [Pensions Act 1972 \(c. 48\)](#), [s. 31\(2\)\(a\)](#)

##### Marginal Citations

- M1** 1965 c. 58.  
**M2** 1972 c. 48.

- 2 A pension payable under the <sup>M3</sup>Lord Chancellor's Pension Act 1832 [<sup>F2</sup>as amended by section 28 of the <sup>M4</sup>Parliamentary and other Pensions Act 1972.]

##### Textual Amendments

- F2** Words inserted by Parliamentary and other [Pensions Act 1972 \(c. 48\)](#), [s. 31\(2\)\(b\)](#)

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#### Marginal Citations

- M3** 1832 c. 111.  
**M4** 1972 c. 48.

- 3 A pension payable <sup>F3</sup>... [<sup>F4</sup> (except in respect of any period ending before 1st April 1972) under Mr Speaker King's Retirement Act 1971.]

#### Textual Amendments

- F3** Words in Sch. 2 para. 3 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 11**  
**F4** Words inserted by Parliamentary and other Pensions Act 1972 (c. 48), **s. 31(2)(c)**

- [<sup>F5</sup>3A A pension which under the Parliamentary pension scheme (within the meaning of the Parliamentary and other Pensions Act 1987) is payable out of the Parliamentary Contributory Pension Fund.]

#### Textual Amendments

- F5** Sch. 2 Pt. 1 para. 3A substituted by Parliamentary and other Pensions Act 1987 (c. 45, SIF 89), s. 6, **Sch. 3 para. 3(3)**

#### *[<sup>F6</sup> European Assembly*

#### Textual Amendments

- F6** Para. 3B inserted by European Assembly (Pay and Pensions) Act 1979 (c. 50), s. 4(7)

- 3B A pension payable under an order made under section 4 of the <sup>M5</sup>European Assembly (Pay and Pensions) Act 1979.]

#### Marginal Citations

- M5** 1979 c. 50.

#### *Civil Service*

- 4 A pension payable under the <sup>M6</sup>Superannuation Acts 1965 <sup>M7</sup> and 1967 [<sup>F7</sup> or under a scheme made under section 1 of the <sup>M8</sup>Superannuation Act 1972, being the principal civil service pension scheme within the meaning of section 2 of that Act.]

#### Textual Amendments

- F7** Words inserted by Superannuation Act 1972 (c. 11), **Sch. 6 para. 89(a)**

#### Marginal Citations

- M6** 1965 c. 74.  
**M7** 1967 c. 28.  
**M8** 1972 c. 11.

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[<sup>F8</sup>4A A pension payable under Part I or section 19 of the Judicial Pensions and Retirement Act 1993, other than a pension payable under or by virtue of section 10 of that Act.]

**Textual Amendments**

**F8** Sch. 2 para. 4A inserted (31.3.1995) by 1993 c. 8, ss. 22(1), 31(2); S. I. 1995/631, art. 2

*Administration of justice*

5—6. .... <sup>F9</sup>

**Textual Amendments**

**F9** Sch. 2 Pt. 1 paras. 5, 6, 9, 12, 26 repealed by Judicial Pensions Act 1981 (c. 20, SIF 71:2), s. 30, Sch. 4

7 A pension payable under section 9 of the <sup>M9</sup>County Courts Act 1934 (county court judges).

**Marginal Citations**

**M9** 1934 c. 53.

8 A pension payable under section 20 of the <sup>M10</sup>Sheriff Courts (Scotland) Act 1907 or section 1 of the <sup>M11</sup>Sheriffs' Pensions (Scotland) Act 1961 (sheriffs and salaried sheriffs-substitute).

**Marginal Citations**

**M10** 1907 c. 51.

**M11** 1961 c. 42.

9 ..... <sup>F10</sup>

**Textual Amendments**

**F10** Sch. 2 Pt. 1 paras. 5, 6, 9, 12, 26 repealed by Judicial Pensions Act 1981 (c. 20, SIF 71:2), s. 30, Sch. 4

10 A pension payable under section 4(5) of the <sup>M12</sup>Criminal Justice Administration Act 1956 (Recorder of Manchester or Liverpool).

**Marginal Citations**

**M12** 1956 c. 34.

11 A pension payable under the Superannuation (President of the <sup>M13</sup>Industrial Court) Act 1954.

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#### Marginal Citations

**M13** 1954 c. 37.

12 ..... <sup>F11</sup>

#### Textual Amendments

**F11** Sch. 2 Pt. 1 paras. 5, 6, 9, 12, 26 repealed by [Judicial Pensions Act 1981 \(c. 20, SIF 71:2\)](#), s. 30, [Sch. 4](#)

13 A pension payable under the <sup>M14</sup>Police Magistrates (Superannuation) Acts 1915 <sup>M15</sup> and 1929 [<sup>F12</sup>or under Part I of Schedule 1 to the <sup>M16</sup>Administration of Justice Act 1973.]

#### Textual Amendments

**F12** Words added by [Administration of Justice Act 1973 \(c. 15\)](#), [Sch. 1 para. 11\(2\)](#)

#### Marginal Citations

**M14** 1915 c. 74.

**M15** 1929 c. 37.

**M16** 1973 c. 15.

#### *Police and firemen*

14 A pension payable by a Secretary of State under the <sup>M17</sup>Police (Overseas Service) Act 1945 to a person who at the time of his retirement was engaged as mentioned in section 1(1) of the Act.

