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 STATUTORY INSTRUMENTS
 

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## 1976 No. 889

## PENSIONS

## The Increase of Pensions (Governors) Regulations 1976

<i>Made</i> - - - -	<i>7th June 1976</i>
<i>Laid before Parliament</i>	<i>15th June 1976</i>
<i>Coming into Operation</i>	<i>6th July 1976</i>

In exercise of the powers conferred on me by section 5(3) and (4) of the the Pensions (Increase) Act 1971(a) and with the approval of the Minister for the Civil Service, I hereby make the following Regulations:—

1. These Regulations may be cited as the Increase of Pensions (Governors) Regulations 1976 and shall come into operation on 6th July 1976.

2. (1) In these Regulations, unless the context otherwise requires, the following expressions have the meanings respectively assigned to them, that is to say—

“the Act” means the Pensions (Increase) Act 1971;

“Governor” means the Governor (however styled) or administrator of

- (i) any part of Her Majesty’s dominions other than the British Islands ;
- or
- (ii) a protectorate ; or
- (iii) a trust territory designated for the purposes of this section by an order made by the Secretary of State with the consent of the Treasury ;
- or
- (iv) any federation or association of overseas territories ;

and references to a Governor include, except where the context otherwise requires, reference to a person who has been a Governor.

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

3. The provisions of the Act shall apply to a pension referred to in paragraph 27A of Schedule 2 to the Act (pensions payable under any scheme or part of a scheme made under section 2 of the Overseas Pensions Act 1973(c)) which incorporates, replaces or amends the provisions of the Governors’ Pensions Acts 1957 and 1967(d) or of the Superannuation Act 1965(e) so far as it continued to have effect by virtue of section 23(2) of the Superannuation Act 1972(f), other than a pension granted under sections 8 or 10 of the Governors’ Pensions Act 1957 or a pension to which section 4(6) of the Superannuation (Miscellaneous Provisions) Act 1967(g) applied, subject to the modifications specified in regulation 4 of these Regulations.

(a) 1971 c. 56 as amended by 1973 c. 21. (b) 1889 c. 63. (c) 1973 c. 21.  
 (d) 1957 c. 62; 1967 c. 28. (e) 1965 c. 74. (f) 1972 c. 11. (g) 1967 c. 28.

4. In relation to any pension to which the preceding regulation applies, the Act, but not any order made under section 6 of the Act, shall apply as if section 8(2) and (3) and any references in the Act to either of these provisions were omitted and as if—

- (a) a pension to which section 1(1) of the Pensions (Governors of Dominions etc.) Act 1929(a) applied began on 27 March 1929 ;
- (b) a pension to which section 2(1) of the Pensions (Governors of Dominions etc.) Act 1947(b) applied either directly or by virtue of section 14 of the Governors' Pensions Act 1956(c) began on 18 December 1947 ;
- (c) a pension granted on or before 31 December 1974 under the Governors' Pensions Acts 1957 and 1967 or under a scheme made or having effect under section 2 of the Overseas Pensions Act 1973(d) began on whichever is the later of—
  - (i) the date of first appointment of the recipient to the last office of Governor in which he served in respect of which a pension has been granted to him under the Governors' Pensions Acts 1957 and 1967 or under such a scheme ; or
  - (ii) the date on which the salary enjoyed by him during service in that last office was last revised ;
- (d) a pension granted on or after 1 January 1975 under a scheme made or having effect under section 2 of the Overseas Pensions Act 1973 began on the day following the last day of service ; and
- (e) a substituted pension began on the same date as the original pension is deemed to have begun under this regulation or, if earlier, on the date from which the surrender of the original pension took effect.

5. The Increase of Pensions (Governors) Regulations 1974(e) are revoked.

*A. Crosland,*  
Secretary of State for Foreign and  
Commonwealth Affairs.

27th May 1976.

Consent of the Minister for the Civil Service given under his Official Seal on 7th June 1976.

(L.S.)

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

(a) 1929 c. 16. (b) 1947 c. 12.  
(e) S.I. 1974/1094 (1974 II, p. 4007).

(c) 1956 c. 64. (d) 1973 c. 21.

## EXPLANATORY NOTE

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

1. These Regulations, which supersede the Increase of Pensions (Governors) Regulations 1974, apply the provisions of the Pensions (Increase) Act 1971 to pensions payable to or in respect of Governors of any part of Her Majesty's dominions or of other United Kingdom overseas territories under any scheme or part of a scheme relating to Governors pensions made under section 2 of the Overseas Pensions Act 1973, subject to modifications in relation to the dates on which pensions are deemed to begin. They differ from the superseded Regulations in that they provide that, with the introduction of annual reviews of Governors' emoluments as from 1 January 1975, pensions payable to Governors retiring from service on or after 1 January 1975 shall be deemed to have begun on the day following the last day of service.

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