



Parliamentary and Other Pensions Act 1972

1972 CHAPTER 48

U.K.

An Act to make further provision with respect to the contributory pensions scheme for Members of the House of Commons, and to establish a similar scheme for the holders of certain Ministerial and other offices; to make further provision with respect to pensions and related benefits payable to or in respect of persons who have been Prime Minister, Speaker of the House of Commons or Lord Chancellor; to extend the application to Northern Ireland of certain enactments relating to pensions; and for purposes connected with those matters. [27th July 1972]

Modifications etc. (not altering text)

- C1** Act modified by [S.I. 1978/891](#)
- C2** Power to modify Act conferred by [Social Security Act 1986 \(c. 50, SIF 113:1\)](#), [s. 17\(2\)\(3\)\(d\)](#)
Power to modify conferred (7.2.1994) by [1993 c. 48, ss. 188-190, Sch. 6 Pt. II para. 17\(3\)\(d\)](#); [S.I. 1994/86, art. 2.](#)

Commencement Information

- I1** Act wholly in force at Royal Assent

PART I U.K.

GENERAL PROVISIONS

^{F1} **U.K.**
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Status: Point in time view as at 05/12/2005.

Changes to legislation: There are currently no known outstanding effects for the Parliamentary and Other Pensions Act 1972. (See end of Document for details)

Textual Amendments

- F1** Pt. I (ss. 1–25) repealed (with saving) by Parliamentary and other [Pensions Act 1987 \(c. 45, SIF 89\)](#), s. 6, [Sch. 4](#) (with 2, 3(6), Sch. 2, Sch. 3 para. 1(4)). As saved, Pt. I has been amended or revoked by the following S.I.'s: [S.I.1991/609](#) (2.4.1991), [S.I.1992/599](#) (1.4.1992) and 1993/3253 (21.1.1994)

PART II **U.K.**

PRIME MINISTER, SPEAKER AND LORD CHANCELLOR

26 Pensions of Prime Minister and Speaker. **U.K.**

- (1) Any person who has (whether before or after the passing of this Act) been appointed Prime Minister and First Lord of the Treasury or elected Speaker of the House of Commons and has after 1st April 1972 (whether before or after the passing of this Act) ceased to be Prime Minister and First Lord of the Treasury, or ceased to be Speaker, as the case may be, shall, subject to the next following subsection, be entitled to receive a pension under this section.
- (2) No pension shall be payable under this section to any person so long as he is in receipt of any salary payable out of the Consolidated Fund or out of the revenues of the Duchy of Lancaster, or so long as he is in receipt of any salary payable out of moneys provided by Parliament other than a salary or allowance payable out of moneys so provided in respect of his membership of the House of Commons.
- [^{F2}(3) Subject to section 31 of this Act, the annual amount of a pension payable to a person under this section in respect of the office of Prime Minister and First Lord of the Treasury shall be equal to one-half of the annual amount of the salary payable in respect of that office at the time when that person ceases to hold it.
- (4) Subject to section 31 of this Act, the annual amount of a pension payable to a person under this section in respect of the office of Speaker of the House of Commons shall be equal to one-half of the annual amount of the salary payable in respect of that office at the time when that person ceases to hold it.]
- (5) Any pension payable under this section shall be charged on and paid out of the Consolidated Fund.

Textual Amendments

- F2** [S. 26\(3\)\(4\)](#) substituted (28.2.1991 with application as mentioned in s. 1(4) of the substituting Act) by Ministerial and other [Pensions and Salaries Act 1991 \(c.5, SIF 89\)](#), [s. 1\(1\)\(4\)](#)

Modifications etc. (not altering text)

- C3** [S.26\(3\)](#) amended (28.2.1991) by Ministerial and other [Pensions and Salaries Act 1991 \(c. 5, SIF 89\)](#), [s. 1\(5\)](#)