This paragraph includes a substituted pension not so payable if the original pension is so payable.

#### Marginal Citations

**M17** 1945 c. 17 (9 & 10 Geo. 6).

15 A pension payable by a Secretary of State under the <sup>M18</sup>[<sup>F13</sup>Police Pensions Act 1976] to a person who at the time of his retirement—

- (a) was engaged as mentioned in section 1(1) of the Police (Overseas Service) Act 1945; or
- [<sup>F14</sup>(b) was engaged on service pursuant to an appointment under section 10 of the <sup>M19</sup>Overseas Development and Co-operation Act 1980, [<sup>F15</sup> or in connection with the provision by the Secretary of State of assistance under the International Development Act 2002 ] being service in respect of which [<sup>F16</sup> section 97 of the Police Act 1996 ] or, as the case may be, section 38A of the <sup>M20</sup>Police (Scotland) Act 1967 had effect; or
- (ba) was engaged on temporary service in accordance with [<sup>F17</sup> section 26(2) of the Police Act 1996 ] or section 12A(2) of the <sup>M21</sup>Police (Scotland) Act 1967; or ]

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- (c) was serving as an inspector or assistant inspector of constabulary under [<sup>F18</sup>the Police Act 1996] or the <sup>M22</sup>Police (Scotland) Act 1967; or
- [<sup>F19</sup>(d) was engaged—
- (i) on relevant service within paragraph (b), (c) or (d) of section 97(1) of the Police Act 1996, or
  - (ii) on central service pursuant to section 38 of the Police (Scotland) Act 1967.]

This paragraph includes a substituted pension not so payable if the original pension is so payable.

#### Textual Amendments

- F13** Words substituted by [Police Pensions Act 1976 \(c. 35\)](#), [Sch. 2 para. 8\(a\)](#)
- F14** [Sch. 2 para. 15\(b\)\(ba\)](#) substituted for para. 15(b) (21.7.1994 for purposes specified in s. 94(3)(c)(d) of the substituting Act and 1.4.1995 for all remaining purposes) by [1994 c. 29, ss. 44, 94\(3\)\(c\)\(d\)](#), [Sch. 5 Pt. II para. 17](#); S.I. 1994/3262, art. 4(1), [Sch.](#) (with transitional provision in art. 5)
- F15** Words in [Sch. 2 para. 15\(b\)](#) inserted (17.6.2002) by [International Development Act 2002 \(c. 1\)](#), s. 19, [Sch. 3 para. 4](#) (with [Sch. 5 para. 5](#)); S.I. 2002/1408, [art. 2](#)
- F16** Words in [Sch. 2 para. 15\(b\)](#) substituted (22.8.1996) by [1996 c. 16, ss. 103, 104\(1\)](#), [Sch. 7 Pt. II, para. 18\(2\)\(a\)](#)
- F17** Words in [Sch. 2 para. 15\(ba\)](#) substituted (22.8.1996) by [1996 c. 16, ss. 103, 104\(1\)](#), [Sch. 7 Pt. II, para. 18\(2\)\(b\)](#)
- F18** Words in [Sch. 2 para. 15\(c\)](#) substituted (22.8.1996) by [1996 c. 16, ss. 103, 104\(1\)](#), [Sch. 7 Pt. II, para. 18\(2\)\(c\)](#)
- F19** [Sch. 2 para. 15\(d\)](#) substituted (22.8.1996) by [1996 c. 16, ss. 103, 104\(1\)](#), [Sch. 7, Pt. II, para. 18\(2\)\(d\)](#)

#### Marginal Citations

- M18** [1976 c. 35](#).
- M19** [1980 c. 63](#)
- M20** [1967 c. 77](#).
- M21** [1967 c. 77](#).
- M22** [1967 c. 77](#).

- [<sup>F20</sup>15A A pension payable by a Secretary of State under regulations made under section 24 of the <sup>M23</sup>Superannuation Act 1972 (compensation for loss of employment, etc. ) to or in respect of such a person as is referred to in paragraph 15 above. ]

#### Textual Amendments

- F20** [Sch. 2 para. 15A](#) inserted by [Superannuation Act 1972 \(c. 11\)](#), [Sch. 6 para. 89\(b\)](#)

#### Marginal Citations

- M23** [1972 c. 11](#).

- [<sup>F21</sup> 16 A pension payable by a Secretary of State in accordance with a scheme brought into operation under section 34 of the Fire and Rescue Services Act 2004.]

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#### Textual Amendments

**F21** Sch. 2 para. 16 substituted (1.10.2004 for specified purposes except in relation to W., 10.11.2004 for W.) by [Fire and Rescue Services Act 2004 \(c. 21\)](#), s. 61, **Sch. 1 para. 35(2)** (with savings for E.S. in [S.I. 2004/2306](#), art. 3, Sch. and for W. in [S.I. 2004/2918](#), art. 3, Sch.; and for S. (11.11.2004) in [S.I. 2004/2918](#), art.1(1), Sch.); [S.I. 2004/2304](#), art. 2; [S.I. 2004/2917](#), art. 2

[<sup>F22</sup> 16A A pension which is payable—

- (a) by a Secretary of State under regulations made under section 24 of the Superannuation Act 1972; and
- (b) to or in respect of a person in respect of whose service a payment may be made under a scheme brought into operation under section 34 of the Fire and Rescue Services Act 2004.]

