



Parliamentary and Other Pensions Act 1972

1972 CHAPTER 48

PART II

PRIME MINISTER, SPEAKER AND LORD CHANCELLOR

26 Pensions of Prime Minister and Speaker.

- (1) Any person who has (whether before or after the passing of this Act) been appointed Prime Minister and First Lord of the Treasury or elected Speaker of the House of Commons and has after 1st April 1972 (whether before or after the passing of this Act) ceased to be Prime Minister and First Lord of the Treasury, or ceased to be Speaker, as the case may be, shall, subject to the next following subsection, be entitled to receive a pension under this section.
- (2) No pension shall be payable under this section to any person so long as he is in receipt of any salary payable out of the Consolidated Fund or out of the revenues of the Duchy of Lancaster, or so long as he is in receipt of any salary payable out of moneys provided by Parliament other than a salary or allowance payable out of moneys so provided in respect of his membership of the House of Commons.
- [^{F1}(3) Subject to section 31 of this Act, the annual amount of a pension payable to a person under this section in respect of the office of Prime Minister and First Lord of the Treasury shall be equal to one-half of the annual amount of the salary payable in respect of that office at the time when that person ceases to hold it.
- (4) Subject to section 31 of this Act, the annual amount of a pension payable to a person under this section in respect of the office of Speaker of the House of Commons shall be equal to one-half of the annual amount of the salary payable in respect of that office at the time when that person ceases to hold it.]
- (5) Any pension payable under this section shall be charged on and paid out of the Consolidated Fund.

Status: Point in time view as at 24/10/2011.

Changes to legislation: There are currently no known outstanding effects for the Parliamentary and Other Pensions Act 1972, Part II. (See end of Document for details)

Textual Amendments

F1 S. 26(3)(4) substituted (28.2.1991 with application as mentioned in s. 1(4) of the substituting Act) by Ministerial and other [Pensions and Salaries Act 1991 \(c.5, SIF 89\)](#), s. 1(1)(4)

Modifications etc. (not altering text)

C1 S.26(3) amended (28.2.1991) by Ministerial and other [Pensions and Salaries Act 1991 \(c. 5, SIF 89\)](#), s. 1(5)

27 Pensions for dependants of Prime Minister or Speaker.

(1) In relation to a person who has held office as Prime Minister and First Lord of the Treasury or as Speaker of the House of Commons at any time after 1st April 1972 (whether before or after the passing of this Act) and has died (whether before or after the passing of this Act) [^{F2}the designated provisions shall have effect as if—

(a) at the time of his death that person had been entitled [^{F3}under a scheme made by the Minister for the Civil Service under paragraph 16 of Schedule 6 to the Constitutional Reform and Governance Act 2010 to receive a pension payable out of the Parliamentary Contributory Pension Fund in respect of service to which that paragraph applies]

[for the purposes of that scheme, that person's basic or prospective pension were of an amount equal to his section 26 entitlement]

(c) references in the designated provisions to the trustees of the Fund were references to the [^{F5}Minister for the Civil Service].

[For the purposes of subsection (1)(b), the amount of a person's section 26 [^{F6}(1A) entitlement—

(a) where at the time of his death he was entitled to receive a pension under section 26 of this Act (whether or not, by virtue of subsection (2) of that section, the pension was payable), is the annual amount of the pension to which he was entitled under that section at the time when he ceased to hold that office or (if later) on 28th February 1991, and

(b) where at the time of his death he held office as Prime Minister and First Lord of the Treasury or as Speaker of the House of Commons, is the annual amount of the pension to which he would have been entitled under that section if he had ceased to hold office immediately before his death,

but in either case, any provision which deems such a pension to have begun on a day earlier than the day referred to in section 8(2) of the Pensions (Increase) Act 1971 shall be disregarded.]

(2) For the purposes of subsection (1) above the designated provisions are such of the provisions contained in [^{F7}a scheme made by the Minister for the Civil Service under paragraph 16 of Schedule 6 to the Constitutional Reform and Governance Act 2010] as—

(a) have effect for the purposes of, or in connection with, the payment out of the Parliamentary Contributory Pension Fund of a pension in respect of service [^{F8}to which that paragraph applies]—

(i) to the [^{F9}widow, widower or surviving civil partner]^{F9} of a person with such service; or

(ii) for the benefit of any children of any person; and

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- (b) are designated for the purposes of this section by regulations made by the [F10Minister for the Civil Service].
- (2A) The power to make regulations designating any provisions for the purposes of this section shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.]
- (3) Any pension payable under this section shall be charged on and paid out of the Consolidated Fund.
- F11(4)
- [F12(5) In this section—
“ children ” includes adopted children, stepchildren and illegitimate children; and
F13 F13 F13 F13 F13
... ...]

