
STATUTORY INSTRUMENTS

1971 No. 1316

PENSIONS

The Pensions (Preservation of Increases) Order 1971

Made - - - - 9th August 1971

Coming into Operation 1st September 1971

The Minister for the Civil Service by virtue of the powers conferred on him by section 6 of the Pensions (Increase) Act 1971 hereby makes the following Order:—

Citation and commencement

- 1.—(1) This order may be cited as the Pensions (Preservation of Increases) Order 1971.
- (2) This order shall come into operation on 1st September 1971.

Construction

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

(2) In this order—

- (a) “the 1971 Act” means the Pensions (Increase) Act 1971, “the 1944 Act” means the Pensions (Increase) Act 1944, and similarly with other expressions of the same kind;
- (b) “average emoluments” and “final emoluments” mean, in relation to a pension payable in respect of a person's service in an office or employment, the average rate of the relevant emoluments over a period of service in the office or employment and the rate of the relevant emoluments in the office or employment received immediately before the pension begins, respectively;
- (c) “averaging period” , in relation to a pension computed by reference to average emoluments, means the period of service by reference to which the average emoluments fall to be determined;
- (d) “the supplement” means the addition to the 1971 rate which is dealt with by Article 9 of this order (in accordance with section 6(5) of the 1971 Act);

and (without prejudice to any further operation of section 31 of the Interpretation Act 1889) this order is to be construed in accordance with the definitions and other interpretative provisions repeated from the 1971 Act in Part I of Schedule 1 to this order.

- (3) Any reference in this order to a rate of pension or emoluments is a reference to the annual rate.

(4) This order has effect subject to any provision made in the exercise of the powers conferred by section 5(3) of the 1971 Act.

Interpretation and use of Tables

3.—(1) In the Tables annexed to this order the expression “up to”, where used with reference to a date, is to be read as including that date, but in a head or line preceded by one operating by reference to an earlier date as excluding the time up that earlier date, except in any case to which the preceding head or line does not apply; and similarly where the expression “up to” is used with reference to a rate of pension.

(2) To find from the relevant Table the 1971 rate (with or without supplement) for any pension, the head or line to be used is that relevant to the date when the pension begins; and the basic rate or other rate on which the Table operates for that pension is to be multiplied by the figure given in the column headed by the multiplication sign, and to the result so obtained there is to be added any amount given in a column headed by the £ sign.

(3) The Tables giving the 1971 rate include in a separate division figures indicating, in terms of the basic rate of a pension to which the Table applies, where the 1971 rate (with or without supplement) or the 1969 standard is the higher; but this division is not to be treated as having operative effect, and the indications given are not applicable in cases where the comparison is affected either—

- (a) by apportionment of any increase or of the supplement; or
- (b) by a reduction in the 1971 rate on account of a war increase in the pension;

unless the apportionment or reduction affects only a 1944 element to be derived from another Table.

Except in cases where the comparison is so affected, in this division of any Table—

- (i) a single figure indicates the basic rate up to which the 1971 rate, with or without supplement according to the column, would be used as being higher than the 1969 standard and above which the 1969 standard would be used;
- (ii) a pair of figures indicates, for cases where the 1971 rate depends on variable factors other than the basic rate, by the lower figure the basic rate up to which the 1971 rate would be used in all cases, and by the higher figure the basic rate at or above which it would not be used;
- (iii) the expression “nil” is accordingly used to indicate that the 1969 standard is always higher than the alternative, and the expression “not relevant” (or the abbreviation “n/r”) is used to indicate that the 1969 standard cannot be the higher;
- (iv) a dash is used to indicate that variable factors prevent the giving of an indication;
- (v) where in a pair of figures one figure is replaced by a dash, the figure given is to be treated as the higher or lower figure of a pair according to its position on the right or on the left.

Application of order, and revocation of superseded provisions

4.—(1) This order applies to the pensions specified in Schedule 2 to the order, except that it does not apply either—

- (a) to any pension that qualified for an increase under the 1920 Act; or
- (b) to any lump sum or gratuity other than a gratuity specified in section 9(8) of the 1971 Act (which is repeated in Part II of Schedule 1 to this order).

(2) Schedule 2 to this order notes for each description of pension the Act under or by reference to which increases dealt with by this order were first payable on pensions of that description, and references in this order to a pension being, or not being, within the 1944 Act or another Act of the series are to be construed as references to its being, or not being, noted in that Schedule as within the Act mentioned.

(3) In relation to pensions that are not within the 1944 Act, this order is to have effect as if provisions applying only to pensions beginning on or before 1st April 1947, or relating to a 1944 element, were omitted.

(4) This order does not apply to pensions other than those to which it is applied by paragraph (1) above, and in particular it does not apply to pensions which would not be noted in Schedule 2 as within the 1962 Act or an earlier Act (the 1969 standard for these pensions being in all cases higher than the 1971 rate and no supplement being payable).

(5) There is hereby revoked any order specified in Schedule 3 to this order, or so much of it as is there included (the provisions there included being provisions which are superseded by there being treated as relevant increases for purposes of section 6 of the 1971 Act and this order any increases of pension authorised by those provisions by reference to the relevant increases.)

Ascertainment of 1971 rate

5.—(1) Except as otherwise provided in this order, the 1971 rate of a pension (unless that rate is, in accordance with section 6(3) of the 1971 Act, to be taken to be the rate at which the pension is being paid on 31st August 1971) shall as ascertained in accordance with the following provisions of this Article from the Tables annexed to this order.

(2) For earnings-related pensions based on final emoluments, the Tables to be used are as follows:

- (a) for a pension beginning on or before 31st March 1952—
 - (i) if it is based on emoluments of less than £1,365, Table I is to be used;
 - (ii) if it is based on emoluments of £1,365 or over, Table II is to be used, but in the case of a pension beginning after 31st December 1947 and based on emoluments less than £1,500 is to be applied as if the basic rate were that appropriate to a pension based on emoluments of £1,500;
- (b) for a pension beginning on or after 1st April 1952 (but not after 1st April 1961) Table IA and IIA is to be used.

For a pension beginning after 1st April 1961 the 1969 standard is in all cases higher than the 1971 rate, and accordingly a 1971 rate is not given.

(3) For earnings-related pensions based on average emoluments with an averaging period beginning on or before 1st January 1947, the Tables to be used are as given in sub-paragraphs (a) and (b) below, but in cases within paragraph (c) are to be applied as there mentioned:—

- (a) for a pension beginning on or before 31st March 1952—
 - (i) if it is based on average emoluments of less than £1,500, Table I is to be used, unless it begins after 1st January 1948 and sub-paragraph (iii) below applies;
 - (ii) if it is based on average emoluments of £1,500 or over, Table III is to be used;
 - (iii) if it is based on average emoluments less than £1,500 and begins after 1st January 1948, Table III is to be used, but to be applied as if the basic rate were that appropriate to a pension based on emoluments of £1,500, where the 1971 rate so obtained is less than under Table I (as will happen if the emoluments are over £1,365 multiplied by the figure represented in Table III by the symbol Q);
- (b) for a pension beginning on or after 1st April 1952, Table IIIA and IVA is to be used, but the basic rate is to be treated as increased, as mentioned in the notes to the Table, according to the proportion of the averaging period falling before the time there indicated;
- (c) in the case of pensions beginning on or after 1st April 1947, but with an averaging period beginning before 1st April 1946—

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- (i) if the pension begins on or before 31st March 1952, the rate given by Table I or III is to be increased by the addition of the adjusted 1944 element, if any, to be derived from Table V;
 - (ii) if the pension begins on or after 1st April 1952, the multiplier in Table IIIA and IVA is to be applied to the basic rate further increased (after the increase referred to in paragraph (b) above) by the adjusted 1944 element, if any, to be derived from Table V.
- (4) For earnings-related pensions based on average emoluments with an averaging period beginning after 1st January 1947, the Tables to be used are as follows:—
- (a) for a pension beginning on or before 31st March 1952—
 - (i) if it is based on average emoluments of less than £1,365, Table I is to be used;
 - (ii) if it is based on average emoluments of £1,365 or over, Table II is to be used, but in the case of a pension based on emoluments of less than £1,500 is to be applied as if the basic rate were that appropriate to a pension based on emoluments of £1,500;
 - (b) for a pension beginning on or after 1st April 1952—
 - (i) if it is based on average emoluments of less than £1,500, with an averaging period beginning on or before 1st April 1951, Table IIIA and IVA is to be used, but the basic rate is to be treated as increased, as mentioned in the notes to the Table, according to the proportion of the averaging period falling before the time there indicated;
 - (ii) otherwise Table IA and IIA is to be used, unless the pension begins after 1st April 1961.

For a pension beginning after 1st April 1961 (and not based on average emoluments of less than £1,500 with an averaging period beginning on or before 1st April 1951) the 1969 standard is in all cases higher than the 1971 rate, and accordingly a 1971 rate is not given in Table IA and IIA.

- (5) For flat-rate pensions the Tables to be used are as follows:—
- (a) for a pension which is not within the 1944 Act, or which became payable only on or after 1st January 1966—
 - (i) if it begins on or before 31st March 1952, Table I is to be used; and
 - (ii) if it begins on or after 1st April 1952 (but not after 1st April 1961) Table IA and IIA is to be used;
 - (b) for a pension which is within the 1944 Act and became payable on or before 31st December 1965—
 - (i) if it begins on or before 31st March 1952, Table IV is to be used;
 - (ii) if it begins on or after 1st April 1952, Table IIIA and IVA is to be used, but the multiplier is to be applied to the basic rate increased by the 1944 element or adjusted 1944 element to be derived from Table V.

For a pension beginning after 1st April 1961 and not within paragraph (b) above, the 1969 standard is in all cases higher than the 1971 rate, and accordingly a 1971 rate is not given in Table IA and IIA.

- (6) In relation to any of the following, that is to say—
- (a) pensions payable under the Police Pensions Act 1921;
 - (b) pensions payable under any Police Pension repealed by the Police Pensions Act 1948 of the Police and Firemen (War Service) Act 1939 in respect of service which is treated as approved service in a police force; and
 - (c) pensions payable under the Police Pensions Act 1948 otherwise than in respect of overseas service within the meaning of the Police (Overseas Service) Act 1945;

paragraphs (2), (3) and (4) above shall have effect as if references to 1st January 1947 were references to 2nd July 1948, and references to 31st December 1947 and to 1st January 1948 were references to 1st July 1949, and as if paragraphs (2)(a) and (3)(a) each required Table I to be used for any pension beginning on or before 1st July 1949.

Effect on 1971 rate of war increases (Tables I, II and III)

6.—(1) Where a pension within the 1944 Act is based on final emoluments and begins on or before 1st April 1947, or is based on average emoluments and begins on or before 31st March 1947, and there has been a war increase in the basic rate of the pension, then the operation of Table I, II or III, if it applies in relation to the pension, shall be modified in accordance with the rules applicable to the case which are contained in the notes to Table V.