#### Textual Amendments

**F22** Sch. 2 paras. 16, 16A substituted for Sch. 2 para. 16 (1.10.2004 except in relation to W., 10.11.2004 for W.) by [Fire and Rescue Services Act 2004 \(c. 21\)](#), s. 61, Sch. 1 para. 35(2) (with savings for E.S. in [S.I. 2004/2306](#), art. 3, Sch., for W. and S. in [S.I. 2004/2918](#), arts. 1(1), 3, Sch.); [S.I. 2004/2304](#), art. 2; [S.I. 2004/2917](#), art. 2

#### *Teachers*

17 A pension payable under the Elementary School Teachers (Superannuation) Acts 1898 to 1912.

18 A pension payable under the Teachers (Superannuation) Acts 1918 to 1956.

This paragraph does not include—

- (a) a pension specified in paragraph 56 of this Schedule; or
- (b) so much of any pension payable under the <sup>M24</sup>said Acts of 1918 to 1956 as would not have been payable apart from an election under section 10(1) of the Teachers (Superannuation) Act 1956.

#### Marginal Citations

**M24** [1956 c. 53](#).

19 A pension payable under the Education (Scotland) Acts 1939 to 1967.

This paragraph does not include a pension granted under Regulation 45 of the <sup>M25</sup>Teachers (Superannuation) (Scotland) Regulations 1957.

#### Marginal Citations

**M25** [S.I. 1957/356](#).

20 A pension payable under regulations made under [<sup>F23</sup>section 9 of the <sup>M26</sup>Superannuation Act 1972]

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**Textual Amendments**

**F23** Words substituted by [Superannuation Act 1972 \(c. 11\)](#), [Sch. 6 para. 89\(d\)](#)

**Marginal Citations**

**M26** [1972 c. 11](#)

[<sup>F24</sup>20A A pension payable to or in respect of a teacher under regulations made under section 24 of the <sup>M27</sup>Superannuation Act 1972 (compensation for loss of employment, etc.).]

**Textual Amendments**

**F24** [Para. 20A](#) inserted by [Superannuation Act 1972 \(c. 11\)](#), [Sch. 6 para. 89\(e\)](#)

**Marginal Citations**

**M27** [1972 c. 11](#).

21 ..... <sup>F25</sup>

**Textual Amendments**

**F25** [Sch. 2 Pt. I para. 21](#) repealed by [Superannuation Act 1972 \(c. 11\)](#), s. 29(4), [Sch. 8](#)

*National health service*

22 A pension payable by a Secretary of State under or by virtue of any of the following:

- (a) section 6 of the <sup>M28</sup>National Health Service Act 1946 or of the <sup>M29</sup>National Health Service (Scotland) Act 1947 (former officers of voluntary hospitals);
- (b) section . . . <sup>F26</sup> 68 of the National Health Service Act 1946 or section . . . <sup>F26</sup> 67 of the National Health Service (Scotland) Act 1947 (former officers of hospital authorities and others engaged in health services);
- [<sup>F27</sup>(c) regulations made under section 10 of the <sup>M30</sup>Superannuation Act 1972;]
- [<sup>F28</sup>(d) section 44 of the <sup>M31</sup>National Health Service Reorganisation Act 1973 or section 34A of the <sup>M32</sup>National Health Service (Scotland) Act 1972.]

**Textual Amendments**

**F26** Words repealed by [Superannuation Act 1972 \(c. 11\)](#), s. 29(4), [Sch. 8](#)

**F27** [Para. 22\(c\)](#) inserted by [Superannuation Act 1972 \(c. 11\)](#), [Sch. 6 para. 89\(h\)](#)

**F28** [Para. 22\(d\)](#) inserted by [National Health Service Reorganisation Act 1973 \(c. 32\)](#), [Sch. 4 para. 133](#)

**Marginal Citations**

**M28** [1946 c. 81](#).

**M29** [1947 c. 27](#).

**M30** [1972 c. 11](#).

**M31** [1973 c. 32](#).

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**M32** 1972 c. 58.

- 23 A pension payable by a Secretary of State in consequence of any change affecting the National Health Service and payable—
- (a) in pursuance of an order under section 11(9) of the National Health Service Act 1946; or
  - (b) under regulations made under section 60(2) of the <sup>M33</sup>Local Government Act 1958, section 85(4) of the <sup>M34</sup>London Government Act 1963 . . . <sup>F29</sup>

**Textual Amendments**

**F29** Words repealed by [Superannuation Act 1972 \(c. 11\)](#), s. 29(4), **Sch. 8**

**Marginal Citations**

**M33** 1958 c. 55.

**M34** 1963 c. 33.

- [<sup>F30</sup>23A A pension payable to or in respect of a person in relation to whom regulations may be made under the said section 10, being a pension payable under regulations made under section 24 of the said Act of 1972 (compensation for loss of employment, etc.).]

**Textual Amendments**

**F30** [Para. 23A](#) inserted by [Superannuation Act 1972 \(c. 11\)](#), **Sch. 6 para. 89(i)**

*National insurance*

- 24 A pension payable by a Secretary of State in pursuance of regulations made under section 67 of the <sup>M35</sup>National Insurance Act 1946 (loss of employment or diminution of emoluments attributable to passing of that Act of former employees of approved societies etc.).

