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1979 No. 771

## PENSIONS

**The Pensions Increase (Past Prime Ministers)  
(Amendment) Regulations 1979**

<i>Made - - - -</i>	<i>29th June 1979</i>
<i>Laid before Parliament</i>	<i>9th July 1979</i>
<i>Coming into Operation</i>	<i>30th July 1979</i>

The Minister for the Civil Service, in exercise of the powers conferred on her by section 5(3) and (4) of the Pensions (Increase) Act 1971(a) and of all other powers enabling her in that behalf, hereby makes the following regulations:—

*Citation and commencement*

1. These regulations may be cited as the Pensions Increase (Past Prime Ministers) (Amendment) Regulations 1979, and shall come into operation on 30th July 1979.

*Interpretation*

2. In these regulations—

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

“the principal regulations” means the Pensions Increase (Past Prime Ministers) Regulations 1972(c);

“the 1971 Act” and “basic rate” have the meanings given to them by the principal regulations.

*Amendment of regulation 5 of principal regulations*

3. The principal regulations shall be amended by the deletion of regulation 5 and the substitution therefor of the following new regulation:—

“5.—(1) This regulation applies to a pension payable under section 26 or 27 of the 1972 Act to or in respect of a person who has held office as Prime Minister and First Lord of the Treasury.

(2) Subject to paragraph (3) below, for the purposes of the 1971 Act a pension to which this regulation applies shall not be deemed to have begun on the day referred to in section 8(2) of the 1971 Act but shall be deemed to have begun—

(a) in the case of a person who ceased to hold office as Prime Minister and First Lord of the Treasury before 31st July 1978, on 2nd April 1972,

(b) subject to subparagraph (c) below, in the case of a person who ceases to hold office as Prime Minister and First Lord of the Treasury on or after 31st July 1978, on that date, and

(c) in the case of a person who ceases to hold office as Prime Minister and First Lord of the Treasury after the pension payable to or in respect of such a person is increased on any date after 31st July

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 (a) 1971 c. 56.

(b) 1972 c. 48.

(c) S.I. 1972/1654.

1978 in accordance with the provisions of section 29 of the 1972 Act, on the date of the last such increase before that person ceases to hold such office, notwithstanding that that date may precede the date when the person actually ceases to hold such office.

(3) Any increase under the 1971 Act (as modified by paragraph (2) above) of a pension to which this regulation applies shall not at any time exceed the amount by which the basic rate of the pension falls short of the rate of the pension to which the person in receipt of the pension would have been entitled under section 26 or 27 (as the case may be) of the 1972 Act if the person in respect of whose service the pension is payable had, not earlier than that time, ceased to hold office as Prime Minister and First Lord of the Treasury.”.

*Date from which increases of pension may take effect*

4. Any increase payable by virtue of these regulations shall be payable in respect of any period beginning on or after 31st July 1978.

Given under the official seal of the Minister for the Civil Service on 29th June 1979.

(L.S.)

*Paul Channon,*  
Minister of State,  
Civil Service Department.

#### EXPLANATORY NOTE

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

These regulations amend regulation 5 of the Pensions Increase (Past Prime Ministers) Regulations 1972 which excepted pensions payable to or in respect of past Prime Ministers under sections 26 and 27 of the Parliamentary and other Pensions Act 1972 from the provisions of the Pensions (Increase) Act 1971. They provide that the pension of any particular past Prime Minister or his dependants shall for the purpose of calculating the increase thereto under the 1971 Act be deemed to have begun on the date of the last increase in the pension payable to that person if he should cease to hold that office and not on the date when he actually ceases to hold that office. The new version of regulation 5 follows the practice applied to pensions payable under section 3 of the Ministerial Salaries Consolidation Act 1965 (c. 58) and provides that the increases under the Pensions (Increase) Act 1971 added to the basic pension payable to or in respect of a past Prime Minister shall at no time exceed the pension which would be payable to or in respect of the current Prime Minister if he ceases to hold that office.

In accordance with the powers conferred by section 5(4) of the Pensions (Increase) Act 1971, the regulations provide that increases payable thereunder may take effect in respect of any period beginning on or after 31st July 1978. On this date pensions payable under sections 26 and 27 of the Parliamentary and other Pensions Act 1972 were increased by virtue of the Ministerial and other Salaries Order 1978 (S.I. 1978/1102), and the operation of section 29 of the Parliamentary and other Pensions Act 1972.



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