

1974 No. 715

PENSIONS

**The Pensions Increase (Civil Service Pensions)
Regulations 1974**

<i>Made - - - -</i>	<i>17th April 1974</i>
<i>Laid before Parliament</i>	<i>26th April 1974</i>
<i>Coming into Operation</i>	<i>18th May 1974</i>

The Minister for the Civil Service, in exercise of the powers conferred on him by sections 1(1), (2) and (4) and 4(1) and (3)(a) of the Pensions (Increase) Act 1974(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 (Civil Service Pensions) Regulations 1974, and shall come into operation on 18th May 1974.

2.—(1) In these Regulations—

“the 1974 Act” means the Pensions (Increase) Act 1974;

“civil service pension” means a pension payable under the principal civil service pension scheme;

“Class A pension” means any civil service pension payable in respect of service ending with—

(a) employment in which any pay increase normally takes effect on 1st January in any year, or

(b) employment in any capacity specified in column 1 of Schedule 1 to these Regulations, by the department or body specified in column 2 of that Schedule;

“Class B pension” means any civil service pension—

(a) which is payable in respect of service ending with employment, in any capacity specified in column 1 of Schedule 2 to these Regulations, by the department or body specified in column 2 of that Schedule, or

(b) which is not either such a pension as is specified in paragraph (a) above or a Class A pension;

“principal civil service pension scheme” has the meaning given by section 2(10) of the Superannuation Act 1972(b).

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

(a) 1974 c. 9.
(c) 1889 c. 63.

(b) 1972 c. 11.

3. Civil service pensions are hereby prescribed for the purposes of section 1(1) of the 1974 Act.

4. Class A pensions are pensions as respects which, in the opinion of the Minister for the Civil Service, increases in the emoluments relevant for the purpose of calculating the pensions were deferred during the period beginning with 6th November 1972 and ending with 31st March 1973 in consequence of provisions of the Counter-Inflation (Temporary Provisions) Act 1972(a), and accordingly paragraph (a) of section 1(2) of the 1974 Act applies to such pensions.

5. The date on which, in the opinion of the Minister for the Civil Service, the emoluments relevant for the purpose of calculating a civil service pension were, or are expected to be, increased by the principal pay increase made or expected to be made, during the year ending with 6th November 1974, in accordance with the code in force under section 2 of the Counter-Inflation Act 1973(b) at the time of the increase, is—

(a) in the case of a Class A pension related to an employment specified in Schedule 1 to these Regulations, the date specified in relation to that employment in column 3 of that Schedule;

(b) in the case of any other Class A pension, 1st January 1974;

(c) in the case of a Class B pension related to an employment specified in Schedule 2 to these Regulations, the date specified in relation to that employment in column 3 of that Schedule; and

(d) in the case of any other Class B pension, 1st July 1974;

and accordingly those dates shall respectively be the relevant dates for those pensions.

6.—(1) The 1974 Act shall have effect, in relation to any civil service pension which by virtue of the principal civil service pension scheme is calculated by reference to the provisions of paragraph 2(2) or 6 of Schedule 1 to the Superannuation Act 1965(c) (which apply to certain persons who were civil servants on 27th June 1935), subject to the amendments specified in paragraph (2) below.

(2) In relation to such a pension as is described in paragraph (1) above, the Schedule to the 1974 Act shall have effect as if—

(a) in paragraph 5, for the words “before 1st April 1974” there were substituted the words “on or before the relevant date”, and

(b) paragraphs 7 and 16 were omitted,

and accordingly such a pension, if it begins after the relevant date for the pension, shall not be increased under the 1974 Act.

7. Any increase of pension payable by virtue of these Regulations shall have effect in respect of any period beginning on or after 1st December 1973.

Given under the official seal of the Minister for the Civil Service on 17th April 1974.

(L.S.)

Robert Sheldon,
Minister of State
to the Civil Service Department.