**Marginal Citations**

**M35** 1946 c. 67.

- 25 A pension payable in pursuance of rules made under section 3 of the <sup>M36</sup>Superannuation (Miscellaneous Provisions) Act 1948 (former employees of approved societies etc.).

This paragraph does not include a pension payable under the [<sup>F31</sup>principal civil service pension scheme within the meaning of section 2 of the <sup>M37</sup>Superannuation Act 1972.]

**Textual Amendments**

**F31** Words substituted by [Superannuation Act 1972 \(c. 11\)](#), **Sch. 6 para. 89(j)**



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**Marginal Citations**

**M36** 1948 c. 33.

**M37** 1972 c. 11.

26 ..... <sup>F32</sup>

**Textual Amendments**

**F32** Sch. 2 Pt. 1 paras. 5, 6, 9, 12, 26 repealed by [Judicial Pensions Act 1981 \(c. 20, SIF 71:2\)](#), s. 30, [Sch. 4](#)

*Diplomatic, colonial and overseas service*

27 A pension payable under the <sup>M38</sup>Governors Pensions Acts 1957 and 1967.

**Marginal Citations**

**M38** 1957 c. 62

[<sup>F33</sup>27A A pension payable under any scheme or part of a scheme made under section 2 of the Overseas Pensions Act 1973 which incorporates, replaces or amends the provisions of the <sup>M39</sup>Governors' Pensions Acts 1957 and 1967 or of the <sup>M40</sup>Superannuation Act 1965 so far as it continued to have effect by virtue of section 23(2) of the <sup>M41</sup>Superannuation Act 1972.]

**Textual Amendments**

**F33** [Para. 27A](#) inserted by [Overseas Pensions Act 1973 \(c. 21\)](#), s. 4(3)

**Marginal Citations**

**M39** 1957 c. 62

**M40** 1965 c. 74.

**M41** 1972 c. 11.

<sup>F34</sup>28 .....

**Textual Amendments**

**F34** [Sch. 2 para. 28](#) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 11](#)

29 A pension payable under the <sup>M42</sup>Diplomatic Salaries &c. Act 1869.

**Marginal Citations**

**M42** 1869 c. 43.

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### *Service in Ireland*

- 30 A pension payable under Schedule 8 to the <sup>M43</sup>Government of Ireland Act 1920 (former Irish civil servants).

#### **Marginal Citations**

**M43** 1920 c. 67.

- 31 A pension payable to or in respect of an existing Irish officer within the meaning of the Government of Ireland Act 1920, under the Superannuation Acts 1834 to 1965.
- 32 A pension payable under the enactments relating to pensions of the Royal Irish Constabulary.

This paragraph does not include a pension payable under regulations made under section 1 of the <sup>M44</sup>Royal Irish Constabulary (Widows' Pensions) Act 1954.

#### **Marginal Citations**

**M44** 1954 c. 17.

### *Miscellaneous*

- 33 A pension payable by a Secretary of State in respect of service as officer of a local valuation panel, under regulations made under section 85(4) of the <sup>M45</sup>London Government Act 1963.

#### **Marginal Citations**

**M45** 1963 c. 33.

- 34 A pension payable under section 29 of the <sup>M46</sup>Finance Act 1932, section 60 of the <sup>M47</sup>Finance (No. 2) Act 1945 or section 62 of the <sup>M48</sup>Finance Act 1946 (compensation to tax collectors and assessors for loss of employment).

#### **Marginal Citations**

**M46** 1932 c. 25.

**M47** 1945 c. 13 (9 & 10 Geo. 6).

**M48** 1946 c. 64.

- 35 A pension payable by way of residual compensation under Part IV of the <sup>M49</sup>Gas (Staff Compensation) Regulations 1949 as amended by the <sup>M50</sup>Gas (Staff Compensation) (Amendment) Regulations 1951 (gas meter examiners and others employed by local authorities before nationalisation).

#### **Marginal Citations**

**M49** S.I. 1949/2289.

**M50** S.I. 1951/1327.

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<sup>F35</sup>36 .....

**Textual Amendments**

**F35** Sch. 2 para. 36 repealed (21.7.2008) by Statute Law (Repeals) Act 2008 (c. 12), Sch. 1 Pt. 1 Group 4

37 A pension payable by a Secretary of State under regulations made under [<sup>F36</sup>section 129 of the <sup>M51</sup>Reserve Forces Act 1980] (civilian employees of Territorial and Auxiliary Forces Associations).

**Textual Amendments**

**F36** Words substituted by Reserve Forces Act 1980 (c. 9, SIF 7:2), s. 157, Sch. 9 para. 11

**Marginal Citations**

**M51** 1980 c. 9

38 A pension payable by a Secretary of State in respect of service with the St. Andrew's Ambulance Association, by reference to regulations made under section 4 of the <sup>M52</sup>Public Expenditure and Receipts Act 1968.

**Marginal Citations**

**M52** 1968 c. 14.

[<sup>F37</sup>38A A pension payable by virtue of paragraph [<sup>F38</sup>10 of Schedule 1][<sup>F38</sup>15(2) of Schedule 1 to the Enterprise and New Towns (Scotland) Act 1990 (as read with paragraph 7 of Schedule 3 to that Act)]or of regulations made under paragraph 3 of Schedule 3 to the <sup>M53</sup>Scottish Development Agency Act 1975.]