Textual Amendments

- F2** Words substituted by Parliamentary and other Pensions Act 1987 (c. 45, SIF 89), ss. 2, 6, Sch. 3 paras. 1(4), 4(1)(3)
- F3** Words in s. 27(1)(a) substituted (24.10.2011) by Constitutional Reform and Governance Act 2010 (c. 25), s. 52, Sch. 6 para. 36(2)(a) (with Sch. 6 para. 37(1)); S.I. 2011/2485, art. 2(1)
- F4** S. 27(1)(b) substituted (19.7.1995 with effect as mentioned in s. 170(7) of the amending Act) by 1995 c. 26, s. 170(2)(7)
- F5** Words in s. 27(1)(c) substituted (24.10.2011) by Constitutional Reform and Governance Act 2010 (c. 25), s. 52, Sch. 6 para. 36(2)(b) (with Sch. 6 para. 37(1)); S.I. 2011/2485, art. 2(1)
- F6** S. 27(1A) inserted (19.7.1995 with effect as mentioned in s. 170(7) of the amending Act) by 1995 c. 26, s. 170(3)(7)
- F7** Words in s. 27(2) substituted (24.10.2011) by Constitutional Reform and Governance Act 2010 (c. 25), s. 52, Sch. 6 para. 36(3)(a) (with Sch. 6 para. 37(1)); S.I. 2011/2485, art. 2(1)
- F8** Words in s. 27(2)(a) substituted (24.10.2011) by Constitutional Reform and Governance Act 2010 (c. 25), s. 52, Sch. 6 para. 36(3)(b) (with Sch. 6 para. 37(1)); S.I. 2011/2485, art. 2(1)
- F9** Words in s. 27(2)(a)(i) substituted (5.12.2005) by Civil Partnership Act 2004 (c. 33), ss. 256, 263, Sch. 25 para. 3; S.I. 2005/3175, art. 2(1), Sch. 1
- F10** Words in s. 27(2)(b) substituted (24.10.2011) by Constitutional Reform and Governance Act 2010 (c. 25), s. 52, Sch. 6 para. 36(3)(c) (with Sch. 6 para. 37(1)); S.I. 2011/2485, art. 2(1)
- F11** S. 27(4) repealed (28.2.1991 with application as mentioned in s. 1(4) of the repealing Act) by Ministerial and other Pensions and Salaries Act 1991 (c. 5, SIF 89), s. 1 (3)(4)
- F12** S. 27(5) inserted by Parliamentary and other Pensions Act 1987 (c. 45, SIF 89), ss. 2, 6, Sch. 3 paras. 1(4), 4(2)(3)
- F13** Words in s. 27(5) omitted (24.10.2011) by virtue of Constitutional Reform and Governance Act 2010 (c. 25), s. 52, Sch. 6 para. 36(4) (with Sch. 6 para. 37(1)); S.I. 2011/2485, art. 2(1)

Modifications etc. (not altering text)

- C2** S. 27: transfer of functions conferred (1.4.1995) by 1995/269, art. 3, Sch. para. 8
- C3** S. 27 modified (24.10.2011) by Constitutional Reform and Governance Act 2010 (c. 25), s. 52, Sch. 6 para. 37; S.I. 2011/2485, art. 2(1)

28 Pension of Lord Chancellor.

[F14(1) Subject to section 31 of this Act, the annual amount of any pension granted under section 3 of the Lord Chancellor’s Pension Act 1832 shall, in the case of a person

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resigning the office of Lord Chancellor, be equal to ^{F15}one-half of the annual amount of the salary which, at the time when he ceases to hold that office, is payable to a holder of that office who is not also Speaker of the House of Lords.^{F15}]]

^{X1}(2) In accordance with the preceding subsection section 3 of the ^{M1}Lord Chancellor's Pension Act 1832 shall be amended by substituting, for the words "£6,250 of lawful money of Great Britain" and for the words "the sum of £6,250", the words "an amount calculated in accordance with subsection (1) of section 28 of the Parliamentary and other Pensions Act 1972 and the provisions (other than this Act) referred to in that subsection."

(3) Any Letters Patent issued under that Act before the passing of this Act shall have effect subject to subsection (1) of this section.

Editorial Information

X1 The text of s. 28(2) 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

Textual Amendments

F14 S. 28(1) substituted (28.2.1991 with application as mentioned in s. 1(4) of the substituting Act) by Ministerial and other [Pensions and Salaries Act 1991 \(c. 5, SIF 89\)](#), [s. 1\(2\)\(4\)](#)

F15 Words in s. 28(1) substituted by [The Lord Chancellor \(Transfer of Functions and Supplementary Provisions\) \(No. 3\) Order 2006 \(S.I. 2006/1640\)](#), [art. 4](#), [Sch. 2 para. 1](#) (with saving in [art. 2](#)) (the amendment coming into force on the day after the day on which the Lord Chancellor ceased to hold the office of Speaker of the House of Lords in accordance with [art. 1](#) of the amending S.I.)

Marginal Citations

M1 1832 c. 111.

^{F16}29

Textual Amendments

F16 S. 29 repealed (28.2.1991 with application as mentioned in s. 1(4) of the repealing Act) by Ministerial and other [Pensions and Salaries Act 1991 \(c. 5, SIF 89\)](#), [s. 1\(3\)\(4\)](#)

^{F17}30

Textual Amendments

F17 Ss. 30, 31(5), 33, 34, 36(1)(2)(4), [Schs. 1–4](#) repealed (with saving) by [Parliamentary and other Pensions Act 1987 \(c. 45, SIF 89\)](#), [ss. 2, 6](#), [Sch. 2](#), [Sch. 3 para. 1\(4\)](#), [Sch. 4](#)
 S. 30 (as saved) revoked (21.1.1994) (with [reg. R5](#), [Sch. 7 Pt. III](#)) by [S.I. 1993/3253](#), [reg. R5](#), [Sch. 7 Pt.1](#)

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