(2) For the purpose of the provisions of this order relating to pensions within the 1944 Act, “war increase” means any increase which may have resulted from an addition after 3rd September 1939 to the emoluments on which the pension is based, being an addition which the pension authority are satisfied was an addition by way of war bonus or other similar allowance.

Apportionments for 1971 rate in case of double pension (Tables I, II, III and IV)

7.—(1) Where a pensioner is in receipt of a pension within the 1944 Act, and—

- (a) the pension—
 - (i) is an earnings-related pension beginning on or before 1st April 1947 if it is based on final emoluments, or on or before 31st March 1947 if it is based on average emoluments; and
 - (ii) is not one for which head 1 of Table I, II or III is excluded by the rules as to war increases contained in the notes to Table V; or
- (b) the pension is an earnings-related pension based on average emoluments which begins after 31st March 1947 but on or before 31st March 1952, with an averaging period beginning before 1st April 1946, and is not one for which the adjusted 1944 element obtained from note 3 to Table V would be nil; or
- (c) the pension is a flat-rate pension beginning on or before 31st March 1952 and became payable on or before 31st December 1965;

then, if the pensioner is in receipt also of another pension which is aggregable under paragraph (4) below, Table I, II, III or IV is not to be used to find the 1971 rate of the pension, but that rate shall be arrived at by adding together the adjusted 1944 element, if any, to be derived from Table V, the adjusted 1952 element to be derived from Table VI and the adjusted basic rate.

For this purpose the adjusted basic rate is 1.8887 times the basic rate or, if the basic rate is more than £1,000, is the sum of 1.7170 times the basic rate and £171.70, except for pensions within subparagraph (b) above which begin after 1st January 1948 and for which, but for this Article, Table III would be used to find the 1971 rate; and for those pensions the adjusted basic rate is the rate given by Table IIIA and IVA as the 1971 rate for a pension beginning on 1st April 1952 and not within the 1944 Act.

(2) Where a pensioner is in receipt of a pension beginning on or before 31st March 1952, and either—

- (a) the pension is within the 1944 Act, but paragraph (1) above does not operate in relation to it; or
- (b) the pension is within the 1952 Act;

then, if the pensioner is in receipt also of another aggregable pension, the 1971 rate given for the pension first referred to by Table I, II or III shall be reduced by the amount, if any, required by the rules contained in the notes to Table VI.

(3) For purposes of this Article a person for whose benefit a pension is payable shall be deemed to be in receipt of the pension notwithstanding that it is payable to some other person; and—

- (a) where a man and his wife are in receipt, one of a substituted pension, and the other of the original pension, then in relation to the 1971 rate of either pension paragraph (1) or (2) above shall apply as if the one in receipt of the original pension were in receipt also of the substituted pension (instead of the one actually in receipt of it); and
- (b) where a pensioner is in receipt of a pension described in paragraph (1) or (2) above and payable in respect of the services of the pensioner's deceased husband or wife, and another person is in receipt of a pension so described payable in respect of those services but payable for his benefit to that pensioner, then in relation to the 1971 rate of any of the pensions paragraph (1) or (2) above shall apply as if the person in receipt of it were in receipt also of any other of them; and
- (c) where a pensioner is in receipt of a pension described in paragraph (1) above and payable in respect of the services of the pensioner's deceased husband, and a person under the age of 16 who is dependent on her is also in receipt of a pension so described payable in respect of those services (whether or not payable for his benefit to that pensioner), then in relation to the 1971 rate of any of the pensions paragraph (1) above shall apply as if the person in receipt of it were in receipt also of any other of them.

(4) The following pensions are aggregable for purposes of this Article:—

- (a) any pension within the 1944 Act which either—
 - (i) is an earnings-related pension based on final emoluments that begins on or before 1st April 1947; or
 - (ii) is an earnings-related pension based on average emoluments, that either begins on or before 31st March 1947 or begins at any time before the year 1969 but with an averaging period beginning before 1st April 1946; or
 - (iii) is a flat rate pension that either begins on or before 1st April 1947 or became payable on or before 31st December 1965;
- (b) subject to paragraph (6) below, any service pension of which the rate is increasable by an amount corresponding to the 1944 element;
- (c) any pension in the case of which an increase is payable under any scheme (wherever in force and whether or not authorised by or under any enactment) which was determined for the corresponding purpose of the 1944 Act and 1947 Act to be similar to the provisions of those Acts.

(5) In relation to the 1952 element the following pensions are also aggregable for purposes of this Article:—

- (a) any pension within the 1952 Act that begins on or before 31st March 1952;
- (b) subject to paragraph (6) below, any service pension of which the rate is increasable by an amount corresponding to the 1952 element;
- (c) any pension in the case of which an increase is payable under any scheme (wherever in force and whether or not authorised by or under any enactment) which was determined for the corresponding purpose of the 1952 Act to be similar to the provisions of that Act.

(6) In paragraphs (4) and (5) above “service pension” means a pension granted under any Order in Council, Royal Warrant or Order of Her Majesty in respect of service in Her Majesty's naval,

military or air forces, whether that service has been rendered by the pensioner or by any other person; but there shall be disregarded—

- (a) the whole of any service pension granted solely on account of death or disablement which is attributable to service in those forces, or granted partly on account of death or disablement which is so attributable but without any specific part of the pension being referable to the death or disablement; and
- (b) so much as is specifically referable to the death or disablement of any other pension granted partly on account of death or disablement which is so attributable.

For purposes of sub-paragraphs (a) and (b) above a person's death or disablement shall be treated as attributable to service in Her Majesty's naval, military or air forces, if it is wholly or partly due to any wound, injury or disease which has been caused or aggravated by service in those forces.

(7) In the case of a pension aggregable by virtue of paragraph (4)(c) or (5)(c) above, account may be taken of it to such greater or less extent as was determined, by the determination there referred to, to have been appropriate for the corresponding purpose of the 1944 Act and 1947 Act or of the 1952 Act, as the case may be.

Adaptations for 1971 rate for derivative pensions under Superannuation Acts 1965 and 1967

8.—(1) Where a pension payable under Part III or IV of the Superannuation Act 1965 enures for the benefit of more than one child or dependant, the pension shall be treated for the purpose of determining the 1971 rate (including any purpose of Article 7 of this order) as a number of separate pensions equal to the number of those children or dependants; and the amount of each pension shall be deemed for that purpose to be a sum ascertained—

- (a) where the whole of the pension is paid to the same person, by dividing the amount of the pension by the number of children or dependants; and
- (b) where different parts of the pension are paid to different persons, by dividing each part by the number of children or dependants for whose benefit that part is paid.

(2) Where two or more pensions are payable either—

- (a) under Part III or IV of the Superannuation Act 1965 in respect of children or dependants of the same person; or
- (b) in accordance with a warrant issued or having effect as issued under section 18 of that Act in respect of children of the same person;

and the pensions are paid to one person for the benefit of the pensioners but the case is not within Article 7(3)(b) of this order, that Article shall apply as if the same pensioner were in receipt of both or all those pensions.

Amount of supplement

9.—(1) Where a pension begins on or before 1st April 1961, and any qualifying condition is satisfied other than one of the conditions specified in section 3(3)(b), (c) and (d) of the 1971 Act (which relate to pensioners in receipt of derivative pensions while of an age less than 16 or receiving education or training) the addition to be made to the 1971 rate in accordance with section 6(5) of that Act shall, subject to paragraph (2) below, be of the amount which—

- (a) is given by reference to the 1971 rate in Table VII annexed to this order; and
- (b) is incorporated by reference to the basic rate in Tables I, II, IA and IIA, IV and IIIA and IVA for the pensions (or some of the pensions) to which those Tables apply.

(2) Where the supplement may be added to the 1971 rate of a pension, and the pensioner is in receipt also of another aggregable pension, then the amount of the supplement shall be reduced by the amount, if any, required by the rules contained in the notes to Table VII.

(3) For purposes of paragraph (2) above, a person for whose benefit a pension is payable shall be deemed to be in receipt of the pension notwithstanding that it is payable to some other person; and, where a man and his wife are in receipt, one of a substituted pension, and the other of the original pension, then in relation to the supplement payable on either pension paragraph (2) above shall apply as if the one in receipt of the original pension were in receipt also of the substituted pension (instead of the one actually in receipt of it).

(4) The following pensions are aggregable for purpose of paragraph (2) above:—

- (a) any pension in the case of which the supplement may be added to the 1971 rate;
- (b) subject to paragraph (5) below, any service pension of which the rate is increasable by an amount corresponding to the supplement;
- (c) any pension in the case of which an increase is payable under any scheme (wherever in forced and whether or not authorised by any enactment) which was determined for the corresponding purpose of the 1962 Act to be similar to the provisions of that Act.

(5) Article 7(6) above shall apply for purposes of paragraph (4) of this Article as it applies for purposes of Article 7(4) and (5).

(6) In the case of a pension aggregable by virtue of paragraph (4)(c) above the provisions of this Article and of Table VII as to the reduction of the supplement where the pensioner is in receipt of more than one pension shall apply subject to the like modifications, if any, as were directed to have effect for the corresponding purpose of the Act of 1962.

Continuation for certain earnings-related pensions of increase under 1944 Act and 1956 Act

10.—(1) In respect of any period beginning on or after 1st September 1971 the rate of an earnings-related pension based on average emoluments and beginning after the year 1968 may, if it falls within paragraph (2) or (3) below, be increased (in accordance with section 6(6) of the 1971 Act) by the amount indicated in that paragraph, and any increase under section 1 or 2 of the 1971 Act shall be calculated by reference to the rate of pension as so increased as if it were the basic rate.

(2) A pension within the 1944 Act, if the averaging period began on or before 1st April 1946, may be increased by the addition of the adjusted 1944 element, if any, to be derived from Table V by applying paragraph (1)(a) and (b) and paragraph (2) (but not paragraph (1)(c)) of note 3 to that Table.

(3) A pension within the 1956 Act or any earlier Act, if the averaging period began on or before the earlier relevant date, may be increased or further increased (after any increase authorised by paragraph (2) above) by the appropriate fraction of the basic rate or, if that is more than £1,000, by the appropriate fraction of £1,000, subject however to the restriction imposed by paragraph (5) below in the case of a pension based on average emoluments of less than £1,500.

The appropriate fraction for this purpose is one-tenth of the fraction that results from dividing by the total number of half-years in the averaging period the number of them ending on or before the later relevant date (any incomplete half-year at the end of the period being disregarded).

(4) The dates referred to in paragraph (3) above are as follows:—

- (a) in relation to a pension based on average emoluments of £1,500 or over, the earlier relevant date is 1st January 1947 and the later relevant date is 31st December 1947;
- (b) in relation to a pension based on average emoluments of less than £1,500, the earlier relevant date is 1st April 1951 and the later relevant date is 31st March 1952.

(5) A pension based on average emoluments of less than £1,500 is not to be increased under paragraph (2) above—

- (a) if the averaging period began after 1st January 1947, by more than would raise its basic rate to that appropriate to a pension based on average emoluments of £1,500; or

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- (b) if the averaging period began on or before 1st January 1947, by more than would raise its basic rate to that appropriate to a pension based on average emoluments of £1,500 plus the addition that could be made to it under paragraph (2).

