

## 1976 No. 2013

## PENSIONS

**The Overseas Service (Pensions Supplement) (Amendment)  
(No. 3) Regulations 1976**

*Made* - - - - - 29th November 1976

*Laid before Parliament* 30th November 1976

*Coming into Operation* 1st December 1976

In exercise of the powers conferred on me by sections 11 and 11A of the Pensions (Increase) Act 1971(a) and section 7(2) of and Part I of Schedule 2 to the Ministers of the Crown Act 1975(b) and with the approval of the Minister for the Civil Service, I hereby make the following Regulations:—

*Citation, construction and commencement*

**1.**—(1) These Regulations may be cited as the Overseas Service (Pensions Supplement) (Amendment) (No. 3) Regulations 1976 and shall be construed as one with the Overseas Service (Pensions Supplement) Regulations 1972(c) (hereinafter referred to as “the principal Regulations”) as amended (d).

(2) These Regulations and the principal Regulations, as amended, may be cited together as the Overseas Service (Pensions Supplement) Regulations 1972 to 1976.

(3) These Regulations shall come into operation on 1st December 1976.

*Amendment of Regulation 14 of the principal Regulations*

**2.** Regulation 14 of the principal Regulations is amended:—

(a) by substituting for sub-paragraph (1)(a) thereof the following sub-paragraph:—

“(a) in the case of a colony for whose external relations the United Kingdom is responsible or a territory outside Her Majesty’s dominions in which Her Majesty has jurisdiction in right of Her Government in the United Kingdom, the middle rate in the official exchange market between the currency of such colony or territory and sterling obtaining on 30th June 1975, unless it is otherwise provided by a future amendment to these Regulations;”;

(a) 1971 c. 56 as amended by 1973 c. 21. (b) 1975 c. 26. (c) S.I. 1972/550 (1972 I, p. 1837). (d) S.I. 1972/1675, 1973/1793, 1974/1867, 1975/1260, 1976/1519, 1830, (1972 III, p. 4907; 1973 III, p. 5518; 1974 III, p. 6423; 1975 II, p. 4270; 1976 III, pp. 4014, 4951).

(b) by substituting for paragraph (2) thereof the following paragraph:—

“(2) Where at the end of the immediately preceding review period, as specified in section 2 of the Act as amended by section 25 of the Superannuation Act 1972 (a), the rate of the basic pension enjoyed by the pensioner was greater in terms of sterling when ascertained in accordance with paragraph (3) below than the sterling rate of the basic pension calculated in accordance with the preceding paragraph, then for the purpose of ascertaining any supplement payable under these Regulations the difference between the amounts shall be regarded as an overseas increase paid to the pensioner:

Provided that in applying this paragraph in relation to a basic pension to which sub-paragraph (1)(a) of this Regulation applies any increase in the sterling value of that basic pension since 30th June 1975 shall be ignored, unless it is otherwise provided by a future amendment to these Regulations.”.

*Addition of new Regulation 14A to the principal Regulations*

3. The principal Regulations are amended by inserting the following new Regulation after Regulation 14 thereof:—

“14.A. Notwithstanding anything contained in these Regulations, the Pensions Increase (Annual Review) Order 1976(b) shall not apply in relation to any supplement payable in respect of a pension to which Regulation 14(1)(a) of these Regulations applies, unless it is otherwise provided by a future amendment to these Regulations.”.

*Anthony Crosland,*  
Minister of Overseas Development.

29th November 1976.

Consent of the Minister for the Civil Service given under his Official Seal on 29th November 1976.

L.S.

*K. H. McNeill,*  
Authorised by the Minister for  
the Civil Service.

(a) 1972 c. 11.

(b) S.I. 1976/1356 (1976 II, p. 3774).

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations amend the Overseas Service (Pensions Supplement) Regulations 1972 to 1976 so that, unless it is subsequently otherwise provided in the Regulations:

- (a) in calculating the supplements on pensions from certain overseas territories payable in local currency, the rate of exchange for conversion of that currency into sterling will be the rate obtaining on 30th June 1975, instead of the rate on the last date of the immediately preceding review period, as at present; however, an appreciation of the sterling value of those pensions since 30th June 1975 will not be regarded as an overseas increase;
- (b) the application of the Pensions Increase (Annual Review) Order 1976 is excluded in relation to supplements to those pensions.

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