



Parliamentary Pensions etc. Act 1984

1984 CHAPTER 52

An Act to make further provision with respect to the contributory pensions schemes for Members of the House of Commons and for the holders of certain Ministerial and other offices; to increase the amount that may be appropriated under section 4(4) of the House of Commons Members' Fund Act 1948 for the alleviation of special hardship; and to provide for payments to be made, in certain circumstances, to persons who cease to hold Ministerial and other offices or to be Representatives to the Assembly of the European Communities. [31st July 1984]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1—11.^{F1}

Textual Amendments

F1 Ss. 1—11, 15(2)(a), 16 repealed (with saving) by Parliamentary and other Pensions Act 1987 (c.45, SIF 89), ss. 2, 6, Sch. 2, Sch. 3 para. 1(4), Sch. 4
As saved ss. 3(4)-(6), 4(3)-(6), 5(1)(2), 6 have been revoked (21.1.1994) by S.I. 1993/3253, reg. R5, Sch. 7, Pt.1.

House of Commons Members' Fund

12 **Appropriation of funds for alleviation of special hardship.**

(1) In the year current at the passing of this Act and subsequent years, the power of the House of Commons by resolution under subsection (4) of section 4 of the ^{MI}House of Commons Members' Fund Act 1948 (provision for cases of special hardship) to appropriate for the purposes of that section up to one-tenth of—

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- (a) the sums deducted and set aside as mentioned in that subsection, and
- (b) the contributions made under section 1 of the ^{M2}House of Commons Members' Fund Act 1957 (Treasury contributions),

shall (without prejudice to section 3 of the ^{M3}House of Commons Members' Fund and Parliamentary Pensions Act 1981 (exclusion of increases in Treasury contributions from appropriation for the alleviation of special hardship)) be exercisable in relation to the whole or any part of those sums and contributions, instead of in relation to not more than one-tenth of them.

- (2) Accordingly, in relation to the years to which subsection (1) above applies—
 - (a) in subsection (4) of the said section 4, for the words from “such part” to “the resolution” there shall be substituted the words “ the whole or any part ”; and
 - (b) in subsection (4) o f the said section 1, for the words “up to one-tenth” there shall be substituted the words “ the whole or any part ”.

Marginal Citations

- M1** 1948 c. 36.
- M2** 1957 c. 24.
- M3** 1981 c. 7.

Grants to persons ceasing to be office-holders or Representatives to the Assembly of the European Communities

13 Grants to persons ceasing to hold certain Ministerial and other offices.

- (1) Where a person who has not attained the age of 65 ceases at any time after the passing of this Act (“the material time”) to hold a relevant office, he shall be entitled to a payment under this section if—
 - (a) he has not been a Member of the House of Commons at any time during the period of two years ending at the material time;
 - (b) he was throughout that period the holder of a relevant office (whether the same office or a succession of different offices); and
 - (c) he does not again become the holder of a relevant office within the period of three weeks beginning at the material time.
- (2) The amount of the payment to which a person who has ceased to hold a relevant office is entitled under this section is the amount equal to one-quarter of the annual amount of the salary which was being paid to that person in respect of that office immediately before the material time.
- (3) A payment under this section shall not be made until the end of the period mentioned in subsection (1)(c) above.
- (4) No payment shall be made under this section where a person has ceased to hold a relevant office on his death.
- (5) Where a person has at any time (whether before or after the passing of this Act) ceased to hold a relevant office but has again become the holder of such an office within the period of three weeks beginning at that time, then, on any subsequent occasion on which he ceases to hold a relevant office, the fact that he was not the holder of

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such an office for any part of that period of three weeks shall be disregarded for the purpose of—

- (a) calculating the period of two years mentioned in subsection (1)(a) and (b) above; and
 - (b) determining whether he was the holder of a relevant office throughout the period so mentioned.
- (6) Where a person ceases on a dissolution of Parliament to hold the position of Leader of the Opposition in the House of Lords or Chief Opposition Whip in the House of Lords, subsection (1)(c) above and, in the event of his ceasing to hold a relevant office on a subsequent occasion, subsection (5) above shall have effect in relation to his ceasing to hold that position on that dissolution as if for the words “three weeks” (wherever occurring) there were substituted the words “six weeks”.
- (7) In this section “relevant office” means an office or position in respect of which a salary is payable under any provision of the ^{M4}Ministerial and other Salaries Act 1975 or the office of Chairman of Committees of the House of Lords or any office of Deputy Chairman of Committees of the House of Lords in respect of which a salary is payable out of money provided by Parliament; and in subsection (6) above “Leader of the Opposition” and “Chief Opposition Whip” have the same meaning as in that Act.