SCHEDULE 1

Employments to which certain Class A pensions are related, together with relevant dates

Regulations 2(1) and 5

<i>Employment</i>	<i>Employer</i>	<i>Relevant date</i>
1. Fire service officer or fire prevention officer	Ministry of Defence	7th November 1973
2. Member of the Fire Service Inspectorate	Home Office or Scottish Office	7th November 1973
3. Commandant or Deputy Commandant, Fire Service Technical College	Home Office	7th November 1973
4. Commandant, Fire Service Staff College	Home Office	7th November 1973
5. Fire service instructor; senior fire service instructor or chief fire service instructor	Home Office	7th November 1973
6. Member of film trade grades whose pay is linked to the agreement between the Kinematograph Renters Society and the National Association of Theatrical, Television and Kinematograph Employees	Central Office of Information	3rd December 1973
7. Special duty orderly at Artificial Limb and Appliance Centres	Department of Health and Social Security	13th December 1973
8. Member of ancillary health grades at Leopardstown Park Hospital, the Common Cold Unit or the Polish Home Sick Bay	Department of Health and Social Security	13th December 1973
9. Non-craft industrial employee at Royal Navy Hospital, Haslar or Plymouth	Ministry of Defence	13th December 1973
10. Assistant cook, cook, domestic, gardener, general labourer and gardener labourer, head porter, kitchen porter, medical orderly, porter, seamstress, storeman, waitress or ward orderly at the Hostel for Paraplegics, Duchess of Gloucester House, Isleworth or the Industrial Rehabilitation Unit, Egham	Department of Employment	13th December 1973
11. Chefs I or II in the Civil Service Catering Organisation	Civil Service Department	13th December 1973
12. Manager of a licensed public house in Carlisle and District State Management Scheme	Home Office	20th January 1974
13. Agricultural worker	Ministry of Agriculture, Fisheries & Food	22nd January 1974

<i>Employment</i>	<i>Employer</i>	<i>Relevant date</i>
14. Agricultural worker	Scottish Office	28th January 1974
15. Studio director	Central Office of Information	1st July 1974
16. Member of film trade grades whose pay is linked to the agreement between the Independent Television Companies Association and the Association of Cinematograph, Television and Allied Technicians	Central Office of Information	1st July 1974
17. Adviser on magistrates' courts	Home Office	1st July 1974
18. Member of the film trade grades other than those specified in paragraphs 6 and 16 above	Central Office of Information	2nd July 1974
19. Film Librarian	Imperial War Museum	2nd July 1974

SCHEDULE 2

Employments to which certain Class B pensions are related, together with relevant dates

Regulations 2(1) and 5

<i>Employment</i>	<i>Employer</i>	<i>Relevant date</i>
1. Fireman	Ministry of Defence	7th November 1973
2. Assistant at Reception or Re-establishment Centre	Department of Health & Social Security	7th November 1973
3. Care assistant at the Polish Home	Department of Health & Social Security	7th November 1973
4. Member of staff in off-licence sales branch, Carlisle and District State Management Scheme	Home Office	18th December 1973
5. Member of industrial staff employed on the reconstruction and maintenance of Alderney Breakwater	Department of the Environment (Property Services Agency)	3rd January 1974
6. Member of hotel and restaurant staff, Carlisle & District State Management Scheme	Home Office	4th February 1974
7. Traffic representative	Ministry of Defence	28th February 1974
8. Deputy Director at St Charles Youth Treatment Centre	Department of Health & Social Security	1st April 1974
9. Deputy chief nursing officer, principal nursing officer or nursing officer	Department of Health & Social Security	1st April 1974
10. Deputy chief nursing officer, chief nursing officer or nursing officer	Scottish Office	1st April 1974
11. Occupational therapy instructor	Department of Health & Social Security	1st April 1974
12. Director of studies or director of general studies	Home Office	1st April 1974
13. Head of civilian tutors, senior civilian tutor or civilian tutor	Home Office	1st April 1974
14. Head of Educational Methods Unit	Home Office	1st April 1974
15. Senior tutor or tutor I or II (Educational Methods)	Home Office	1st April 1974
16. Extra-mural tutor	Home Office	1st April 1974
17. Matron housekeeper or assistant matron housekeeper	Home Office	1st April 1974
18. Housekeeper caterer	Home Office	1st April 1974
19. Hostel warden	Home Office	1st April 1974
20. Home warden	Government Communications Headquarters	1st April 1974
21. Bookshop assistant (provincial)	Her Majesty's Stationery Office	1st April 1974
22. Civilian operating room assistant	Ministry of Defence	1st April 1974
23. Dental technician	Ministry of Defence	1st April 1974
24. Assistant housekeeper	Scottish Office	1st April 1974
25. Pharmacist	Ministry of Defence	1st April 1974
26. Member of Navy Department printing grades	Ministry of Defence	21st May 1974