**Textual Amendments**

**F37** Para. 38A inserted by Scottish Development Agency Act 1975 (c. 69), Sch. 4 para. 2

**F38** Words substituted (E.W.S.) by Enterprise and New Towns (Scotland) Act 1990 (c. 35, SIF 64), s. 38(1), Sch. 4 para. 4

**Marginal Citations**

**M53** 1975 c. 69.

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## PART II

### PENSIONS OUT OF LOCAL FUNDS

#### *[<sup>F39</sup> Scottish Parliament and Scottish Executive*

##### Textual Amendments

**F39** Sch. 2 Pt. II para. 38AB and cross heading inserted (6.5.1999) by 1998 c. 46, s. 125, **Sch. 8 para. 13**; S.I. 1998/3178, art. 2(2), **Sch. 3**

<sup>F40</sup>38AB A pension payable under a scheme established by virtue of section 81(4)(b) of, or paragraph 3(4)(b) of Schedule 2 to, the Scotland Act 1998.]

##### Textual Amendments

**F40** Sch. 2 Pt. II para. 38AB and cross heading inserted (6.5.1999) by 1998 c. 46, s. 125, **Sch. 8 para. 13** (with s. 126(3)-(11)); S. I. 1998/3178, art. 2(2), **Sch. 3**

#### *[<sup>F41</sup> National Assembly for Wales]*

##### Textual Amendments

**F41** Sch. 2 Pt. II para. 38B and crossheading inserted (1.4.1999) by 1998 c. 38, s. 125, **Sch. 12 para. 10** (with ss. 139(2), 143(2)); S.I. 1999/782, **art. 2**

[<sup>F42</sup>38B A pension payable under a scheme established under [<sup>F43</sup>section 20(4)(b) or section 53(4)(b) of the Government of Wales Act 2006].]

##### Textual Amendments

**F42** Sch. 2 Pt. II para. 38B and crossheading inserted (1.4.1999) by 1998 c. 38, s. 125, **Sch. 12 para. 10** (with ss. 139(2), 143(2)); S.I. 1999/782, **art. 2**

**F43** Words in Sch. 2 para. 38B substituted by **Government of Wales Act 2006 (c. 32)**, s. 160, Sch. 10 para. 9 (with Sch. 11 para. 22), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(1)(4)(5) of the amending Act, which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(4)(5) of the amending Act.

#### *Local government service*

39 A pension payable by a local authority in respect of service ending with local government service, other than a pension within paragraph 44, 45 or 52 of this Schedule or within the exception from paragraph 44.

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### *Administration of justice*

- 40 A pension payable under section 33 of the Justices of the Peace Act 1949 (stipendiary magistrates).

#### **Marginal Citations**

**M54** 1949 c. 101.

- 41 A pension payable by a local authority under Part I of the Administration of Justice (Pensions) Act 1950 (widows and children of stipendiary magistrates and of chairmen and deputy chairmen of London Sessions).

#### **Marginal Citations**

**M55** 1950 c. 11 (14 & 15 Geo. 6).

- 42 A pension payable under section 22 of the Administration of Justice (Pensions) Act 1950 (chairmen and deputy chairmen of London Sessions).

### *Police and firemen*

- 43 A pension payable (otherwise than as mentioned in paragraph 14 or 15 above) under any of the following;—
- (a) [<sup>F44</sup>the <sup>M56</sup>Police Pensions Act 1976, or any enactment repealed by the <sup>M57</sup>Police Pensions Act 1948] or by the <sup>M58</sup>Police Pensions Act 1921;
  - [<sup>F45</sup>(b) section 51 or 52 of the Police Act 1996;]
  - (c) section 26 or 27 of the <sup>M59</sup>Police (Scotland) Act 1967.

This paragraph does not include a derivative pension other than a substituted pension, nor a substituted pension if the original pension was a derivative pension.

#### **Textual Amendments**

**F44** Words substituted by [Police Pensions Act 1976 \(c. 35\), Sch. 2 para. 8\(b\)](#)

**F45** [Sch. 2 para. 43\(b\)](#) substituted (22.8.1996) by 1996 c. 16, ss. 103, 104(1), [Sch. 7, Pt. II para. 18\(3\)](#)

#### **Marginal Citations**

**M56** 1976 c. 35.

**M57** 1948 c. 24.

**M58** 1921 c. 31.

**M59** 1967 c. 77.

- [<sup>F46</sup> 44 A pension payable by a fire and rescue authority or a [<sup>F47</sup>relevant authority (as defined in section 6 of the [Fire \(Scotland\) Act 2005 \(asp 5\)](#))] in accordance with a scheme brought into operation under section 34 of the Fire and Rescue Services Act 2004.]

*Status: Point in time view as at 21/07/2008.*

*Changes to legislation: There are currently no known outstanding effects for the Pensions (Increase) Act 1971, SCHEDULE 2. (See end of Document for details)*

#### Textual Amendments

- F46** Sch. 2 para. 44 substituted (1.10.2004 except in relation to W., 10.11.2004 for W.) by [Fire and Rescue Services Act 2004 \(c. 21\), s. 61, Sch. 1 para. 35\(3\)](#) (with savings for E.S. in [S.I. 2004/2306](#), art. 3, Sch. and for W. in [S.I. 2004/2918](#), art. 3, Sch.); [S.I. 2004/2304](#), art. 2; [S.I. 2004/2917](#), art. 2
- F47** Words in [Sch. 2 para. 44](#) substituted (2.8.2005) by [Fire \(Scotland\) Act 2005 \(Consequential Provisions and Modifications\) Order 2005 \(S.I. 2005/2060\)](#), art. 1(2)(f), [Sch. para. 1](#)

<sup>F48</sup>45 .....

