
STATUTORY INSTRUMENTS

2004 No. 2418

EUROPEAN PARLIAMENT

The European Parliamentary (United Kingdom Representatives) Pensions (Additional Voluntary Contributions Scheme) (Amendment) Order 2004

Made - - - - *15th September 2004*
Laid before Parliament *17th September 2004*
Coming into force - - *8th October 2004*

The Leader of the House of Commons, in exercise of the powers conferred by section 4(1) and (3) of the European Parliament (Pay and Pensions) Act 1979(1) and now vested in him(2), hereby makes the following Order:

Title and commencement

1. This Order may be cited as the European Parliamentary (United Kingdom Representatives) Pensions (Additional Voluntary Contributions Scheme) (Amendment) Order 2004 and shall come into force on 8th October 2004 but shall have effect from 19th July 2004.

Interpretation

2. In this Order—

“the AVC Order” means the European Parliamentary (United Kingdom Representatives) Pensions (Additional Voluntary Contributions Scheme) (No. 2) Order 1995(3);

and other expressions shall have the same meaning as in the AVC Order.

Benefits which may be provided

3. In article 7 of the AVC Order—

(1) 1979 c. 50; the citation of this Act has been amended in accordance with section 3 of the European Communities Act 1986 (c. 58).
(2) See article 2(1) of the Transfer of Functions (European Parliamentary Pay and Pensions) Order 1995 (S.I. 1995/2995) and article 2(1) of the Transfer of Functions (European Parliamentary Pay and Pensions) Order 2003 (S.I. 2003/2922).
(3) S.I. 1995/739, to which there are amendments not relevant to this Order.

- (a) in paragraph (3), at the beginning, for the words “Permitted retirement benefits are” there shall be substituted “Benefits which may be chosen by the contributor at or after retirement are”.
- (b) in paragraphs (3)(b)(i) and (3)(b)(ii), for “after retirement” there shall be substituted “after the pension commences”; and
- (c) after paragraph (4), there shall be inserted—
 - “(5) A pension payable at or after the contributor’s retirement shall come into payment—
 - (a) not later than whichever is the later of—
 - (i) the date of the contributor’s 75th birthday; and
 - (ii) the date on which the contributor’s pension under the principal scheme commences; and
 - (b) not earlier than the date on which the contributor’s pension under the principal scheme commences.”

Purchase of pensions

- 4. In article 9 of the AVC Order—
 - (a) there shall be deleted from the heading “on retirement”; and
 - (b) in paragraph (1), for “At or before the date of his retirement” there shall be substituted “At least three months before the date on which he would like a pension to come into payment,”.

15th September 2004

Peter Hain
Leader of the House of Commons

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. This Order amends the European Parliamentary (United Kingdom Representatives) Pensions (Additional Voluntary Contributions Scheme) (No. 2) Order 1995 (the “AVC Order”). Articles 3 and 4 amend the AVC Order so that AVC benefits no longer have to come into payment at the same time as an MEP’s main scheme pension benefits but can be deferred until the MEP’s 75th birthday.

2. Section 4(3) of the European Parliament (Pay and Pensions) Act 1979 confers express power to make provisions retrospective in effect. This Order takes effect from 19th July 2004.