

1969 No. 660 (S.54)

PENSIONS

**The Increase of Pensions (Teachers Family Benefits)
(Scotland) Regulations 1969**

<i>Made</i> - - -	<i>5th May 1969</i>
<i>Laid before Parliament</i>	<i>13th May 1969</i>
<i>Coming into Operation</i>	<i>14th May 1969</i>

In exercise of the powers conferred upon me by paragraphs 12 and 14 of Schedule 2 to the Pensions (Increase) Act 1969(a) and with the consent of the Minister for the Civil Service, I hereby make the following regulations—

Citation and commencement

1. These regulations may be cited as the Increase of Pensions (Teachers Family Benefits) (Scotland) Regulations 1969 and shall come into operation on 14th May 1969 but shall be deemed to have had effect from and including 1st April 1969.

Interpretation

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

(2) References in these regulations to a regulation shall, unless the context otherwise requires, be construed as references to a regulation of the Regulations.

Definitions

3.—(1) In these regulations, unless the context otherwise requires—

“the Act” means the Pensions (Increase) Act 1969 ;

“the Regulations” means the Teachers Superannuation (Family Benefits) (Scotland) Regulations 1969(c).

(2) Other expressions used in these regulations to which meanings are assigned by the Regulations shall, unless the context otherwise requires, have the same respective meanings in these regulations.

Exceptions from the Act

4. In relation to pensions payable under the Regulations, section 1(1) of the Act shall apply subject to the exception therefrom of—

(a) a short service widow's pension payable under regulation 46 ; and

(b) a children's pension payable under regulation 49.

Widow's Minimum Pension

5.—(1) In relation to a widow's pension payable under regulation 43 of which the annual rate is either—

(a) the minimum sum of £115 by reason of regulation 44(1)(b) ; or

(a) 1969 c. 7.

(b) 1889 c. 63.

(c) S.I. 1969/78 (1969 I, p. 192).

(b) a proportion of the minimum sum of £115 by reason of regulation 44(1)(b) as affected by regulation 52, section 1(1) of the Act shall apply subject to the modifications specified in paragraphs (2) and (3) of this regulation.

(2) In a case to which sub-paragraph (a) of paragraph (1) of this regulation applies the amount of the increase shall be the amount, if any, of the excess over £115 of the aggregate of—

(a) the annual rate of the pension if it were determined under paragraph (2) or (3) of regulation 44; and

(b) the amount of the increase of the annual rate so determined if section 1(1) and (2) of the Act were applicable thereto.

(3) In a case to which sub-paragraph (b) of paragraph (1) of this regulation applies the amount of the increase shall be the amount, if any, of the excess over the annual rate of the pension of the aggregate of—

(a) the annual rate of the pension if it were determined under paragraph (2) or (3) of regulation 44 and were subject to regulation 52; and

(b) the amount of the increase of the annual rate so determined if section 1(1) and (2) of the Act were applicable thereto.

William Ross,

One of Her Majesty's
Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
5th May 1969.

Consent of the Minister for the Civil Service given under his Official Seal on 5th May 1969.

J. E. Herbecq,

Authorised by the Minister for
the Civil Service.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations except from increase under the Pensions (Increase) Act 1969 pensions payable under the Teachers Superannuation (Family Benefits) (Scotland) Regulations 1969 to the widow of a teacher with less than ten years' service and to the children of a teacher.

They also provide that where a widow's pension is payable at the minimum rate of £115 a year (or, in the case of a teacher with service elsewhere in the British Isles, as a proportion of that minimum) the increase shall be limited to the amount (if any) by which the total of the pension and increase, if both were determined by the normal methods, would exceed £115 (or, if such is the case, the proportion of that sum being paid).

The Regulations have retrospective effect from 1st April 1969 by virtue of paragraph 14 of Schedule 2 to the Pensions (Increase) Act 1969.