Given under the official seal of the Minister for the Civil Service on 9th August 1971.

L.S.

J. E. Herbecq
Authorised by the Minister for the Civil Service

SCHEDULE 1

Article 2

PROVISIONS REPEATED FROM 1971 ACT

PART I

INTERPRETATIVE PROVISIONS

“Meaning of “pension” and “beginning”

8.—(1) For purposes of this Act “pension” includes (subject to section 9 below)(1)—

- (a) any allowance or other benefit payable (either in respect of the services of the pensioner or in respect of the services of any other person) by virtue of any superannuation scheme, whether contained in an enactment or otherwise, including a superannuation scheme providing benefits in the case of injury or death; and
- (b) any compensation payable in respect of retirement from an office or employment in pursuance of the provisions of an enactment, any compensation payable in respect of the loss, abolition or relinquishment of an office or employment occasioned by an alteration in the organisation of a department or service or by a transfer or other reorganisation of the functions of local authorities, and any compensation payable in respect of a diminution in the emoluments of an office or employment which has been occasioned as aforesaid.

(2) A pension shall be deemed for purposes of this Act to begin on the day following the last day of the service in respect of which the pension is payable (whenever the pension accrues or becomes payable), except that—

- (a) an earnings-related pension based, directly or indirectly, on emoluments received for a period not ending with the last day of that service, other than a substituted pension, is to be deemed to begin on the day following the last day of that period; and
- (b) a substituted pension is to be deemed to begin on the same day as the original pension, or, if earlier, on the day from which the surrender of the original pension takes effect.

Other definitions

17.—(1) For purposes of this Act, unless the context otherwise requires,—

“basic rate” means the annual rate of a pension apart from any increase under or by reference to this Act or any enactment repealed by this Act, or any corresponding increase made otherwise than under or by reference to this Act or an enactment repealed by it;

“derivative pension” and “principal pension” mean a pension which is not, and one which is, payable in respect of the pensioner's own services;

“earnings-related pension” means a pension computed by reference to a rate of emoluments (whether actual emoluments or not and whether final or average emoluments), or payable at alternative rates one of which is so computed, and includes a derivative pension computed by reference to the rate of an earnings-related pension;

“flat rate” means a rate fixed otherwise than by reference to a rate of emoluments or to the rate of another pension, and “flat-rate pension” means a pension payable at a flat rate only, but includes a derivative pension computed by reference to the rate of a flat-rate pension;

“substituted pension” means a pension granted in consideration of the surrender of the whole or part of another pension (“the original pension”).”.

(1) Section 9 relates to gratuities and lump sums—see Article 4(1)(b) of this Order.

PART II

GRATUITIES TO WHICH ORDER APPLIES

- “9.—(8) The gratuities to which subsection (7) above applies are—
- (a) any gratuity granted by way of periodical payments under any of the following enactments:
—
 - (i) section 23 of the Local Government and other Officers' Superannuation Act 1922;
 - (ii) paragraph 4 of Part I of Schedule 1 to the Local Government (Clerks) Act 1931;
 - (iii) section 11 of the Local Government Superannuation Act 1937 or of the Local Government Superannuation (Scotland) Act 1937;
 - (b) any gratuity granted by way of periodical payments or by way of an annuity under section 18 of the Local Government Superannuation Act 1953;
 - (c) any gratuity granted by way of periodical payments or by way of an annuity under any local Act (or provisional order confirmed by Parliament) corresponding to any of the enactments mentioned in paragraphs (a) and (b) above.

Any question whether a local Act or provisional order corresponds to any of the enactments mentioned in paragraphs (a) and (b) above shall be determined, in the event of dispute, by the Secretary of State.”

SCHEDULE 2

Article 4

PENSIONS TO WHICH ORDER APPLIES

[NOTE: The paragraphs in this Schedule are numbered to match the corresponding paragraphs in Schedule 2 to the 1971 Act. They incorporate references to the 1944 Act, etc., and this indicates the Act “within” which the pensions are for purposes of this order.]

PART I

STATE PENSIONS

Ministerial and parliamentary

2. A pension payable under the Lord Chancellor's Pension Act 1832. [1962 Act.]
3. A pension payable under Mr. Speaker Morrison's Retirement Act 1959. [1962 Act.]

Civil service

4. A pension payable under the Superannuation Acts 1965 and 1967:—
 - (a) payable under Part III or IV of the Superannuation 1965. [1952 Act];
 - (b) payable otherwise than under Part III or IV of that Act. [1944 Act.]

Administration of justice

5. A pension payable under any of the following:—

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- (a) the Appellate Jurisdiction Act 1876 (Lords of Appeal);
 - (b) section 14 of the Supreme Court of Judicature (Consolidation) Act 1925 (higher judiciary in England and Wales);
 - (c) the Judges' Pensions (Scotland) Act 1808 (higher judiciary in Scotland);
 - (d) section 19 of the Supreme Court of Judicature Act (Ireland) 1877 (higher judiciary in Northern Ireland). [1962 Act.]
6. A pension payable out of the Consolidated Fund or out of moneys provided by Parliament under Part I of the Administration of Justice (Pensions) Act 1950 (widows and children of judges and senior officials in the legal system, including the Chairman and Deputy Chairman of the Monopolies Commission). [1952 Act.]
7. A pension payable under section 9 of the County Courts Act 1934 (county court judges). [1944 Act.]
8. A pension payable under section 20 of the Sheriff Courts (Scotland) Act 1907 (sheriffs and salaried sheriffs-substitute). [1944 Act.]
9. A pension payable under section 34(1) of the Courts-Martial (Appeals) Act 1951 (Judge Advocate General). [1959 Act.]
10. A pension payable under section 4(5) of the Criminal Justice Administration Act 1956 (Recorder of Manchester or Liverpool). [1962 Act.]
13. A pension payable under the Police Magistrates (Superannuation) Acts 1915 and 1929. [1944 Act.]

Police and firemen

14. A pension payable by a Secretary of State under the Police (Overseas Service) Act 1945 to a person who at the time of his retirement was engaged as mentioned in section 1(1) of the Act. [1952 Act.]

This paragraph includes a substituted pension not so payable if the original pension is so payable.

15. A pension payable by a Secretary of State under the Police Pensions Act 1948 to a person who at the time of his retirement was engaged as mentioned in section 1(1) of the Police (Overseas Service) Act 1945. [1944 Act.]

This paragraph includes a substituted pension not so payable if the original pension is so payable.

16. A pension payable by a Secretary of State in accordance with a scheme in force under section 26 of the Fire Services Act 1947. [1956 Act.]

This paragraph does not apply to a flat-rate pension, except where the rate depends on section 27(3) of that Act.

Teachers

17. A pension payable under the Elementary School Teachers (Superannuation) Acts 1898 to 1912. [1944 Act.]

18. A pension payable under the Teachers (Superannuation) Acts 1918 to 1956. [1944 Act.]

This paragraph does not include—

- (a) a pension specified in paragraph 56 of this Schedule; or

- (b) so much of any pension payable under the said Acts of 1918 to 1956 as would not have been payable apart from an election under section 10(1) of the Teachers (Superannuation) Act 1956.

19. A pension payable under the Education (Scotland) Acts 1939 to 1967. [1944 Act.]

This paragraph does not include a pension granted under Regulation 45 of the Teachers (Superannuation) (Scotland) Regulations 1957.⁽²⁾

20. A pension payable under regulations made under section 1 of the Teachers' Superannuation Act 1967. [1944 Act.]

21. A pension payable under the Teachers Superannuation (Scotland) Act 1968. [1944 Act.]

National health service

22. A pension payable by a Secretary of State under or by virtue of any of the following:—

- (a) section 6 of the National Health Service Act 1946 or of the National Health Service (Scotland) Act 1947 (former officers of voluntary hospitals). [1952 Act];
- (b) section 67 or 68 of the National Health Service Act 1946 or section 66 or 67 of the National Health Service (Scotland) Act 1947 (former officers of hospital authorities and others engaged in health services). [1944 Act.]

23. A pension payable by a Secretary of State in consequence of any change affecting the National Health Service and payable in pursuance of an order under section 11(9) of the National Health Service Act 1946. [1959 Act].

National insurance

24. A pension payable by a Secretary of State in pursuance of regulations made under section 67 of the National Insurance Act 1946 (loss of employment or diminution of emoluments attributable to passing of that Act of former employees of approved societies etc.). [1952 Act.]

25. A pension payable in pursuance of rules made under section 3 of the Superannuation (Miscellaneous Provisions) Act 1948 (former employees of approved societies etc.). [1952 Act.]

This paragraph does not include a pension payable under the Superannuation Acts 1965 and 1967.

Diplomatic, colonial and overseas service

27. A pension payable under the Governors Pensions Acts 1957 and 1967 and beginning before 18th December 1947. [1944 Act.]

Any other pension payable under those Acts. [1952 Act.]

28. A pension payable under the Judges Pensions (India and Burma) Act 1948. [1944 Act.]

29. A pension payable under the Diplomatic Salaries &c. Act 1869. [1944 Act.]

Service in Ireland

30. A pension payable under Schedule 8 to the Government of Ireland Act 1920 (former Irish civil servants). [1944 Act.]

31. A pension payable to or in respect of an existing Irish officer within the meaning of the Government of Ireland Act 1920, under the Superannuation Acts 1834 to 1965. [1944 Act.]

(2) (1957 I, p. 733).

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32. A pension payable under the enactments relating to pensions of the Royal Irish Constabulary. [1944 Act.]

This paragraph does not include a pension payable under regulations made under section 1 of the Royal Irish Constabulary (Windows' Pensions) Act 1954.

Miscellaneous

34. A pension payable under the following (compensation to tax collectors and assessors for loss of employment)—

- (a) section 29 of the Finance Act 1932 [1944 Act]; or
- (b) section 60 of the Finance (No. 2) Act 1945 or section 62 of the Finance Act 1946. [1952 Act.]

36. A widow's pension payable by a Secretary of State in accordance with a scheme framed by the then Army Council under the Injuries in War (Compensation) Act 1914 (Session 2) for established civil servants employed abroad within the sphere of military operations. [1944 Act.]

PART II

PENSIONS OUT OF LOCAL FUNDS

Local government service

39. A pension payable by a local authority in respect of service ending with local government service. [1944 Act.]

This paragraph does not include—

- (a) a pension payable, in respect of service as a member of a fire brigade, in accordance with a scheme in force under section 26 of the Fire Services Act 1947;
- (b) a pension within paragraph 45 of this Schedule;
- (c) a pension payable by a police authority under regulations made under section 60(2) of the Local Government Act 1958 or section 85(4) of the London Government Act 1963 (compensation for loss of employment or emoluments due to reorganisation of local government etc.).