Marginal Citations

M4 1975 c. 27.

14 Grants to persons ceasing to be Representatives to the Assembly of the European Communities.

The ^{M5}European Assembly (Pay and Pensions) Act 1979 shall have effect, and be deemed always to have had effect, with the substitution for section 3 (grants to Representatives losing their seats) of the following sections—

“3 Resettlement grants to persons ceasing to be Representatives.

- (1) Where a person who is a Representative immediately before the end of any five-year period either—
 - (a) did not stand for election to the Assembly at the general election of representatives to the Assembly held in that period; or
 - (b) did so stand (whether for the same or a different constituency) at that election and was not elected,he shall, unless he attained the age of 65 before the end of that period, be entitled to a resettlement grant calculated in accordance with the following provisions of this section.
- (2) Where a person becomes entitled to a grant under this section at the end of any five-year period, its amount shall be equal to the relevant percentage of a year’s salary under section 1 at the rate applicable to him immediately before the end of that period, the relevant percentage for this purpose being that shown in the following Table in relation to his age at the end of that period and the number of years for which he has served as a Representative before the end of that period.

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TABLE

Age	Number of years service						
	Under 10	10	11	12	13	14	15 or over
Under 50	50	50	50	50	50	50	50
50	50	50	52	54	56	58	60
51	50	52	55	58	62	65	68
52	50	54	58	63	67	72	76
53	50	56	62	67	73	78	84
54	50	58	65	72	78	85	92
55 or over	50	60	68	76	84	92	100

- (3) In calculating for the purposes of subsection (2) the number of years for which a person has served as a Representative before the end of the period in question, there shall be disregarded—
- (a) any fraction of a year for which he has so served; and
 - (b) if he has become entitled to a grant under this section on any previous occasion, any period of service which for those purposes was on that occasion either taken into account or disregarded under paragraph (a).
- (4) In relation to the five-year period ending in 1984, subsection (1) shall have effect as if the words "unless he attained the age of 65 before the end of that period" were omitted.
- (5) In this section "five-year period" means a period of five years for which representatives have been elected to the Assembly; but if any such period is extended or curtailed, the references in this section to the end of that period shall be construed accordingly.

3A Power to amend section 3.

- (1) If it appears to the Secretary of State that the effect, at any time, of section 3 in relation to persons ceasing to be Representatives is not or was not equivalent to the effect, at that time, of the arrangements made pursuant to any resolution or combination of resolutions of the House of Commons for the payment of grants to persons ceasing to be Members on a dissolution of Parliament, he may by order amend that section for the purpose of making its effect in relation to persons ceasing to be Representatives as nearly so equivalent as he considers practicable.
- (2) An order under this section—
- (a) may provide for the order to be deemed to have come into force on a date before the date on which it is made, but
 - (b) shall not reduce the amount of, or cancel any entitlement to, any grant under section 3 to which a person has become entitled before the date on which the order is made.

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- (3) The power to amend section 3 conferred by this section includes power to make new provision in place of that section, whether by substituting one or more new sections or otherwise; and references in this section to that section shall accordingly include any provisions for the time being having effect in place of it by virtue of an order under this section.”.

Marginal Citations

M5 1979 c. 50.

General

15 Financial provisions.

- (1) There shall be paid out of money provided by Parliament any increase attributable to this Act in the sums payable out of such money under any other Act.
- (2) There shall be paid into or out of the Consolidated Fund any increase attributable to this Act in the sums payable into or out of that Fund under—
- (a)
- (b) section 7(1)(b) of the ^{M6}European Assembly (Pay and Pensions) Act 1979 (grants payable under section 3 of that Act).
- (3) A payment made in pursuance of section 13 above to a person who has ceased to hold a relevant office (within the meaning of that section) shall be paid out of money provided by Parliament or charged on and paid out of the Consolidated Fund according as the salary payable in respect of that office is payable out of such money or charged on and paid out of that Fund.

Textual Amendments

F2 Ss. 1–11, 15(2)(a), 16 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**

Marginal Citations

M6 1979 c. 50.

16

Textual Amendments

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17 Short title.

This Act may be cited as the Parliamentary Pensions etc. Act 1984.

SCHEDULE.

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SCHEDULE.

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Textual Amendments

F4 Sch. 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**

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