

Status: Point in time view as at 11/11/2004.

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

SCHEDULES

SCHEDULE 2

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 ^{M1}Ministerial Salaries Consolidation Act 1965 (Prime Ministers) [^{F1}or under section 26 or section 27 of the ^{M2}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 ^{M3}Lord Chancellor's Pension Act 1832 [^{F2}as amended by section 28 of the ^{M4}Parliamentary and other Pensions Act 1972.]

Textual Amendments

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

Status: Point in time view as at 11/11/2004.

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

Marginal Citations

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

- 3 A pension payable ^{F3}... [^{F4} (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- F3 Words in Sch. 2 para. 3 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 11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)

- [^{F5}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)

[^{F6} 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 ^{M5}European Assembly (Pay and Pensions) Act 1979.]

Marginal Citations

- M5 1979 c. 50.

Civil Service

- 4 A pension payable under the ^{M6}Superannuation Acts 1965 ^{M7} and 1967 [^{F7} or under a scheme made under section 1 of the ^{M8}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.

Status: Point in time view as at 11/11/2004.

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

[^{F8}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. ^{F9}

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 ^{M9}County Courts Act 1934 (county court judges).

Marginal Citations

M9 1934 c. 53.

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

Marginal Citations

M10 1907 c. 51.

M11 1961 c. 42.

9 ^{F10}

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 ^{M12}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 ^{M13}Industrial Court) Act 1954.

Status: Point in time view as at 11/11/2004.

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

Marginal Citations

M13 1954 c. 37.

12 F11

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 ^{M14}Police Magistrates (Superannuation) Acts 1915 ^{M15} and 1929 [^{F12}or under Part I of Schedule 1 to the ^{M16}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 ^{M17}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 ^{M18}[^{F13}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
- [^{F14}(b) was engaged on service pursuant to an appointment under section 10 of the ^{M19}Overseas Development and Co-operation Act 1980, [^{F15} 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 [^{F16} section 97 of the Police Act 1996] or, as the case may be, section 38A of the ^{M20}Police (Scotland) Act 1967 had effect; or
- (ba) was engaged on temporary service in accordance with [^{F17} section 26(2) of the Police Act 1996] or section 12A(2) of the ^{M21}Police (Scotland) Act 1967; or]

Status: Point in time view as at 11/11/2004.

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

- (c) was serving as an inspector or assistant inspector of constabulary under [^{F18}the Police Act 1996] or the ^{M22}Police (Scotland) Act 1967; or
- [^{F19}(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](#).

- [^{F20}15A A pension payable by a Secretary of State under regulations made under section 24 of the ^{M23}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](#).

- [^{F21} 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.]

Status: Point in time view as at 11/11/2004.

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

Textual Amendments

F21 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

- [^{F22} 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 ^{M24}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 ^{M25}Teachers (Superannuation) (Scotland) Regulations 1957.

Marginal Citations

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

- 20 A pension payable under regulations made under [^{F23}section 9 of the ^{M26}Superannuation Act 1972]

Status: Point in time view as at 11/11/2004.

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

Textual Amendments

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

Marginal Citations

M26 [1972 c. 11](#)

[^{F24}20A A pension payable to or in respect of a teacher under regulations made under section 24 of the ^{M27}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 ^{F25}

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

Status: Point in time view as at 11/11/2004.

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

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 ^{M33}Local Government Act 1958, section 85(4) of the ^{M34}London Government Act 1963 . . . ^{F29}

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.

- [^{F30}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 ^{M35}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 ^{M36}Superannuation (Miscellaneous Provisions) Act 1948 (former employees of approved societies etc.).

This paragraph does not include a pension payable under the [^{F31}principal civil service pension scheme within the meaning of section 2 of the ^{M37}Superannuation Act 1972.]

Textual Amendments

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

Status: Point in time view as at 11/11/2004.

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

Marginal Citations

M36 1948 c. 33.

M37 1972 c. 11.

26 **F32**

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 ^{M38}Governors Pensions Acts 1957 and 1967.

Marginal Citations

M38 1957 c. 62

[^{F33}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 ^{M39}Governors' Pensions Acts 1957 and 1967 or of the ^{M40}Superannuation Act 1965 so far as it continued to have effect by virtue of section 23(2) of the ^{M41}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.

^{F34}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 ^{M42}Diplomatic Salaries &c. Act 1869.

Marginal Citations

M42 1869 c. 43.

Status: Point in time view as at 11/11/2004.

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

Service in Ireland

- 30 A pension payable under Schedule 8 to the ^{M43}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 ^{M44}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 ^{M45}London Government Act 1963.

Marginal Citations

M45 1963 c. 33.

- 34 A pension payable under section 29 of the ^{M46}Finance Act 1932, section 60 of the ^{M47}Finance (No. 2) Act 1945 or section 62 of the ^{M48}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 ^{M49}Gas (Staff Compensation) Regulations 1949 as amended by the ^{M50}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.

Status: Point in time view as at 11/11/2004.

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

- 36 A widow's pension payable by a Secretary of State in accordance with a scheme framed by the then Army Council under the ^{M51}Injuries in War (Compensation) Act 1914 (Session 2) for established civil servants employed abroad within the sphere of military operations.

Marginal Citations

M51 1914 c. 18 (5 & 6 Geo. 5).

- 37 A pension payable by a Secretary of State under regulations made under [^{F35}section 129 of the ^{M52}Reserve Forces Act 1980] (civilian employees of Territorial and Auxiliary Forces Associations).

Textual Amendments

F35 Words substituted by [Reserve Forces Act 1980 \(c. 9, SIF 7:2\)](#), s. 157, **Sch. 9 para. 11**

Marginal Citations

M52 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 ^{M53}Public Expenditure and Receipts Act 1968.

Marginal Citations

M53 1968 c. 14.

- [^{F36}38A A pension payable by virtue of paragraph [^{F37}10 of Schedule 1][^{F37}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 ^{M54}Scottish Development Agency Act 1975.]

Textual Amendments

F36 [Para. 38A](#) inserted by [Scottish Development Agency Act 1975 \(c. 69\)](#), **Sch. 4 para. 2**

F37 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

M54 1975 c. 69.

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Point in time view as at 11/11/2004.

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