Administration of justice

40. A pension payable under section 33 of the Justices of the Peace Act 1949 (stipendiary magistrates). [1959 Act.]

41. A pension payable by a local authority under Part I of the Administration of Justice (Pensions) Act 1950 (widows and children of stipendiary magistrates and of chairmen and deputy chairmen of London Sessions). [1959 Act.]

42. A pension payable under section 22 of the Administration of Justice (Pensions) Act 1950 (chairmen and deputy chairmen of London Sessions). [1962 Act.]

Police and firemen

43. A pension payable under any of the following:—

- (a) the Police Pensions Act 1948, or any enactment repealed by that Act or by the Police Pensions Act 1921;
- (b) section 34 of the Police Act 1964;
- (c) section 26 of the Police (Scotland) Act 1967;

other than a pension within paragraph 14 or 15 above, or a pension payable by a Secretary of State under the Police Pensions Act 1948 to a person who at the time of his retirement was engaged in service in respect of which the provisions of section 5 of the Overseas Service Act 1958 had effect, or serving as an inspector or assistant inspector of constabulary under the Police Act 1964 or the Police (Scotland) Act 1967, or engaged in central service pursuant to section 43 of the Police Act 1964 or section 38 of the Police (Scotland) Act 1967, or a substituted pension of which the original pension is so payable. [1944 Act.]

This paragraph does not include a derivative pension other than a substituted pension, nor a substituted pension if the original pension was a derivative pension.

44. A pension payable by a local authority, in respect of service as a member of a fire brigade, in accordance with a scheme in force under section 26 of the Fire Services Act 1947:—

- (a) payable in respect of whole-time service [1944 Act];
- (b) payable in respect of part-time service ending on or after 10th July 1956, other than a derivative pension [1962 Act].

This paragraph does not apply to a flat-rate pension, except where the rate depends on section 27(3) of that Act.

45. A pension payable by a local authority in respect of—

- (a) service as a professional fireman (as defined by the Fire Brigade Pensions Act 1925); or
- (b) service which, by or under any enactment, is treated as approved service in a fire brigade;

other than a pension payable in accordance with a scheme in force under section 26 of the Fire Services Act 1947. [1944 Act.]

46. A derivative pension payable under the Police Pensions Act 1921 in respect of a person to whom the National Fire Service (Preservation of Pensions) (Police Firemen) Regulations 1941(3) applied at the time of that person's death or retirement. [1944 Act.]

Court and police staffs

47. A pension payable by a local authority in England or Wales under any enactment other than section 15(1) to (7) of the Superannuation (Miscellaneous Provisions) Act 1967 in respect of—

- (a) service as a justices' clerk or as the employee of a justices' clerk [1944 Act]; or
- (b) service as a person employed by a magistrates' courts committee to assist a justices' clerk. [1956 Act.]

49. A pension payable by the Greater London Council under any enactment in respect of service in the employment of the standing joint committee for the county of London as clerk of the peace or deputy clerk of the peace or in any other capacity. [1944 Act.]

50. A pension payable under section 15(1) to (7) of the Superannuation (Miscellaneous Provisions) Act 1967 (metropolitan civil staffs). [1944 Act.]

(3) (1941 I, p. 328).

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51. A pension payable by a local authority, or by a police authority in England or Wales other than a local authority, under any enactment other than section 15 of the Superannuation (Miscellaneous Provisions) Act 1967 in respect of service ending with—

- (a) service as a civilian employed under section 10 of the Police Act 1964 by such a police authority; or
- (b) service as a traffic warden employed by such a police authority under section 2 of the Road Traffic and Roads Improvement Act 1960 or section 81(9) of the Road Traffic Regulation Act 1967. [1962 Act.]

Probation and after-care service

53. A pension payable in accordance with regulations under Schedule 4 to the Local Government Superannuation Act 1953 in respect of service as a probation officer or as a person appointed to assist a probation officer in the performance of his duties by a probation and after-care committee, by the Secretary of State or, before 1st July 1944, by a probation officer. [1944 Act.]

54. A pension payable by a local authority in England and Wales in respect of service as a member of the staff of an approved probation home or an approved probation hostel. [1956 Act.]

Teachers and school staff

56. A pension payable by a local authority under section 14(3)(b) of the Teachers (Superannuation) Act 1925. [1944 Act.]

57. A pension payable by a local authority in England or Wales under any enactment in respect of service as an employee of the managers of a non-provided school within the meaning of the Education Act 1921 or a voluntary school within the meaning of the Education Act 1944. [1944 Act.]

58. A pension payable by a local authority in England or Wales under any enactment in respect of service as an employee of the governing body of any school or educational institution (other than a public elementary school or a county or voluntary school) if the whole cost of maintaining the school or educational institution after deducting such part of the cost (if any) as is met by the governing body fell or falls to be met by the local authority. [1944 Act.]

59. A pension payable by a local authority in respect of service as a member of the staff of an approved school. [1944 Act.]

Miscellaneous

60. A pension payable by a local authority under any enactment in respect of service as a registration officer as defined in section 40 of the Local Government Superannuation Act 1937 or section 34 of the Local Government Superannuation (Scotland) Act 1937. [1944 Act.]

61. A pension payable under section 6 of the Coroners (Amendment) Act 1926 (county and borough coroners.) [1944 Act.]

62. A pension payable by a local authority in respect of service as a clerk, officer or servant employed under section 47 of the Local Government Act 1948: or section 92 of the General Rate Act 1967 by a local valuation panel. [1952 Act.]

64. A pension payable by a local authority by way of such compensation as is mentioned in section 8(1)(b) of the 1971 Act. [1944 Act.]

PART III

OTHER PENSIONS

65. A pension payable by the trustees of a trustee savings bank or by the Inspection Committee of trustee savings banks. [1944 Act.]

66. A pension payable in respect of service with, or as compensation for loss of employment on the winding up of, the Raw Cotton Commission. [1952 Act.]

67. A pension payable by the Greater London Council or the council of a London borough under section 80(9) to (11) of the London Passenger Transport Act 1933. [1944 Act.]

68. A pension payable by the council of the London borough of Southwark in respect of employment in the borough market, Southwark. [1944 Act.]

SCHEDULE 3

Article 4(5)

PROVISIONS REVOKED

Trustee savings banks

Article 5 of the Trustee Savings Banks (Pensions) Order 1955**(4)**.

The Trustee Savings Banks (Increase of Pensions) Order 1956**(5)**.

The Trustee Savings Banks (Increase of Pensions) Order 1959**(6)**.

The Trustee Savings Banks (Increase of Pensions) Order 1963**(7)**.

Metropolitan civil staffs

The Metropolitan Police Staffs (Increase of Superannuation Allowances) Order 1956**(8)**.

The Metropolitan Police Staffs (Increase of Superannuation Allowances) Order 1960**(9)**.

The Metropolitan Police Staffs (Increase of Superannuation Allowances) Order 1963**(10)**.

The Metropolitan Police Staffs (Increase of Superannuation Allowances) Order 1966**(11)**.

TABLE I

<i>(1) 1971 rate</i>		<i>(2) Choice of 1969 standard or 1971 rate</i>				
Basic rate	<i>X</i>	£	£	Date of beginning	Basic rate (£)	
		1. Without supplement	2. With supplement	(with 1969 factor)	1. Without supplement	2. With supplement

*1. Beginning up to 31st March/1st April 1947***(12)**

(4) (1955 II, p. 2388).

(5) (1956 II, p. 2197).

(6) (1959 II, p. 2468).

(7) (1963 II, p. 1511).

(8) (1956 I, p. 1210).

(9) (1960 II, p. 2022).

(10) (1963 III, p. 4167).

(11) (1966 II, p. 1874).

(12) 31st March for earnings-related pensions based on average emoluments, 1st April for other pensions.

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<i>(1) 1971 rate</i>		<i>(2) Choice of 1969 standard or 1971 rate</i>				
Basic rate	X	£		Date of beginning (with 1969 factor)	Basic rate (£)	
		1. Without supplement	2. With supplement		1. Without supplement	2. With supplement
Up to £55·71	3·3768(13)	—	27·376(14)	Up to 1944 (3·052)	93	120
Up to £100	2·5755	44·643	72·019	1945 (2·583)	212	252
Up to £133·33	1·8887	113·323	140·699	1946 (2·348)	321	381
Up to £200	2·4038	44·643	72·019	1947 (2·327)	336	399
Over £200	1·8887	147·664	175·040			
<i>2. Beginning up to 31st March 1948</i>						
Up to £78	2·4611(15)	—	27·376(16)	Up to 1944 (3·052)	nil	nil
Over £78	1·8887	44·643	72·019	1945 (2·583)	nil	103
				1946 (2·348)	97	156
				1947 (2·327)	101	164
				1948 (2·179)	153	248
<i>3. Beginning up to 31st March 1949</i>						
Up to £63	2·4611(17)	—	27·376(18)	1948 (2·179)	124	218
Over £63	1·8887	36·057	63·433	1949 (2·119)	156	275
<i>4. Beginning up to 31st March 1950</i>						
Up to £48	2·4611(19)	—	—(20)	1949 (2·119)	119	238
Over £48	1·8887(21)	27·472	54·848(22)	1950 (2·059)	161	322
<i>5. Beginning up to 31st March 1951</i>						

(13) For basic rates below £36·32, the 1971 rate with supplement is 4·1306 times the basic rate.

(14) For basic rates below £36·32, the 1971 rate with supplement is 4·1306 times the basic rate.

(15) For basic rates below £49·83, the 1971 rate with supplement is 3·0104 times the basic rate.

(16) For basic rates below £49·83, the 1971 rate with supplement is 3·0104 times the basic rate.

(17) For basic rates below £49·83, the 1971 rate with supplement is 3·0104 times the basic rate.

(18) For basic rates below £49·83, the 1971 rate with supplement is 3·0104 times the basic rate.

(19) For basic rates up to £48, the 1971 rate with supplement is 3·0104 times the basic rate; for those below £50·39 (but above £48), it is 2·3103 times the basic rate plus £33·604.

(20) For basic rates up to £48, the 1971 rate with supplement is 3·0104 times the basic rate; for those below £50·39 (but above £48), it is 2·3103 times the basic rate plus £33·604.

(21) For basic rates up to £48, the 1971 rate with supplement is 3·0104 times the basic rate; for those below £50·39 (but above £48), it is 2·3103 times the basic rate plus £33·604.

(22) For basic rates up to £48, the 1971 rate with supplement is 3·0104 times the basic rate; for those below £50·39 (but above £48), it is 2·3103 times the basic rate plus £33·604.