#### Textual Amendments

- F48** Sch. 2 para. 45 repealed (1.10.2004 except in relation to W., 10.11.2004 for W.) by [Fire and Rescue Services Act 2004 \(c. 21\), s. 61, Sch. 1 para. 35\(4\), Sch. 2](#); [S.I. 2004/2304](#), art. 2; [S.I. 2004/2917](#), art. 2

- 46 A derivative pension payable under the <sup>M60</sup>Police Pensions Act 1921 in respect of a person to whom the <sup>M61</sup>National Fire Service (Preservation of Pensions) (Police Firemen) Regulations 1941 applied at the time of that person's death or retirement.

#### Marginal Citations

- M60** 1921 c. 31.  
**M61** S.R. & O. 1941/1271.

#### *Court and police staffs*

- 47 A pension payable by a local authority in England or Wales under any enactment other than section 15(1) to (7) of the <sup>M62</sup>Superannuation (Miscellaneous Provisions) Act 1967 in respect of—
- (a) service as a justices' clerk or as the employee of a justices' clerk; or
  - (b) service as a person employed by a magistrates' courts committee to assist a justices' clerk [<sup>F49</sup>or as staff of such a committee; or
  - (c) service as a justices' chief executive.]

#### Textual Amendments

- F49** [Sch. 2 para. 47\(c\)](#), and preceding words in [para. 47\(b\)](#) added (1.4.1995) by [1994 c. 29, s. 91, Sch. 8 Pt. II para. 26](#); [S.I. 1995/685](#), [arts. 4\(1\), 7\(2\)\(b\)](#)

#### Marginal Citations

- M62** 1967 c. 28.

- 48 A pension payable by <sup>F50</sup>the [<sup>F51</sup>London Residuary Body][<sup>F51</sup>London Pensions Fund Authority] in respect of service ending with employment by the committee of magistrates for the inner London area.

#### Textual Amendments

- F50** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\), s. 61\(1\)](#)

*Status: Point in time view as at 21/07/2008.*

*Changes to legislation: There are currently no known outstanding effects for the Pensions (Increase) Act 1971, SCHEDULE 2. (See end of Document for details)*

**F51** Words “London Pensions Fund Authority” substituted for “London Residuary Body” by [S.I. 1989/1815, art. 7\(5\)](#)

49 A pension payable by [<sup>F52</sup>the][<sup>F53</sup>London Residuary Body][<sup>F53</sup>London Pensions Fund Authority] under any enactment in respect of service in the employment of the standing joint committee for the county of London as clerk of the peace or deputy clerk of the peace or in any other capacity.

#### Textual Amendments

**F52** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\), s. 61\(1\)](#)

**F53** Words “London Pensions Fund Authority” substituted for “London Residuary Body” by [S.I. 1989/1815, art. 7\(5\)](#)

50 A pension payable under section 15(1) to (7) of the Superannuation (Miscellaneous Provisions) Act 1967 (metropolitan civil staffs).

51 A pension payable by a local authority, or by a police authority in England and Wales <sup>F54</sup> . . . , under any enactment other than section 15 of the <sup>M63</sup>Superannuation (Miscellaneous Provisions) Act 1967 in respect of service ending with—

- (a) service as a civilian employed under [<sup>F55</sup>section 15 of the Police Act 1996] by such a police authority; or
- (b) service as a traffic warden employed by such a police authority under section 2 of the <sup>M64</sup>Road Traffic and Roads Improvement Act 1960 or section 81(9) of the <sup>M65</sup>Road Traffic Regulation Act 1967 [<sup>F56</sup>section 95(1) of the Road Traffic Regulation Act 1984.]

#### Textual Amendments

**F54** Words in Sch. 2 para. 51 repealed (22.8.1996) by [1996 c. 16, ss. 103, 104\(1\), Sch. 9 Pt. I](#)

**F55** Words in Sch. 2 para. 51(a) substituted (22.8.1996) by [1996 c. 16, ss. 103, 104\(1\), Sch. 7 Pt. II, para. 18\(4\)](#)

**F56** Words inserted by [Road Traffic Regulation Act 1984 \(c. 27, SIF 107:1\), s. 146, Sch. 13 para. 12](#)

#### Marginal Citations

**M63** [1967 c. 28.](#)

**M64** [1960 c. 63.](#)

**M65** [1967 c. 76.](#)

52 A pension payable by a police authority under regulations made under section 60(2) of the <sup>M66</sup>Local Government Act 1958, section 85(4) of the <sup>M67</sup>London Government Act 1963 or section 4 of the <sup>M68</sup>Public Expenditure and Receipts Act 1968 (compensation for loss of employment or emoluments due to reorganisation of local government etc). [<sup>F57</sup>or under regulations made under section 24 of the <sup>M69</sup>Superannuation Act 1972 (further provisions requiring payment of compensation for loss of employment, etc.).

This paragraph does not apply to a pension payable as mentioned in paragraph 15A above.]

