

1969 No. 479

PENSIONS

**The Increase of Pensions (Teachers' Family Benefits)
Regulations 1969**

<i>Made</i> - - - -	26th March 1969
<i>Laid before Parliament</i>	31st March 1969
<i>Coming into operation</i>	1st April 1969

The Secretary of State for Education and Science, with the consent of the Minister for the Civil Service, in exercise of the power conferred on him by paragraph 12 of Schedule 2 to the Pensions (Increase) Act 1969(a), hereby makes the following Regulations:—

Citation and Commencement

1. These Regulations may be cited as the Increase of Pensions (Teachers' Family Benefits) Regulations 1969 and shall come into operation on 1st April 1969.

Interpretation

2.—(1) In these Regulations—

“the Act” means the Pensions (Increase) Act 1969;

“the Regulations” means the Teachers' Superannuation (Family Benefits) Regulations 1966(b), as amended by the Teachers' Superannuation (Family Benefits) (Amending) Regulations 1967(c) and the Teachers' Superannuation (Family Benefits) (Amending) Regulations 1968(d) (which Regulations, as so amended, have effect as if made under section 7 of the Teachers' Superannuation Act 1967(e) by virtue of paragraph 5(2) of Schedule 3 to that Act).

(2) A reference in these Regulations to a regulation shall, unless the context otherwise requires, be construed as a reference to a regulation of the Regulations.

(3) The Interpretation Act 1889(f) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

Exceptions from the Act

3. In relation to pensions payable under the Regulations section 1(1) of the Act shall apply subject to the exception therefrom of—

- (a) a short service widow's pension payable under regulation 48; and
- (b) a children's pension payable under Regulation 51.

Widow's Minimum Pension

4.—(1) In relation to a widow's pension payable under regulation 45 of which the annual rate is either—

(a) 1969 c. 7. (b) S.I. 1966/357 (1966 I, p. 813). (c) S.I. 1967/1856 (1967 III, p. 4975).
 (d) S.I. 1968/1914 (1968 III, p. 5069). (e) 1967 c. 12. (f) 1889 c. 63.

(a) the minimum sum of £115 by reason of regulation 46(1); or
(b) a proportion of the minimum sum of £115 by reason of regulation 46(1) as affected by regulation 54

section 1(1) of the Act shall apply subject to the modifications specified in paragraphs (2) and (3) below.

(2) In a case to which sub-paragraph (a) of paragraph (1) above applies the amount of the increase shall be the amount, if any, of the excess over £115 of the aggregate of—

(a) the annual rate of the pension if it were determined under paragraph (2) or (3) of regulation 46; and

(b) the amount of the increase of the annual rate so determined if section 1 (1) and (2) of the Act were applicable thereto.

(3) In a case to which sub-paragraph (b) of paragraph (1) above applies the amount of the increase shall be the amount, if any, of the excess over the annual rate of the pension of the aggregate of—

(a) the annual rate of the pension if it were determined under paragraph (2) or (3) of regulation 46 and were subject to regulation 54; and

(b) the amount of the increase of the annual rate so determined if section 1(1) and (2) of the Act were applicable thereto.

Given under the Official Seal of the Secretary of State for Education and Science on 26th March 1969.

(L.S.)

Edward Short,
Secretary of State for Education
and Science.

Consent of the Minister for the Civil Service given under his Official Seal on 26th March 1969.

(L.S.)

J. E. Herbecq,
Authorised by the Minister for the
Civil Service.

EXPLANATORY NOTE

(This Note is not Part of the Regulations.)

These Regulations except from increase under the Pensions (Increase) Act 1969 pensions payable under the Teachers' Superannuation (Family Benefits) Regulations 1966 to 1968 to the widow of a teacher with less than ten years' service and the children of a teacher.

They also provide that where a widow's pension is the minimum of £115 a year (or, in the case of a teacher with service in Scotland, Northern Ireland, the Isle of Man or the Channel Islands, a proportion of that minimum) the increase shall be limited to the amount (if any) by which the total of the pension and increase, if both were determined by the normal methods, would exceed £115 (or, if such is the case, the proportion of that sum being paid).