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Basic rate	(1) 1971 rate		(2) Choice of 1969 standard or 1971 rate			
	X	£	£	Date of beginning (with 1969 factor)	Basic rate (£)	
					1. Without supplement	2. With supplement
Up to £33	2·4611(23)	—	—(24)	1950 (2·059)	110	271
Up to £1,000	1·8887(25)	18·887	46·263(26)	1951 (1·886)	1,127	1,289
Over £1,000	1·7170	190·589	217·965			
<i>6. Beginning up to 31st March 1952</i>						
Up to £18	2·4611(27)	—	—(28)	1951 (1·886)	1,077	1,239
Up to £1,000	1·8887(29)	10·302	37·678(30)	1952 (1·728)	not relevant	not relevant
Over £1,000	1·7170	182·004	209·380			

NOTE:—

In the case of earnings-related pensions beginning on or after 1st April 1947, but with an averaging period beginning before 1st April 1946, there is to be added to the 1971 rate as given by heads 2 to 6 of this Table the adjusted 1944 element, if any, to be derived from Table V.

In these cases, the right-hand division of the Table does not apply; and (the 1944 element being variable) alternatives are not given. With the maximum 1944 element (taken on the basis of a continuous averaging period of 40 years), the entry in head 1 would apply also in head 2 for years up to 1947, the figures given above would be increased for 1948 by about £350, for 1949 by about £450 and for 1950 by about £600 and the 1969 standard becomes not relevant in 1951.

(23) For basic rates up to £33, the 1971 rate with supplement is 3·0104 times the basic rate; for those below £54·94 (but above £33), it is 2·3103 times the basic rate plus £23·103.

(24) For basic rates up to £33, the 1971 rate with supplement is 3·0104 times the basic rate; for those below £54·94 (but above £33), it is 2·3103 times the basic rate plus £23·103.

(25) For basic rates up to £33, the 1971 rate with supplement is 3·0104 times the basic rate; for those below £54·94 (but above £33), it is 2·3103 times the basic rate plus £23·103.

(26) For basic rates up to £33, the 1971 rate with supplement is 3·0104 times the basic rate; for those below £54·94 (but above £33), it is 2·3103 times the basic rate plus £23·103.

(27) For basic rates up to £18, the 1971 rate with supplement is 3·0104 times the basic rate; for those below £59·48 (but above £18), it is 2·3103 times the basic rate plus £12·602.

(28) For basic rates up to £18, the 1971 rate with supplement is 3·0104 times the basic rate; for those below £59·48 (but above £18), it is 2·3103 times the basic rate plus £12·602.

(29) For basic rates up to £18, the 1971 rate with supplement is 3·0104 times the basic rate; for those below £59·48 (but above £18), it is 2·3103 times the basic rate plus £12·602.

(30) For basic rates up to £18, the 1971 rate with supplement is 3·0104 times the basic rate; for those below £59·48 (but above £18), it is 2·3103 times the basic rate plus £12·602.

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TABLE II

(1) 1971 rate	X	£		Date of beginning (with 1969 factor)	(2) Choice of 1969 standard or 1971 rate	
		1. Without supplement	2. With supplement		1. Without supplement	2. With supplement
<i>1. Beginning up to 31st March/1st April 1947(31)</i>						
Up to £55·71	3·3768(32)	—	27·376(33)	p to 1944 (3·052)	93	120
Up to £100	2·5755	44·643	72·019	1945 (2·583)	212	252
Up to £133·33	1·8887	113·323	140·699	1946 (2·348)	321	381
Up to £200	2·4038	44·643	72·019	1947 (2·327)	336	399
Over £200	1·8887	147·664	175·040			
<i>2. Beginning up to 1st January 1948/31st December 1947(34)</i>						
Up to £78	2·4611(35)	—	27·376(36)	p to 1944 (3·052)	Nil	Nil
Over £78	1·8887	44·643	72·019	1945 (2·583)	Nil	103
				1946 (2·348)	97	156
				1947 (2·327)	101	164
				1948 (2·179)	153	248
<i>3. Beginning up to 31st March 1948</i>						
Up to £78	2·2894(37)	—	27·376(38)	1948 (2·179)	96	155
Over £78	1·7170	44·643	72·019			
<i>4. Beginning up to 31st March 1949</i>						
Up to £63	2·2894(39)	—	27·376(40)	1948 (2·179)	78	137
Over £63	1·7170	36·057	63·433	1949 (2·119)	89	157

(31) 31st March for pensions based on average emoluments, 1st April for pensions based on final emoluments.

(32) For basic rates below £36·32, the 1971 rate with supplement is 4·1306 times the basic rate.

(33) For basic rates below £36·32, the 1971 rate with supplement is 4·1306 times the basic rate.

(34) 1st January 1948 for pensions based on average emoluments, 31st December 1947 for pensions based on final emoluments.

(35) For basic rates below £49·83, the 1971 rate with supplement is 3·0104 times the basic rate.

(36) For basic rates below £49·83, the 1971 rate with supplement is 3·0104 times the basic rate.

(37) For basic rates below £53·57, the 1971 rate with supplement is 2·8004 times the basic rate.

(38) For basic rates below £53·57, the 1971 rate with supplement is 2·8004 times the basic rate.

(39) For basic rates below £53·57, the 1971 rate with supplement is 2·8004 times the basic rate.

(40) For basic rates below £53·57, the 1971 rate with supplement is 2·8004 times the basic rate.

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Basic rate	(1) 1971 rate		(2) Choice of 1969 standard or 1971 rate				
	X	£	£		Date of beginning (with 1969 factor)	Basic rate (£)	
			1. Without supplement	2. With supplement		1. Without supplement	2. With supplement
<i>5. Beginning up to 31st March 1950</i>							
Up to £48	2·2894 (41)	—	—	(42)	1949 (2·119)	68	136
Over £48	1·7170 (43)	27·472	54·848 (44)		950 (2·059)	80	160
<i>6. Beginning up to 31st March 1951</i>							
Up to £33	2·2894 (45)	—	—	(46)	1950 (2·059)	55	135
Over £33	1·7170 (47)	18·887	46·263 (48)		951 (1·886)	111	273
<i>7. Beginning up to 31st March 1952</i>							
Up to £18	2·2894 (49)	—	—	(50)	1951 (1·886)	60	222
Over £18	1·7170 (51)	10·302	37·678 (52)		952 (1·728)	938	3,431

(41) For basic rates up to £48, the 1971 rate with supplement is 2·8004 times the basic rate; for those below £55·43 (but above £48), it is 2·1003 times the basic rate plus £33·604.

(42) For basic rates up to £48, the 1971 rate with supplement is 2·8004 times the basic rate; for those below £55·43 (but above £48), it is 2·1003 times the basic rate plus £33·604.

(43) For basic rates up to £48, the 1971 rate with supplement is 2·8004 times the basic rate; for those below £55·43 (but above £48), it is 2·1003 times the basic rate plus £33·604.

(44) For basic rates up to £48, the 1971 rate with supplement is 2·8004 times the basic rate; for those below £55·43 (but above £48), it is 2·1003 times the basic rate plus £33·604.

(45) For basic rates up to £33, the 1971 rate with supplement is 2·8004 times the basic rate; for those below £60·43 (but above £33), it is 2·1003 times the basic rate plus £23·103.

(46) For basic rates up to £33, the 1971 rate with supplement is 2·8004 times the basic rate; for those below £60·43 (but above £33), it is 2·1003 times the basic rate plus £23·103.

(47) For basic rates up to £33, the 1971 rate with supplement is 2·8004 times the basic rate; for those below £60·43 (but above £33), it is 2·1003 times the basic rate plus £23·103.

(48) For basic rates up to £33, the 1971 rate with supplement is 2·8004 times the basic rate; for those below £60·43 (but above £33), it is 2·1003 times the basic rate plus £23·103.

(49) For basic rates up to £18, the 1971 rate with supplement is 2·8004 times the basic rate; for those below £65·43 (but above £18), it is 2·1003 times the basic rate plus £12·602.

(50) For basic rates up to £18, the 1971 rate with supplement is 2·8004 times the basic rate; for those below £65·43 (but above £18), it is 2·1003 times the basic rate plus £12·602.

(51) For basic rates up to £18, the 1971 rate with supplement is 2·8004 times the basic rate; for those below £65·43 (but above £18), it is 2·1003 times the basic rate plus £12·602.

(52) For basic rates up to £18, the 1971 rate with supplement is 2·8004 times the basic rate; for those below £65·43 (but above £18), it is 2·1003 times the basic rate plus £12·602.

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TABLE IA AND IIA

A. WITH SUPPLEMENT

Basic rate	(1) 1971 rate		(2) Choice of 1969 standard or 1971 rate	
	X	£	Date of beginning (with 1969 factor)	£
<i>1. Beginning on 1st April 1952</i>				
Up to £71·429	2·1003	—	1952 (1·728)	2,493
Over £71·429	1·7170	27·376		
<i>2. Beginning up to 1st April 1953</i>				
Up to £72·727	2·0628	—	1952 (1·728)	657
Over £72·727	1·6864	27·376	1953	not relevant.
<i>3. Beginning up to 1st April 1954</i>				
Up to £74·074	2·0253	—	1953 (1·675)	1,418
Over £74·074	1·6557	27·376	1954	not relevant.
<i>4. Beginning up to 1st April 1955</i>				
Up to £75·472	1·9878	—	1954 (1·645)	1,371
Over £75·472	1·6250	27·376	1955	not relevant.
<i>5. Beginning up to 1st July 1955</i>				
Up to £76·923	1·9503	—		Not relevant.
Over £76·923	1·5944	27·376		
<i>6. Beginning up to 1st April 1956</i>				
Up to £76·923	1·9337	—		Not relevant.
Over £76·923	1·5809	27·144		
<i>7. Beginning up to 1st July 1956</i>				
Up to £66·667	1·8689	—		Not relevant.
Over £66·667	1·5228	23·072		
<i>8. Beginning up to 1st April 1957</i>				
Up to £66·667	1·8529	—		Not relevant.
Over £66·667	1·5098	22·875		

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Basic rate	(1) 1971 rate		(2) Choice of 1969 standard or 1971 rate	
	X	£	Date of beginning (with 1969 factor)	£
<i>9. Beginning up to 1st July 1957</i>				
Up to £56	1·7588	—	1957 (1·448)	934
Over £56	1·4282	18·514		
<i>10. Beginning up to 1st April 1958</i>				
Up to £56	1·7436	—	1957 (1·448)	571
Over £56	1·4159	18·354	1958	not relevant.
<i>11. Beginning up to 1st July 1958</i>				
Up to £40	1·6873	—	1958 (1·404)	332
Over £40	1·3653	12·880		
<i>12. Beginning up to 1st April 1959</i>				
Up to £40	1·6726	—	1958 (1·404)	252
Over £40	1·3534	12·768	1959 (1·397)	292
<i>13. Beginning up to 1st July 1959</i>				
Up to £28	1·6177	—	1959 (1·397)	94
Over £28	1·3042	8·778		
<i>14. Beginning up to 1st April 1960</i>				
Up to £28	1·6035	—	1959 (1·397)	83
Over £28	1·2927	8·701	1960 (1·383)	96
<i>15. Beginning up to 1st July 1960</i>				
Up to £16	1·5499	—	1960 (1·383)	35
Over £16	1·2448	4·882		
<i>16. Beginning up to 1st April 1961</i>				
Up to £16	1·5362	—	1960 (1·383)	32
Over £16	1·2338	4·838	1961 (1·338)	46

In the cases given below the 1971 rate is to be used, and the 1969 standard is not relevant; in all other cases in this Table, the 1969 standard is to be used and the 1971 rate is not relevant.