*Status: Point in time view as at 21/07/2008.*

*Changes to legislation: There are currently no known outstanding effects for the Pensions (Increase) Act 1971, SCHEDULE 2. (See end of Document for details)*

#### Textual Amendments

**F57** Words inserted by [Superannuation Act 1972 \(c. 11\)](#), **Sch. 6 para. 89(k)**

#### Marginal Citations

**M66** 1958 c. 55.

**M67** 1963 c. 33.

**M68** 1968 c. 14.

**M69** 1972 c. 11.

#### *Probation and after-care service*

- 53 A pension payable in accordance with regulations under Schedule 4 to the <sup>M70</sup>Local Government Superannuation Act 1953 [<sup>F58</sup>or section 7 of the <sup>M71</sup>Superannuation Act 1972] in respect of service as a probation officer or as a person appointed to assist a probation officer in the performance of his duties by a probation and after-care committee, by the Secretary of State or, before 1st July 1944, by a probation officer.

#### Textual Amendments

**F58** Words inserted by [Superannuation Act 1972 \(c. 11\)](#), **Sch. 6 para. 89(l)**

#### Marginal Citations

**M70** 1953 c. 25.

**M71** 1972 c. 11.

- [<sup>F59</sup>53A A pension payable in accordance with regulations under section 7 of the <sup>M72</sup>Superannuation Act 1972 in respect of service as chairman, chief officer, member or member of the staff of a local probation board established under section 4 of the Criminal Justice and Court Services Act 2000.]

#### Textual Amendments

**F59** Sch. 2 para. 53A inserted (1.4.2001) by [2000 c. 43, s. 74](#), **Sch. 7 Pt. II para. 45**; S.I. 2001/919, **art. 2(f)(ii)**

#### Marginal Citations

**M72** 1972 c. 11.

- [<sup>F60</sup>53B. A pension payable in accordance with regulations under section 7 of the Superannuation Act 1972 in respect of service as a member of staff of a probation trust established under section 5 of the Offender Management Act 2007.]

#### Textual Amendments

**F60** [Sch. 2 para. 53B](#) inserted (1.4.2008) by [The Offender Management Act 2007 \(Consequential Amendments\) Order 2008 \(S.I. 2008/912\)](#), art. 1, **Sch. 1 para. 5(2)**

- 54 A pension payable by a local authority in England and Wales in respect of service as a member of the staff of an approved probation home or an approved probation hostel.



*Status: Point in time view as at 21/07/2008.*

*Changes to legislation: There are currently no known outstanding effects for the Pensions (Increase) Act 1971, SCHEDULE 2. (See end of Document for details)*

- 55 A pension payable by a probation and after-care committee under regulations made under section 60(2) of the <sup>M73</sup>Local Government Act 1958 or section 85(4) of the <sup>M74</sup>London Government Act 1963 (compensation for loss of employment or emoluments due to reorganisation of local government) [<sup>F61</sup>or under regulations made under section 24 of the <sup>M75</sup>Superannuation Act 1972 (further provisions requiring payment of compensation for loss of employment, etc.).]

**Textual Amendments**

**F61** Words inserted by [Superannuation Act 1972 \(c. 11\)](#), [Sch. 6 para 89\(m\)](#)

**Marginal Citations**

**M73** 1958 c. 55

**M74** 1963 c. 33.

**M75** 1972 c. 11.

*Teachers and school staff*

- 56 A pension payable by a local authority under section 14(3)(b) of the <sup>M76</sup>Teachers (Superannuation) Act 1925.

**Marginal Citations**

**M76** 1925 c. 59.

- 57 A pension payable by a local authority in England or Wales under any enactment in respect of service as an employee of the managers of a non-provided school within the meaning of the <sup>M77</sup>Education Act 1921 or a voluntary school within the meaning of [<sup>F62</sup>the Education Act 1996.].

**Textual Amendments**

**F62** Words in [Sch. 2 Pt. II](#) substituted (1.11.1996) by [1996 c. 56](#), ss. 582(1), 583(3), [Sch. 37 Pt. I](#), para. 20 (with ss. 1(4), 582(3), [Sch. 39](#))

**Marginal Citations**

**M77** 1921 c. 51.

- 58 A pension payable by a local authority in England or Wales under any enactment in respect of service as an employee of the governing body of any school or educational institution (other than a public elementary school or a county or voluntary school) if the whole cost of maintaining the school or educational institution after deducting such part of the cost (if any) as is met by the governing body fell or falls to be met by the local authority.
- 59 A pension payable by a local authority in respect of service as a member of the staff of an approved school.

*Status: Point in time view as at 21/07/2008.*

*Changes to legislation: There are currently no known outstanding effects for the Pensions (Increase) Act 1971, SCHEDULE 2. (See end of Document for details)*

### Miscellaneous

- 60 A pension payable by a local authority under any enactment in respect of service as a registration officer as defined in [<sup>F63</sup>regulations made under section 7 of the <sup>M78</sup>Superannuation Act 1972.]

#### Textual Amendments

**F63** Words substituted by [Superannuation Act 1972 \(c. 11\), Sch. 6 para. 89\(n\)](#)

#### Marginal Citations

**M78** 1972 c. 11.

- 61 A pension payable under [<sup>F64</sup>section 6 of the <sup>M79</sup>Coroners (Amendment) Act 1926 (county and borough coroners)] [<sup>F64</sup>paragraph 2 of Schedule 1 to the Coroners Act 1988.]

