
 S T A T U T O R Y I N S T R U M E N T S

1974 No. 1094

PENSIONS

The Increase of Pensions (Governors) Regulations 1974

<i>Made - - - -</i>	<i>19th June 1974</i>
<i>Laid before Parliament</i>	<i>28th June 1974</i>
<i>Coming into Operation</i>	<i>22nd July 1974</i>

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

Citation, Construction and Commencement

1. These Regulations may be cited as the Increase of Pensions (Governors) Regulations 1974 and shall come into operation on 22nd July 1974.

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

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

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

(i) any part of Her Majesty’s dominions other than the British Islands ;
or

(ii) a protectorate ; or

(iii) a trust territory designated for the purposes of this section by an order made by the Secretary of State with the consent of the Treasury ; or

(iv) any federation or association of overseas territories ;
and references to a Governor include, except where the context otherwise requires, reference to a person who has been a Governor.

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

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

4. In relation to any pension to which the preceding regulation applies the Act, but not any order made under section 6 of the Act, shall apply as

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

if section 8(2) and (3) and any references in the Act to either of those provisions were omitted and as if—

- (a) a pension to which section 1(1) of the Pensions (Governors of Dominions, etc.) Act 1929(a) applied began on 27 March 1929 ;
 - (b) a pension to which section 2(1) of the Pensions (Governors of Dominions, etc.) Act 1947(b) applied either directly or by virtue of section 14 of the Governors' Pensions Act 1956(c) began on 18 December 1947 ;
 - (c) a pension granted under the Governors' Pensions Acts 1957 and 1967 began on whichever is the later of—
 - (i) the date of first appointment of the recipient to the last office of Governor in which he served in respect of which a pension has been granted to him under the Governors' Pensions Acts 1957 and 1967, or
 - (ii) the date on which the salary enjoyed by him during service in that last office was last revised ; and
 - (d) a substituted pension began on the same date as the original pension is deemed to have begun under this regulation or, if earlier, on the date from which the surrender of the original pension took effect.
- 5.** The Increase of Pensions (Governors) Regulations 1971(d) are revoked.
- 6.** These Regulations shall be deemed to have taken effect from 23rd May 1973.

James Callaghan,

Secretary of State for Foreign and
Commonwealth Affairs.

19th June 1974.

Consent of the Minister for the Civil Service given under his Official Seal on
19th June 1974.

K. H. McNeill,

Authorised by the Minister for the
Civil Service.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

1. These Regulations, which supersede the Increase of Pensions (Governors) Regulations 1971, apply the provisions of the Pensions (Increase) Act 1971 to pensions payable to or in respect of Governors of any part of Her Majesty's dominions or of other United Kingdom overseas territories under any scheme or part of a scheme relating to Governors pensions made under section 2 of the Overseas Pensions Act 1973, subject to modifications in relation to the dates on which pensions are deemed to begin.

2. The Regulations have retrospective effect from 23rd May 1973, the date of enactment of the Overseas Pensions Act 1973, in accordance with the powers contained in section 5(4) of the Pensions (Increase) Act 1971.

(a) 1929 c. 16 (19 & 20 Geo. 5). (b) 1947 c. 12 (11 & 12 Geo. 6). (c) 1956 c. 64.
(d) S.I. 1971/2035 (1971 III, p. 5831).

SI 1974/1094
ISBN 0-11-041094-7