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B. WITHOUT SUPPLEMENT

Beginning (dates inclusive)	<i>1971 rate</i> <i>X</i>
1st January 1953—1st April 1953	1·6864
1st January 1954—1st April 1954	1·6557
1st January 1955—1st April 1955	1·6250
2nd April 1955—1st July 1955	1·5944
2nd July 1955—1st April 1956	1·5809
2nd April 1956—1st July 1956	1·5228
2nd July 1956—1st April 1957	1·5098
1st January 1958—1st April 1958	1·4159

TABLE III

<i>(1) 1971 rate</i>		<i>(2) Choice of 1969 standard or 1971 rate</i>					
Basic rate	<i>X</i>	£	Date of beginning (with 1969 factor)	Basic rate (£)			
				(a) No 1944 element		(b) With 1944 element	
				1.	2.	1.	2.
				Without supplement	With supplement	Without supplement	With supplement
<i>1. Beginning up to 31st March 1947</i>							
Up to £55·71	3·3768	—	Up to 1944 (3·052)			93	120
Up to £100	2·5755	44·643	1945 (2·583)			212	252
Up to £133·33	1·8887	113·323	1946 (2·348)			321	381
Up to £200	2·4038	44·643	1947 (2·327)			336	399
Over £200	1·8887	147·664					
<i>2. Beginning up to 1st January 1948</i>							
			Up to 1944 (3·052)	Nil	Nil		
Up to £78	2·4611	—	1945 (2·583)	Nil	103		
Over £78	1·8887	44·643	1946 (2·348)	97	156		
			1947 (2·327)	101	164	101/331	164/394
			1948 (2·179)	153	248	153/500	248/595
<i>3. Beginning up to 31st March 1948</i>							
Up to £78	0·5723+	—	1948 (2·179)	128/154	207/249	128/500	207/595
	1·7170Q						

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(1) 1971 rate Basic rate	X	£	(2) Choice of 1969 standard or 1971 rate Date of beginning (with 1969 factor)	Basic rate (£)			
				(a) No 1944 element		(b) With 1944 element	
				1. Without supplement	2. With supplement	1. Without supplement	2. With supplement
Over £78	1·7170	Q44·643					
<i>4. Beginning up to 31st March 1949</i>							
Up to £63	0·5723	+1·7170Q	1948 (2·179)	95/124	168/217	95/458	168/552
Over £63	1·7170	Q36·057	1949 (2·119)	108/154	190/271	108/571	190/688
<i>5. Beginning up to 31st March 1950</i>							
Up to £48	0·5723	+1·7170Q	1949 (2·119)	79/117	159/232	79/519	159/635
Over £48	1·7170	Q27·472	1950 (2·059)	93/154	187/307	93/687	187/840
<i>6. Beginning up to 31st March 1951</i>							
Up to £33	0·5723	+1·7170Q	1950 (2·059)	63/105	154/256	63/617	154/768
Up to £1,000	1·7170	Q18·887	1951 (1·886)	144/1,052	53/1,214	44/1,603	53/1,763
Over £1,000	1·7170	18·887+					
		171·702q					
<i>7. Beginning up to 31st March 1952</i>							
Up to £18	0·5723	+1·7170Q	1951 (1·886)	76/838	279/1,157	6/1,522	279/1,684
		1·7170Q					
Up to £1,000	10·302	1952	3,781/— (1·728)	6,274/ —	3,781/ —	6,274/ —	
Over £1,000	1·7170	10·302+					
		171·702q					

NOTES:—

Except in relation to pensions mentioned in Article 5(6) of this Order, symbol q represents the fraction that results from dividing by the total number of half-years in the averaging period the number of them ending on or before 31st December 1947; the symbol Q represents the number obtained by dividing by ten times the total number of half-years in the period the sum of ten times that number and the number ending on or before 31st December 1947 (or is

$1+q/10$

). Any incomplete half-year at the end of the period is to be disregarded. In the application of head 5 or any later head of this Table to a pension mentioned in Article 5(6) of this Order (and beginning

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on or after 2nd July 1949), the symbols Q and q have a corresponding meaning, but 1st July 1949 is to be substituted for 31st December 1947.

The 1971 rate with supplement cannot be given in this Table; the amount of the supplement is £27·376 or, if the 1971 rate is less than £124·44, then eleven-fiftieths of the 1971 rate.

The right-hand division of this Table assumes, for the higher figures, a continuous averaging period not longer than forty years. It does not apply to pensions based on average emoluments of less than £1,500, or to a pension mentioned in Article 5(6) of this Order.

TABLE IV

(1) 1971 rate				(2) Choice or 1969 standard or 1971 rate			
	Basic rate	X	£	£	Date of beginning (with 1969 factor)	Basic rate (£)	
		1. Without supplement	2. With supplement			1. Without supplement	2. With supplement
<i>1. Beginning up to 31st March 1948</i>							
Up to £55·71	3·3768(53)	—	27·376(54)	Up to 1944 (3·052)		93	120
Up to £100	2·5755	44·643	72·019	1945 (2·583)		212	252
Up to £133·33	1·8887	113·323	140·699	1946 (2·348)		321	381
Up to £200	2·4038	44·643	72·019	1947 (2·327)		336	399
Over £200	1·8887	147·664	175·040	1948 (2·179)		508	603
<i>2. Beginning up to 31st March 1949</i>							
Up to £45	3·3768(55)	—	27·376(56)	1948 (2·179)		479	573
Up to £100	2·5755	36·057	63·433	1949 (2·119)		603	722
Up to £133·33	1·8887	104·738	132·114				
Up to £200	2·4038	36·057	63·433				
Over £200	1·8887	139·080	166·456				
<i>3. Beginning up to 31st March 1950</i>							
Up to £34·28	3·3768(57)	—	—(58)	1949 (2·119)		566	685
Up to £100	2·5755(59)	27·472	54·848(60)	1950 (2·059)		766	927

(53) For basic rates below £36·32, the 1971 rate with supplement is 4·1306 times the basic rate.

(54) For basic rates below £36·32, the 1971 rate with supplement is 4·1306 times the basic rate.

(55) For basic rates below £36·32, the 1971 rate with supplement is 4·1306 times the basic rate.

(56) For basic rates below £36·32, the 1971 rate with supplement is 4·1306 times the basic rate.

(57) For basic rates up to £34·28, the 1971 rate with supplement is 4·1306 times the basic rate; for those below £36·95 (but above £34·28), it is 3·1504 times the basic rate plus £33·604.

(58) For basic rates up to £34·28, the 1971 rate with supplement is 4·1306 times the basic rate; for those below £36·95 (but above £34·28), it is 3·1504 times the basic rate plus £33·604.

(59) For basic rates up to £34·28, the 1971 rate with supplement is 4·1306 times the basic rate; for those below £36·95 (but above £34·28), it is 3·1504 times the basic rate plus £33·604.

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Basic rate	(1) 1971 rate			(2) Choice or 1969 standard or 1971 rate		
	X	£		Date of beginning (with 1969 factor)	Basic rate (£)	
		1. Without supplement	2. With supplement		1. Without supplement	2. With supplement
Up to £133·33	1·8887	96·153	123·529			
Up to £200	2·4038	27·472	54·848			
Over £200	1·8887	130·495	157·871			
<i>4. Beginning up to 31st March 1951</i>						
Up to £23·57	3·3768(61)	—	—(62)	1950 (2·059)	715	876
Up to £100	2·5755(63)	18·887	46·263(64)	951 (1·886)	1,737	1,899
Up to £133·33	1·8887	87·568	114·944			
Up to £200	2·4038	18·887	46·263			
Up to £1,000	1·8887	121·910	149·286			
Over £1,000	1·7170	293·612	320·988			
<i>5. Beginning up to 31st March 1952</i>						
Up to £12·85	3·3768(65)	—	—(66)	1951 (1·886)	1,686	1,848
Up to £100	2·5755(67)	10·302	37·678(68)	952 (1·728)	n/r	n/r
Up to £133·33	1·8887	78·983	106·359			
Up to £200	2·4038	10·302	37·678			
Up to £1,000	1·8887	113·322	140·698			
Over £1,000	1·7170	285·024	312·400			

(60) For basic rates up to £34·28, the 1971 rate with supplement is 4·1306 times the basic rate; for those below £36·95 (but above £34·28), it is 3·1504 times the basic rate plus £33·604.

(61) For basic rates up to £23·57, the 1971 rate with supplement is 4·1306 times the basic rate; for those below £40·29 (but above £23·57), it is 3·1504 times the basic rate plus £23·103.

(62) For basic rates up to £23·57, the 1971 rate with supplement is 4·1306 times the basic rate; for those below £40·29 (but above £23·57), it is 3·1504 times the basic rate plus £23·103.

(63) For basic rates up to £23·57, the 1971 rate with supplement is 4·1306 times the basic rate; for those below £40·29 (but above £23·57), it is 3·1504 times the basic rate plus £23·103.

(64) For basic rates up to £23·57, the 1971 rate with supplement is 4·1306 times the basic rate; for those below £40·29 (but above £23·57), it is 3·1504 times the basic rate plus £23·103.

(65) For basic rates up to £12·85, the 1971 rate with supplement is 4·1306 times the basic rate; for those below £43·62 (but above £12·85), it is 3·1504 times the basic rate plus £12·602.

(66) For basic rates up to £12·85, the 1971 rate with supplement is 4·1306 times the basic rate; for those below £43·62 (but above £12·85), it is 3·1504 times the basic rate plus £12·602.

(67) For basic rates up to £12·85, the 1971 rate with supplement is 4·1306 times the basic rate; for those below £43·62 (but above £12·85), it is 3·1504 times the basic rate plus £12·602.

(68) For basic rates up to £12·85, the 1971 rate with supplement is 4·1306 times the basic rate; for those below £43·62 (but above £12·85), it is 3·1504 times the basic rate plus £12·602.

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TABLE IIIA AND IVA

A: PENSIONS BEGINNING 1ST APRIL 1952 TO 1ST APRIL 1961

Pensions beginning	<i>(1) 1971 rate and Supplement</i>			
	<i>(a) 1971 rate</i>	<i>(b) Supplement</i>		<i>X</i>
		<i>X</i>	<i>1. Normal</i>	
		<i>£</i>	<i>1971 rate (£)</i>	
On 1.4.52	1·7170	27·376	124·44	0·22
Up to 1.4.53	1·6864	27·376	124·44	0·22
Up to 1.4.54	1·6557	27·376	124·44	0·22
Up to 1.4.55	1·6250	27·376	124·44	0·22
Up to 1.7.55	1·5944	27·376	124·44	0·22
Up to 1.4.56	1·5809	27·144	123·38	0·22
Up to 1.7.56	1·5228	23·072	100·31	0·23
Up to 1.4.57	1·5098	22·875	99·46	0·23
Up to 1.7.57	1·4282	18·514	80·50	0·23
Up to 1.4.58	1·4159	18·354	79·80	0·23
Up to 1.7.58	1·3653	12·880	53·67	0·24
Up to 1.4.59	1·3534	12·768	53·20	0·24
Up to 1.7.59	1·3042	8·778	36·58	0·24
Up to 1.4.60	1·2927	8·701	36·25	0·24
Up to 1.7.60	1·2448	4·882	19·53	0·25
Up to 1.4.61	1·2338	4·838	19·35	0·25

NOTES:—

This part of the Table gives the 1971 rate for the classes of pension described below, by applying the multiplier not to the basic rate but to the adjusted rate specified for each class of pension.

