
STATUTORY INSTRUMENTS

1992 No. 599

PARLIAMENT

The Parliamentary Pensions (Amendment) Regulations 1992

<i>Made</i>	- - - -	<i>9th March 1992</i>
<i>Laid before Parliament</i>		<i>10th March 1992</i>
<i>Coming into force</i>	- -	<i>1st April 1992</i>

The Leader of the House of Commons, in exercise of the powers conferred on him by section 2(1) and (4) of, and paragraph 13 of Schedule 1 to, the Parliamentary and other Pensions Act 1987⁽¹⁾, with the consent of the Treasury, and after consultation with the trustees of the Parliamentary Contributory Pension Fund and with such persons as appeared to him to represent persons likely to be affected by the Regulations, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Parliamentary Pensions (Amendment) Regulations 1992 and shall come into force on 1st April 1992.

Interpretation

2.—(1) In these Regulations—

“the 1972 Act” means the Parliamentary and other Pensions Act 1972⁽²⁾;

“the 1978 Act” means the Parliamentary Pensions Act 1978⁽³⁾;

“the 1987 Act” means the Parliamentary and other Pensions Act 1987⁽⁴⁾;

“the 1991 Act” means the Ministerial and other Pensions and Salaries Act 1991⁽⁵⁾.

(2) Expressions used in these Regulations have the meaning which they bear in the 1987 Act and in the existing enactments as defined in paragraph 5 of Schedule 2 to the 1987 Act.

(1) 1987 c. 45.

(2) 1972 c. 48. Part I of this Act (sections 1–25) was repealed, with savings, by the Parliamentary and other Pensions Act 1987 (c. 45). The enactments in that Part (other than sections 1(1) to (4) and (7), 5, 23 and 24(4)), have effect as if they were contained in regulations made in accordance with section 2 of the 1987 Act, and they may be amended as such.

(3) 1978 c. 56. This Act was repealed, with savings, by the Parliamentary and other Pensions Act 1987 (c. 45), but sections 2–5, 6(2), 7, 11, 12(8) and 18(2) and (3) have effect as if they were contained in regulations made in accordance with section 2 of the 1987 Act, and they may be amended as such.

(4) 1987 c. 45.

(5) 1991 c. 5.

Reduction of Members' contributions

3. In section 3(2A)(6) of the 1972 Act (contributions from Parliamentary remuneration) the word “and” at the end of paragraph (c) shall be deleted and for paragraph (d) there shall be substituted:

- “(d) in the case of a period beginning on or after 1st January 1987 and before 1st April 1992, nine per cent; and
- (e) in the case of a period beginning on or after 1st April 1992, six per cent.”

Reduction of contributions of holders of Ministerial and other offices

4. In section 4(3AA)(7) of the 1972 Act (contributions from holders of Ministerial and other offices) the word “and” at the end of paragraph (d) shall be deleted and for paragraph (e) there shall be substituted:

- “(e) in the case of a period or part of a period beginning on or after 1st January 1987 and before 1st April 1992, nine per cent; and
- (f) in the case of a period or part of a period beginning on or after 1st April 1992, six per cent.”

Enhancement of service in relation to ill-health pensions

5. In the 1978 Act—

- (a) in section 2(4)(8), for the words “subject to subsection (5) below” to the end, there shall be substituted:
 - “be increased by a period equal to the period between his ceasing as mentioned in subsection (1)(a) or (b) above and the time when he would attain the age of sixty-five years.”;
- (b) section 2(5) shall be deleted;
- (c) in section 2(6), for the words “References in subsections (4) and (5) above to a person’s aggregate period of reckonable service as a Member are references”, there shall be substituted:
 - “Reference in subsection (4) above to a person’s aggregate period of reckonable service as a Member is a reference”, and
- (d) in section 2(7), for “subsections (1) to (5)” there shall be substituted “subsections (1) to (4)”, and in sub-paragraph (iii), the words “paragraph (a) and” shall be deleted.

Modification of section 6 of the 1991 Act

6. In section 6(1) of the 1991 Act—

- (a) the words “any financial year” shall be substituted for the words “each financial year”, and
- (b) for the words “subsections (2) to (7) of that section shall cease to have effect” there shall be substituted the words “subsections (6) and (7) of that section shall cease to have effect” and subsections (2) and (3) shall be modified as follows—
 - (a) in subsection (2), for the words “Subject to subsection (6) below” there shall be substituted the words “Subject to the provisions of any regulations made under section 6(1) of the Ministerial and other Pensions and Salaries Act 1991”, and

(6) Section 3(2A) was inserted by section 1(1) of the Parliamentary Pensions etc. Act 1984 (c. 52).

(7) Section 4(3AA) was inserted by section 2(1) of the Parliamentary Pensions etc. Act 1984 (c. 52).

(8) Section 2(4) was amended by section 5(3)(a) and (6) of the Parliamentary Pensions etc. Act 1984 (c. 52).

- (b) in subsection (3), for the words “with the relevant date” there shall be substituted the words “on 1 April 1993”.

Transitional provision

7. Regulation 5 shall only have effect in relation to a person who, on or after 1st April 1992, ceases, as mentioned in section 2(1)(a) or (b) of the 1978 Act, to be a Member of the House of Commons before attaining the age of sixty-five years, or to hold a qualifying office before attaining that age.

9th March 1992

John Macgregor
Leader of the House of Commons

We consent

9th March 1992

Irvine Patnick
Gregory Knight
Two of the Lords Commissioners of Her
Majesty’s Treasury

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Parliamentary and other Pensions Act 1972 and the Parliamentary Pensions Act 1978. By virtue of section 2 of and Schedule 2 to the Parliamentary and other Pensions Act 1987 (“the 1987 Act”), certain enactments in those Acts have effect as if contained in regulations made under section 2 of the 1987 Act and can be modified accordingly. Regulation 3 reduces the contributions due from Members of the House of Commons to the Parliamentary Contributory Pension Fund from 9% to 6% of salary from 1st April 1992. Regulation 4 similarly reduces the contributions due from those holders of Ministerial and other offices who are participants in the Fund. Regulation 5 replaces the existing enhancement rules in relation to ill-health pensions, by providing for an increase in the aggregate period of reckonable service equal to the full period of potential pensionable employment to the age of 65. Regulation 6 modifies section 6(1) of the Ministerial and other Pensions and Salaries Act 1991 so that the existing system for calculating the rate of Exchequer contribution to be paid into the Fund under section 3 of the 1987 Act will operate when there are no regulations in force under section 6(1) making provision for determining that rate.