<i>Employment</i>	<i>Employer</i>	<i>Relevant date</i>
27. Member of marine staff, Sea Fisheries Laboratory, Lowestoft or Torry Research Station, Aberdeen	Ministry of Agriculture, Fisheries & Food	1st June 1974
28. Scientific Staff in the Fisheries Research Service	Scottish Office	1st June 1974
29. Member of officer grades in ocean weather ship, cable ship or RMAS "Whitehead"	Ministry of Defence	1st June 1974
30. Printer	Department for National Savings	17th June 1974
31. Presser or bookbinder	Ministry of Overseas Development	17th June 1974
32. Binder or lady sewer	Office of Population Censuses and Surveys	19th June 1974
33. Bookbinder or sewer	Inland Revenue	19th June 1974
34. Member of the industrial grades in the Ordnance Board Press and Mapping and Charting Establishment who received a pay increase on 19th June 1973	Ministry of Defence	19th June 1974
35. Member of industrial staff in presses and binderies	Her Majesty's Stationery Office	19th June 1974
36. Royal Fleet Auxiliary contract officer	Ministry of Defence	2nd July 1974
37. Member of exhibition trade grades	Central Office of Information	2nd July 1974
38. Member of marine grades	Ministry of Agriculture, Fisheries and Food	2nd July 1974
39. Rating, Royal Maritime Auxiliary Service	Ministry of Defence	2nd July 1974
40. Member of crew of ocean weather ship	Ministry of Defence	2nd July 1974
41. Carpenter	Department for National Savings	2nd July 1974
42. Member of industrial marine staff	Department of Agriculture and Fisheries for Scotland	2nd July 1974
43. Member of industrial staff in warehouses	Her Majesty's Stationery Office	26th July 1974
44. Member of park keeping grades or park attendant	Department of the Environment	1st September 1974
45. Member of Ministry of Defence police	Ministry of Defence	1st September 1974
46. Member of constabulary, Royal Botanic Gardens, Kew	Ministry of Agriculture, Fisheries and Food	1st September 1974
47. Member of brewery staff, Carlisle and District State Management Scheme	Home Office	2nd September 1974
48. Member of sound recording grades	Central Office of Information	1st October 1974
49. Director of studies, Dartmouth or Sandhurst	Ministry of Defence	1st October 1974
50. Bookbinder or sewer	Scottish Record Office	3rd October 1974

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations apply the Pensions (Increase) Act 1974 to pensions payable under the Principal Civil Service Pension Scheme. Such pensions which begin after 1st January 1973 qualify for the special pensions increases under the 1974 Act. The Regulations specify those pensions under the scheme ("Class A pensions") which are payable in respect of service in a grade of the civil service which suffered deferment of a pay increase in consequence of the Counter-Inflation (Temporary Provisions) Act 1972 during the period 6th November 1972 to 31st March 1973; these pension will consequently be increased in accordance with Part I of the Schedule to the 1974 Act. All other pensions under the scheme ("Class B pensions") will be increased in accordance with Part II of the Schedule to the Act.

The Regulations also specify the "relevant date"—the date of the principal pay increase made or expected to be made during the year ending 6th November 1974—for the grades concerned.

The provisions of the 1974 Act are modified for pensions of those civil servants with a reserved right to the terms of the Superannuation Act 1859. Those pensions are calculated by reference to pay on the last day of service rather than the average salary over a 12-month period. The effect of the modification is that no increase is payable on such pensions which begin after the specified relevant date.

Under the powers in section 4(3)(a) of the 1974 Act the Regulations provide for increases payable by virtue of the Regulations to take effect from 1st December 1973.

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