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STATUTORY INSTRUMENTS

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**1991 No. 786**

**PENSIONS**

**The Pensions Increase (Judicial Pensions)  
(Amendment) Regulations 1991**

<i>Made</i>	- - - -	<i>21st March 1991</i>
<i>Laid before Parliament</i>		<i>22nd March 1991</i>
<i>Coming into force</i>	- -	<i>12th April 1991</i>

The Treasury, in exercise of the powers conferred by section 5(3) of the Pensions (Increase) Act 1971<sup>(1)</sup> and now vested in them<sup>(2)</sup>, and all other powers enabling them in that behalf, hereby make the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Pensions Increase (Judicial Pensions) (Amendment) Regulations 1991, and shall come into force on 12th April 1991.

**Interpretation**

2. In these Regulations—

“the principal Regulations” means the Pensions Increase (Judicial Pensions) Regulations 1972<sup>(3)</sup>.

3. The principal Regulations shall be amended—

(1) by deleting regulations 7(1) and (2);

(2) by substituting for the words “Subject to paragraphs (1) and (2) above” in regulation 7(3) the words “Subject to regulation 8 below”; and

(3) by adding after regulation 7 the following new regulation:

“8. Except in the case of the person who held the office of Lord Chancellor on 28th February 1991, regulation 7(3) above shall not apply in relation to a pension payable to or in respect of a person who ceases to hold the office of Lord Chancellor on or after 12 April 1991.”

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(1) 1971 c. 56.

(2) By virtue of article 2(1)(c) of the Transfer of Functions (Minister for the Civil Service and Treasury) Order 1981 (S.I.1981/1670).

(3) S.I. 1972/71, amended by S.I. 1973/495, 1974/984, 2029 and 1978/1808.

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**Status:** This is the original version (as it was originally made).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

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21st March 1991

*Gregory Knight*  
*Nicholas Baker*  
Two of the Lords Commissioners of Her  
Majesty's Treasury

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Pensions Increase (Judicial Pensions) Regulations 1972, as amended in particular by the Pensions Increase (Judicial Pensions) (Amendment) Regulations 1978, to remove the provisions that the increases under the Pensions (Increase) Act 1971 (the 1971 Act) should not, when added to the basic pension payable to or in respect of a former Lord Chancellor, exceed the pension which would be paid to or in respect of the present Lord Chancellor, should he resign his office. The Regulations also provide that the deemed beginning date of the pension (namely the date of the last increase in the pension which would be payable to the current Lord Chancellor if he ceased to hold office) shall not, except in the case of the holder of the office of Lord Chancellor at 28th February 1991, apply to future Lord Chancellors who cease to hold office after 12th April 1991. The beginning date of the pensions of future Lord Chancellors will be the day following the last day of service in respect of which the pension is payable, in accordance with section 8(2) of the 1971 Act.