

1974 No. 1740

PENSIONS

**The Pensions Increase (Local Authorities' etc. Pensions)
Regulations 1974**

Made - - - - - 23rd October 1974

Laid before Parliament - - 1st November 1974

Coming into Operation - 6th November 1974

The Minister for the Civil Service, in exercise of the powers conferred on him by section 5(2) and (4) of the Pensions (Increase) Act 1971(a) and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

1. These Regulations may be cited as the Pensions Increase (Local Authorities' etc. Pensions) Regulations 1974, and shall come into operation on 6th November 1974.

2.—(1) In these Regulations “the Act of 1971” means the Pensions (Increase) Act 1971.

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

3. The Act of 1971 shall have effect in relation to a pension specified in the Schedule to these Regulations as if such a pension were specified in Part II of Schedule 2 to that Act.

4.—(1) In the case of a pension specified in paragraph 1, 2, 3 or 4 of the Schedule to these Regulations, any increase of pension payable by virtue of these Regulations shall be paid by the authority by whom the pension is payable; but where that authority are not the last employing authority they shall be reimbursed the cost of any such increase by the last employing authority.

In this paragraph “the last employing authority” has the same meaning as in paragraph 1 of Schedule 3 to the Act of 1971.

(2) In the case of a pension specified in paragraph 7 of the Schedule to these Regulations, any increase of pension payable by virtue of these Regulations shall be paid by the association or body by whom the pension is payable.

(a) 1971. c 56.

(b) 1889 c. 63.

5. Any increase of pension payable by virtue of these Regulations shall take effect from 1st April 1974, except—

- (a) where the pension is a pension specified in paragraph 2 of the Schedule to these Regulations, in which case any such increase shall take effect from 16th May 1975;
- (b) where the pension is a pension specified in paragraph 3 of that Schedule, in which case any such increase shall take effect from 1st June 1973.

Given under the official seal of the Minister for the Civil Service on 23rd October 1974.

(L.S.)

C. R. Morris,
Minister of State,
Civil Service Department.

SCHEDULE

1. A pension payable by a local authority in England and Wales out of a superannuation fund established and administered under Part B of the Local Government Superannuation Regulations 1974(a), other than such a pension as is specified in paragraph 39, 54, 59, 67 or 68 of Schedule 2 to the Act of 1971 or in paragraph 3 below.

2. A pension payable by a local authority in Scotland out of a superannuation fund established and administered under Part B of the Local Government Superannuation (Scotland) Regulations 1974(b), other than such a pension as is specified in paragraph 39 of Schedule 2 to the Act of 1971.

3. A pension payable by a local authority in England and Wales in respect of service as a member of the staff of a community home which is a voluntary home designated under section 36(3) of the Children and Young Persons Act 1969(c) as an assisted community home.

4. A pension payable by the National Water Council out of a superannuation fund established and administered under Part B of the Local Government Superannuation Regulations 1974.

5. A pension payable by the National Water Council under any enactment or instrument made under any enactment other than the Local Government Superannuation Regulations 1974.

6. A pension payable by a water authority within the meaning of the Water Act 1973(d) under any enactment or instrument made under any enactment.

7. A pension payable under the Local Government (Compensation) Regulations 1974(e) by such an association as is described in paragraph 4(ii) in column 1 of Schedule 2 to those regulations or, where the association has ceased to exist, by the body succeeding to the property and liabilities of that association.

(a) S.I. 1974/520 (1974 I, p. 1986).

(b) S.I. 1974/812 (1974 II, p. 3093).

(c) 1969 c. 54.

(d) 1973 c. 37.

(e) S.I. 1974/463 (1974 I, p. 1563).

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations provide for the payment of increases under the Pensions (Increase) Act 1971 on the local authorities', National Water Council's and other pensions described in the Schedule.

In the case of some of the pensions so described, the Regulations also make provision for securing that the cost of increasing them is borne by the appropriate authority.

The Regulations provide for the increase of pension to take effect, in the case of pensions payable by local authorities in Scotland, from 16th May 1975 and, under the powers in section 5(4) of the Act of 1971, they provide for the increase of pension to take effect, in all (save one) of the other cases, from 1st April 1974 (in the one case, from 1st June 1973).

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