The supplement is of the amount given in column 3, unless the 1971 rate is less than the amount given in the first division of column 4: it is then obtained by multiplying the 1971 rate by the factor given in the second division of that column. As to the choice of 1969 standard or 1971 rate, see the next division of the Table.

Relevant rate of pension

- (a) For flat-rate pensions within the 1944 Act (which became payable on or before 31st December 1965), the rate to be used is the basic rate with the addition of the 1944 element to be derived from Table V: see note 1 to that Table (or, in a case of apportionment, note 5).
- (b) For earnings-related pensions within the 1944 Act (based on average emoluments and with an averaging period beginning before 1st April 1946), the rate to be used is the basic rate with the addition both—
 - (i) of the adjusted 1944 element to be derived from Table V: see note 3 to that Table (or, in a case of apportionment, note 4); and
 - (ii) of the amount given by paragraph (c) or (d) below.

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- (c) For any earnings-related pension based on average emoluments of £1,500 or over and with an averaging period beginning on or before 1st January 1947, the rate to be used is the basic rate with the addition (further to the addition, if any, under paragraph (b) above) of the appropriate fraction of that rate or, if the rate is more than £1,000, of the appropriate fraction of £1,000; the appropriate fraction for this paragraph is one-tenth of the figure that results from dividing by the total number of half-years in the averaging period the number of them ending on or before 31st December 1947 (any incomplete half-year at the end of the period being disregarded). In relation to pensions mentioned in Article 5(6) of this Order, this paragraph applies with the substitution for 1st January 1947 and for 31st December 1947 of 2nd July 1948 and of 1st July 1949.
- (d) For any earnings-related pension based on average emoluments of less than £1,500 and with an averaging period beginning on or before 1st April 1951, the rate to be used is the basic rate with the addition (further to the addition, if any, under paragraph (b) above) either of the appropriate fraction of the basic rate or, if it is less, of the amount that would raise the basic rate—
- (i) where the averaging period began on or before 1st January 1947, to the basic rate appropriate to a pension based on emoluments of £1,500 plus the addition that would be made to it under paragraph (c) above; or
 - (ii) where the averaging period began after 1st January 1947, to the basic rate appropriate to a pension based on emoluments of £1,500;

the appropriate fraction for this paragraph is one-tenth of the figure that results from dividing by the total number of half-years in the averaging period the number of them ending on or before 31st March 1952 (any incomplete half-year at the end of the period being disregarded). In relation to pensions mentioned in Article 5(6) of this Order, this paragraph applies with the substitution for 1st January 1947 of 2nd July 1948.

(2) Choice of 1969 standard or 1971 rate

Except for pensions beginning at the periods mentioned below in the central panel, 1971 rate is to be used, and the 1969 standard is not relevant. For earnings-related pensions the upper limits here given assume an averaging period of 40 years or less. Where the restriction in paragraph (d)(i) or (ii) above operates, this division of the Table does not apply (but for pensions not within the 1944 Act Table IA and IIA applied to the basic rate appropriate to emoluments of £1,500 will give the 1971 rate with or without supplement, and the choice between that rate and the 1969 standard).

(a) Pensions within 1944 Act (basic rate)		Beginning		(b) Pensions not within 1944 Act (basic rate)						
Flat-rate	Average earnings		Average earnings		(with 1969 factor):		Average earnings		Average earnings	
	£1,500 or over		less than £1,500		all pensions		£1,500 or over		less than £1,500	
1. Without	2. 1. Without	2. With supplement	1. Without	2. With supplement	1. Without	2. With supplement	1. Without	2. With supplement	1. Without	2. With supplement
n/r	n/r	2,838/—	5,326/—	n/r	n/r	On 1.4.52 (1.728)	2,838/—	5,326/—	n/r	n/r
2,430	3,087	—	1,332/—	n/r	n/r	2.4.52 to 31.12.52 (1.728)	—	1,332/—	n/r	n/r

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(a) Pensions within 1944 Act (basic rate)						Beginning	(b) Pensions not within 1944 Act (basic rate)			
Flat-rate	Average earnings		Average earnings		(with 1969 factor):	(with 1969 factor):	Average earnings		Average earnings	
	£1,500 or over		less than £1,500				£1,500 or over		less than £1,500	
1. Without	2. With supplement	1. Without supplement	2. With supplement	1. Without supplement	2. With supplement	all pensions	1. Without supplement	2. With supplement	1. Without supplement	2. With supplement
5,147	6,565	1,225/ —	2,643/ —	n/r	n/r		2.4.53 to 31.12.53 (1.675)	—/7,400	2,643/8,818	n/r
4,885	6,256	1,017/ —	2,389/ —	n/r	n/r	2.4.54 to 31.12.54 (1.645)	—/6,819	2,389/8,191	n/r	n/r
4,326	5,260	—/8,634	2,068/9,568	n/r	n/r	2.4.57 to 1.7.57 (1.448)	—/5,498	2,068/6,432	n/r	n/r
2,645	3,216	—/5,224	953/5,796	—	n/r	2.7.57 to 31.12.57 (1.448)	—/3,307	953/3,878	—	n/r
2,116	2,448	—/4,082	477/4,415	—	627/ —	2.4.58 to 1.7.58 (1.404)	—/2,601	477/2,934	—	627/ —
1,605	1,857	—/3,064	324/3,316	—	379/ —	2.7.58 to 31.12.58 (1.404)	—/1,940	324/2,192	—	379/ —
1,863	2,155	—/3,556	389/3,848	—	478/ —	1.1.59 to 1.4.59 (1.397)	—/2,252	389/2,544	—	478/ —
843	937	—/1,570	106/1,665	—	113/ —	2.4.59 to 1.7.59 (1.397)	—/1,001	106/1,096	—	113/ —
744	827	—/1,370	92/1,454	—	96/ —	2.7.59 to 31.12.59 (1.397)	nil	92/631	—	96/ —
859	955	—/1,583	107/1,679	—	114/ —	1.1.60 to 1.4.60 (1.383)	—/1,003	107/1,099	—	114/ —
540	575	—/923	37/1,006	—	39/ —	2.4.60 to 1.7.60 (1.383)	nil	37/93	nil	39/122
496	528	—/730	34/804	—/924	35/ —	2.7.60 to 31.12.60 (1.383)	nil	34/75	nil	35/93
710	756	—/1,261	50/1,308	—	52/ —	1.1.61 to 1.4.61 (1.338)	nil	50/232	nil	52/564

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B: PENSIONS BEGINNING 2ND APRIL 1961 OR LATER

(1) 1971 rate	(2) Choice of 1969 standard or 1971 rate				
	1971 rate <i>X</i>	Beginning (with 1969 factor)	Flat-rate	Pensions within 1944 Act (basic rate)	
Pensions beginning				Average earnings £1,500 or over	Average earnings less than £1,500
2.4.61 to 1.7.61	1·1872	1961(1·338)	472	—/618	—/739
Up to 1.4.62	1·1766	1961(1·338)	437	—/520	—/616
		1962(1·282)	669	—/1,145	—
Up to 1.7.62	1·1544	1962(1·282)	542	—/770	—/979
Up to 1.4.63	1·1440	1962(1·282)	497	—/620	—/768
		1963(1·258)	602	—/970	nil
Up to 1.7.63	1·1220	1963(1·258)	495	—/576	—/691
Up to 1.4.64	1·1016	1963(1·258)	422	—/421	—/488
		1964(1·218)	567	—/756	—/968
Up to 1.7.64	1·08	1964(1·218)	469	—/479	—/560
Up to 1.7.65	1·06	1964(1·218)	402	—/361	—/411
		1965(1·162)	623	—/853	—
Up to 1.7.66	1·04	1965(1·162)	511	—/506	—/617
		1966(1·118)		—/1,154	—
Up to 1.7.67	1·02	1966(1·118)		—/689	—/928
		1967(1·091)		—/1,186	—
Up to 31.12.68	1·00	1967(1·091)		—/696	—/958
		1968(1·042)		—	—

NOTES:—

This part of the Table gives (so far as relevant) the 1971 rate for the same classes of pension as the first part. No supplement is payable on pensions beginning after 1st April 1961; and (assuming for earnings-related pensions a continuous averaging period of 40 years or less) the 1969 standard will be higher than the 1971 rate for any pension not within the 1944 Act.

The rate of pension to be used in finding the 1971 rate is not the basic rate, but the rate given in paragraphs (a) to (d) under the heading “Relevant rate of pension” in the notes to the first division of the Table: where the restriction in paragraph (d)(i) or (ii) operates, the right-hand division here does not apply.

TABLE V

Rate of pension	<i>X</i>	£
Up to £100	0·4	—

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Rate of pension	<i>X</i>	£
Up to £133·33	—	40
Up to £200	0·3	—
Over £200	—	60

Notes

1. The 1944 element for any pension, when it is to be ascertained in accordance with this Table, is to be obtained by applying the Table to the basic rate of the pension or, where the basic rate of an earnings-related pension includes a war increase, to the basic rate less the war increase (referred to in this Table as “the pre-war rate”); but, where an adjusted 1944 element is required, the amount so arrived at is to be dealt with in accordance with such of the following notes as is applicable.

A. War increases for earnings-related pensions (effect on head 1 of Table I, II or III)

2.—(1) Where head 1 of Table I, II or III would, in accordance with Article 5 of this order, be used to find the 1971 rate of an earnings-related pension, but the basic rate includes a war increase equal to or greater than the 1944 element ascertained in accordance with note 1 above, then the Table applies as if head 1 were omitted.

(2) Where head 1 of Table I, II or III is to be used to find the 1971 rate of an earnings-related pension, and the basic rate includes a war increase less than the 1944 element ascertained in accordance with note 1 above, then the 1971 rate is to be obtained—

- (a) by applying that head to the pre-war rate instead of the basic rate; and
- (b) by adding to the resulting figure an amount equal to 0·1717 times the war increase.

In a case within this paragraph the 1971 rate with supplement is not to be taken from head 1 of Table I or II if the pre-war rate is less than £36·32, but is to be obtained by adding to the 1971 rate the amount given by Table VII (namely, £27·376 or, if the 1971 rate is less than £124·44, then eleven-fiftieths of the 1971 rate).

