

Status: Point in time view as at 24/10/2011.

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)

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- 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- F3** Words in Sch. 2 para. 3 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 11**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 a scheme under paragraph 12 or 16 of Schedule 6 to the Constitutional Reform and Governance Act 2010, is payable out of the Parliamentary Contributory Pension Fund.]

Textual Amendments

- F5** Sch. 2 para. 3A substituted (24.10.2011) by Constitutional Reform and Governance Act 2010 (c. 25), s. 52, **Sch. 6 para. 35(2)**; S.I. 2011/2485, art. 2(1)(2)(c)(i)

[^{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.

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[^{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.

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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]

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- (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.]

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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

[^{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]

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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](#)

[^{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](#).

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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 ^{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\(j\)](#)

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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.

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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.

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^{F35}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 [^{F36}section 129 of the ^{M51}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 ^{M52}Public Expenditure and Receipts Act 1968.

Marginal Citations

M52 1968 c. 14.

[^{F37}38A A pension payable by virtue of paragraph [^{F38}10 of Schedule 1][^{F38}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 ^{M53}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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