#### Textual Amendments

**F64** Words substituted (E.W.) by [Coroners Act 1988 \(c. 13, SIF 33\)](#), s. 36(1), Sch. 3 para. 15

#### Marginal Citations

**M79** 1926 c. 59.

- 62 A pension payable by a local authority in respect of service as a clerk, officer or servant employed under section 47 of the <sup>M80</sup>Local Government Act 1948 or section 92 of the <sup>M81</sup>General Rate Act 1967 by a local valuation panel.

#### Marginal Citations

**M80** 1948 c. 26.

**M81** 1967 c. 9.

- 63 A pension payable by a local authority in respect of service ending with service as a rent officer or deputy rent officer under section 22 or 24 of the <sup>M82</sup>Rent Act 1965 or section 40 of the <sup>M83</sup>Rent Act 1968 [<sup>F65</sup>or section 63 of the <sup>M84</sup>Rent Act 1977.]

#### Textual Amendments

**F65** Words added by [Rent Act 1977 \(c. 42\), s. 155\(2\), Sch. 23 para. 51](#)

#### Marginal Citations

**M82** 1965 c. 75.

**M83** 1968 c. 23.

**M84** 1977 c. 42.

- 64 A pension payable by a local authority by way of such compensation as is mentioned in section 8(1)(b) [<sup>F66</sup>or (c)] of this Act.

*Status: Point in time view as at 21/07/2008.*

*Changes to legislation: There are currently no known outstanding effects for the Pensions (Increase) Act 1971, SCHEDULE 2. (See end of Document for details)*

#### Textual Amendments

**F66** Words substituted by [Superannuation Act 1972 \(c. 11\)](#), [Sch. 6 para. 89\(o\)](#)

[<sup>F67</sup>64A A pension payable by a residuary body established by the Local Government Act 1985 in respect of service ending with service with that body.]

#### Textual Amendments

**F67** [Sch. 2 Pt. 1 paras. 64A, 64B](#) inserted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), [s. 61\(2\)](#)

#### Modifications etc. (not altering text)

**C2** [Sch. 2 para. 64A](#) extended (5.7.1994) by [1994 c. 19, ss. 39, 66\(2\)](#), [Sch. 13 para. 27](#) (with [ss. 54\(7\), 66\(7\)](#)), [Sch. 17 paras. 22\(1\), 23\(2\)](#))

[<sup>F68</sup>64B A pension payable by such a residuary body, being a pension which would fall within any of the foregoing paragraphs of this Part of this Schedule if references to a local authority had continued to include references to the authorities abolished by the Act.]

#### Textual Amendments

**F68** [Sch. 2 Pt. I paras 64A, 64B](#) inserted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), [s.61\(2\)](#)

[<sup>F69</sup>64C A pension payable by the London Residuary Body, being a pension which would fall within any of the foregoing paragraphs of this Part of this Schedule if references to a local authority had continued to include references to the Inner London Education Authority.]

#### Textual Amendments

**F69** [Sch. 2 Pt. 1 para. 64C](#) inserted (29.7.1988) by [Education Reform Act 1988 \(c. 40, SIF 41:1\)](#), [s. 179\(3\)](#)

[<sup>F70F71</sup>64D A pension payable by the London Pensions Fund Authority.]

#### Textual Amendments

**F70** [Sch. 2 Pt. II para. 64D](#) inserted (E.W.) (30.10.1989) at the end of Part II by [SI 1989/1815](#), [art. 7\(6\)](#)

**F71** Para. renumbered 64D by [S.I. 1990/198](#), [art.3](#)

## PART III

### OTHER PENSIONS

[<sup>F72F73</sup>65 A pension payable by the trustees of a trustee saving bank or by the Inspection Committee of trustees saving banks]

*Status: Point in time view as at 21/07/2008.*

*Changes to legislation: There are currently no known outstanding effects for the Pensions (Increase) Act 1971, SCHEDULE 2. (See end of Document for details)*

#### Textual Amendments

- F72** Sch. 2 Pt. III para. 65 repealed by [Trustee Savings Banks Acts 1976 \(c.4\)](#) Sch. 6 except in relation to any pension beginning before 21.11.1976; the text is retained for this reason.
- F73** The text of Sch 2 Pt. III para. 65, Sch. 3 para. 4, 5, Sch. 7, Sch. 8 Pt. I, II is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

66 A pension payable in respect of service with, or as compensation for loss of employment on the winding up of, the Raw Cotton Commission.

In relation to a pension within this paragraph the Minister for the Civil Service shall be taken to be the pension authority.

67 ..... <sup>F74</sup>

#### Textual Amendments

- F74** Sch. 2 pt. III para. 67 repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 102, [Sch. 17](#)

68 A pension payable by the council of the London borough of Southwark in respect of employment in the borough market, Southwark.

[<sup>F75</sup>68A A pension payable by virtue of regulations made under section 3(2) of the <sup>M85</sup>New Towns (Scotland) Act 1977.]

#### Textual Amendments

- F75** Para. 68A inserted by [New Towns \(Scotland\) Act 1977 \(c. 16\)](#), s. 3(7)

#### Marginal Citations

- M85** 1977 c. 16.

**Status:**

Point in time view as at 21/07/2008.

**Changes to legislation:**

There are currently no known outstanding effects for the Pensions (Increase) Act 1971, SCHEDULE 2.