B. Adjusted 1944 element for earnings-related pensions with averaging period partly before 1st April 1946

3.—(1) In the case of an earnings-related pension beginning on or after 1st April 1947 and based on average emoluments with an averaging period that begins but does not end before 1st April 1946, the adjusted 1944 element required to find the 1971 rate by using Table I, III or IIIA and IVA is to be obtained as follows, unless note 5 applies:—

- (a) the 1944 element is to be ascertained in accordance with note 1 above, except that the Table is to be applied to the 1946 basic rate, reduced by any war increase included in it, if that rate as so reduced is less than £200;
- (b) if the amount so obtained for the 1944 element is less than a war increase included in the 1946 basic rate, the adjusted 1944 element is nil, but otherwise the amount so obtained less the amount of any war increase so included shall be reduced in accordance with paragraph (2) below;
- (c) the adjusted 1944 element—
 - (i) where it is to be added to a rate obtained by using Table I or III is 1·7170 times the reduced amount obtained under paragraph (2), with any addition which is to be made under paragraph (3) below;
 - (ii) where it is to be added to the basic rate in order to obtain the 1971 rate from Table IIIA and IVA is that reduced amount.

(2) The amount mentioned in paragraph (1)(b) above is to be reduced by multiplying it by the fraction that results from dividing by the total number of years in the averaging period the number of them beginning before 1st April 1946 (any incomplete year at the end of the period being disregarded).

(3) Where the adjusted 1944 element obtained under this note is to be dealt with as mentioned in paragraph (1)(c)(i) above, and the basic rate to which Table I or III is being applied is less than the £78, £63, £48, £33 or £18 mentioned in the first column in the relevant head of the Table, an amount equal to 0.5723 times the difference or, if less, to 0.5723 times the reduced amount given by paragraph (1)(b) above shall be added to the adjusted 1944 element as given by paragraph (1)(c).

(4) The 1946 basic rate of a pension is that at which the pension could have been granted if based on the average rate of emoluments for the years of the averaging period beginning before 1st April 1946.

C. Adjusted 1944 element in cases of apportionment

4.—(1) Where the adjusted 1944 element of a pension is required in order to find the 1971 rate in accordance with Article 7(1) of this order, then subject to paragraphs (2) and (3) below it is to be found as follows:—

- (a) there shall be found in accordance with note 1 above the amount of the 1944 element for a pension of a basic rate (not containing any war increase) equal to the sum of the basic rates of the aggregable pensions;
- (b) the amount so arrived at shall be apportioned between the aggregable pensions in proportion to their basic rates;
- (c) the adjusted 1944 element for the pension in question—
 - (i) if it is an earnings-related pension and the basic rate contains a war increase equal to or greater than the amount apportioned to the pension, is nil;
 - (ii) if it is an earnings-related pension and the basic rate contains a war increase less than the amount apportioned to the pension, is 1.7170 times the difference between that amount and the war increase;
 - (iii) otherwise is 1.7170 times the amount apportioned to the pension.

(2) If the pension in question or another aggregable pension is one described in note 3(1) above, then in relation to it references in paragraph (1) above to the basic rate are references to the 1946 basic rate (as defined in note 3(4)); and if the pension in question is one so described, the amount arrived at under paragraph (1)(c)(ii) or (iii) shall be reduced in accordance with paragraph (2) of note 3.

(3) The pensions aggregable for this purpose are limited to those aggregable under Article 7(4), and there shall be disregarded any pension relevant by virtue only of Article 7(3)(b).

5. Where Table IIIA and IVA is to be used to obtain the 1971 rate of a pension, and the multiplier is to be applied to the basic rate increased by a 1944 element, then if the pensioner is, or would for purposes of Article 7 of this order be treated as being, in receipt also of another pension which for purposes of Article 7 is aggregable under Article 7(4), note 4 above shall apply as it applies where the adjusted 1944 element is required in order to find the 1971 rate in accordance with Article 7(1), except that the adjusted 1944 element under note 4(1)(c)(ii) or (iii) shall be the actual difference between the amount apportioned to the pension and the war increase or the actual amount apportioned to the pension, as the case may be, instead of 1.7170 times that difference or amount.

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TABLE VI

Pensions beginning	1952 element	
	1. Normal £	2. Small pensions (minimum rate for normal increase) £
Up to 31st March 1948	44·643	78
Up to 31st March 1949	36·057	63
Up to 31st March 1950	27·472	48
Up to 31st March 1951	18·887	33
Up to 31st March 1952	10·302	18

Notes

1.—(1) This Table gives the amount of the 1952 element for the purpose of apportioning increases under Article 7 of this order.

(2) Column 2 gives the full amount of the 1952 element for pensions beginning at the time stated in column 1, unless the relevant rate of pension is less than the figure given in column 3 of this Table; if it is less, the full amount of the 1952 element is obtained by multiplying the relevant rate by the figure 0·5723.

2.—(1) On an apportionment under Article 7 the 1952 element is to be reduced if, but only if, the full amounts of the 1952 elements that would be included in the aggregable pensions together exceed the sum given in column 2 of this Table for the period when they begin (or if they do not all begin in the same period, the earlier or earliest of the periods when any of them begins).

(2) On an apportionment under Article 7(1), if no reduction is to be made in the 1952 element that may be included in the pension in accordance with note 1 above, the full amount that may be so included shall be treated as the adjusted amount; but if a reduction is to be made, the adjusted amount is to be obtained by apportioning between the aggregable pensions the sum given in column 2 of this Table for the period mentioned in sub-paragraph (1) above, the apportionment being made according to the full amounts of the 1952 element which would be included in each pension if there were no reduction.

(3) Where the 1952 element is to be reduced on an apportionment under Article 7(2), the 1971 rate as obtained by use of Table I, II, III or IV shall be reduced by deducting from the aggregate amount of the 1952 elements that would be included in the aggregable pensions if there were no reduction the sum given in column 2 of this Table for the period mentioned in sub-paragraph (1) above, and reducing the rate by a proportionate part of the resulting figure, the apportionment being made on the same basis as under sub-paragraph (2) above.

3.—(1) In determining the adjusted 1952 element for any pension there shall be disregarded a pension relevant only by virtue of Article 7(3)(c) of this order.

(2) In these notes “relevant rate” means in relation to any pension, the basic rate increased by the appropriate 1944 element, if any; and the appropriate 1944 element for this purpose is—

(a) on an apportionment under Article 7(1), the adjusted 1944 element obtained under note 4 to Table V, before multiplication by any factor of 1·7170; and

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- (b) on an apportionment under Article 7(2), is the 1944 element as given by note 1 to that Table reduced by the amount of any war increase or, for a pension described in note 3 to that Table, the reduced amount obtained under paragraph (2) of that note.
- (3) Where any of the aggregable pensions is not one to which this order applies these notes shall have effect in relation to it with the necessary adaptations of the expressions used as if it were such a pension.

TABLE VII

Pensions beginning	1. Normal £	Supplement	
		2. Small pensions 1971 rate (£)	X
Up to 1st July 1955	27·376	124·44	0·22
Up to 1st April 1956	27·144	123·38	0·22
Up to 1st July 1956	23·072	100·31	0·23
Up to 1st April 1957	22·875	99·46	0·23
Up to 1st July 1957	18·514	80·50	0·23
Up to 1st April 1958	18·354	79·80	0·23
Up to 1st July 1958	12·880	53·67	0·24
Up to 1st April 1959	12·768	53·20	0·24
Up to 1st July 1959	8·778	36·58	0·24
Up to 1st April 1960	8·701	36·25	0·24
Up to 1st July 1960	4·882	19·53	0·25
Up to 1st April 1961	4·838	19·35	0·25

Notes

1. Except for cases within note 2 below, column 2 of this Table gives the amount of the supplement for pensions beginning at the time stated in column 1, unless the 1971 rate is less than the figure given in the first division of column 3; if it is less, the amount of the supplement is obtained by multiplying the 1971 rate by the figure given in the second division of column 3.

2.—(1) If—

- (a) the pensioner is, or is to be treated for purposes of Article 9(2) of this order as being, in receipt of another aggregable pension; and
- (b) the supplements that would be payable on the pensions if note 1 applied together exceed the sum given in column 2 of this Table for the period when they begin (or if they do not all begin in the same period, the earlier or earliest of the periods when any of them begins);

then the amount of the supplement is to be obtained by apportioning between those pensions the sum given in column 3 of the Table for that period, the apportionment being made according to the amounts of the supplements that would be payable if note 1 applied.

(2) The 1971 rate with supplement included (as given in any of the other Tables) may be adjusted to give effect to sub-paragraph (1) above by deducting from the aggregate amount of the supplements that would be payable on the pensions if note 1 applied the sum to be apportioned under sub-paragraph (1), and reducing the rate by a proportionate part of the resulting figure, the apportionment being made on the same basis as under sub-paragraph (1).

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(3) Where any of the aggregable pensions is not one to which this order applies, this note shall have effect in relation to it with the necessary adaptations of the expressions used as if it were such a pension.

EXPLANATORY NOTE

The Pensions (Increase) Act 1971 led the Pensions (Increase) Acts 1920 to 1969; but for pensions “beginning” before 1969 the increase under the 1971 Act is related to the higher of the following, namely—

- (a) “the 1969 standard”, that is to say, the figure obtained by applying to the basic pension the appropriate multiplier given by the Act (and related to changes in purchasing power between the year in which the pension began and 1st April 1969); and
- (b) “the 1971 rate”, with the supplement mentioned below where payable.

The 1971 rate for any pension is a rate that takes account of the cumulative effect of increases under the repealed Acts; and the supplement is the equivalent of the special increase payable to the over-70 under section 2 of the 1962 Act (but under the 1971 Act extended for the purpose of the comparison referred to above to any pension other than a dependant's pension that only qualifies for an increase because payable to a child or a person receiving education or training). Generally speaking, a pension “begins” the day after the end of the service for which it is payable, even if it is a frozen pension, a widow's pension or the like that does not become payable until later.

The main purpose of this Order is, in accordance with section 6 of the 1971 Act, to enable the pensions for which the 1971 rate and the supplement may be relevant, and the amount of the rate and supplement for any of those pensions, to be ascertained without reference to the repealed Acts. The effect of the Order is however liable to modification under the power given by section 5(3) of the 1971 Act (corresponding to powers given by the repealed Acts and used in particular in relation to pensions not based on earnings).

The Order does not apply to pensions qualifying for increases under the Pensions (Increase) Acts 1920 and 1924; for these the 1971 rate is always the rate in payment. And pensions beginning after 1st April 1961, with some exceptions, qualify only for the increases under the Acts of 1965 and 1969, and the 1971 rate is necessarily less than the 1969 standard; the Order accordingly makes no provision for these pensions.

Certain pensions beginning after 1st April 1961 and based on average earnings calculated over periods beginning before April 1951 (or an earlier date) continued to qualify for increases under the Act of 1944 or the Act of 1956, and this applies to pensions beginning after the year 1968 or in the future. The Order deals (so far as relevant) with the 1971 rate of these pensions where they begin before the year 1969, and for the continuance of the increases where they begin later.