27 Pensions for dependants of Prime Minister or Speaker. **U.K.**

- (1) In relation to a person who has held office as Prime Minister and First Lord of the Treasury or as Speaker of the House of Commons at any time after 1st April 1972

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(whether before or after the passing of this Act) and has died (whether before or after the passing of this Act) [^{F3}the designated provisions shall have effect as if—

(a) at the time of his death that person had been entitled in respect of service as a Member of the House of Commons to receive a pension payable under the provisions of the Parliamentary pension scheme out of the Parliamentary Contributory Pension Fund;

[for the purposes of that scheme, that person’s basic or prospective pension
^{F4}(b) were of an amount equal to his section 26 entitlement]

(c) references in the designated provisions to the trustees of the Fund were references to the Treasury.

[For the purposes of subsection (1)(b), the amount of a person’s section 26
^{F5}(1A) entitlement—

(a) where at the time of his death he was entitled to receive a pension under section 26 of this Act (whether or not, by virtue of subsection (2) of that section, the pension was payable), is the annual amount of the pension to which he was entitled under that section at the time when he ceased to hold that office or (if later) on 28th February 1991, and

(b) where at the time of his death he held office as Prime Minister and First Lord of the Treasury or as Speaker of the House of Commons, is the annual amount of the pension to which he would have been entitled under that section if he had ceased to hold office immediately before his death,

but in either case, any provision which deems such a pension to have begun on a day earlier than the day referred to in section 8(2) of the Pensions (Increase) Act 1971 shall be disregarded.]

(2) For the purposes of subsection (1) above the designated provisions are such of the provisions contained in the Parliamentary pension scheme as—

(a) have effect for the purposes of, or in connection with, the payment out of the Parliamentary Contributory Pension Fund of a pension in respect of service as a Member of the House of Commons—

(i) to the [^{F6}widow, widower or surviving civil partner]^{F6} of a person with such service; or

(ii) for the benefit of any children of any person; and

(b) are designated for the purposes of this section by regulations made by the Leader of the House of Commons.

(2A) The power to make regulations designating any provisions for the purposes of this section shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.]

(3) Any pension payable under this section shall be charged on and paid out of the Consolidated Fund.

^{F7}(4)

[^{F8}(5) In this section—

“children” includes adopted children, stepchildren and illegitimate children; and

“the Leader of the House of Commons” and “the Parliamentary pension scheme” have the same meanings as in the Parliamentary and other Pensions Act 1987.]

Status: Point in time view as at 05/12/2005.

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Textual Amendments

- F3** Words substituted by Parliamentary and other [Pensions Act 1987 \(c. 45, SIF 89\)](#), ss. 2, 6, Sch. 3 paras. 1(4), **4(1)(3)**
- F4** [S. 27\(1\)\(b\)](#) substituted (19.7.1995 with effect as mentioned in [s. 170\(7\)](#) of the amending Act) by [1995 c. 26, s. 170\(2\)\(7\)](#)
- F5** [S. 27\(1A\)](#) inserted (19.7.1995 with effect as mentioned in [s. 170\(7\)](#) of the amending Act) by [1995 c. 26, s. 170\(3\)\(7\)](#)
- F6** Words in [s. 27\(2\)\(a\)\(i\)](#) substituted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), ss. 256, 263, **Sch. 25 para. 3**; [S.I. 2005/3175, art. 2\(1\)](#), Sch. 1
- F7** [S. 27\(4\)](#) repealed (28.2.1991 with application as mentioned in [s. 1\(4\)](#) of the repealing Act) by Ministerial and other [Pensions and Salaries Act 1991 \(c. 5, SIF 89\)](#), **s. 1 (3)(4)**
- F8** [S. 27\(5\)](#) inserted by Parliamentary and other [Pensions Act 1987 \(c. 45, SIF 89\)](#), ss. 2, 6, Sch. 3 paras. 1(4), **4(2)(3)**

Modifications etc. (not altering text)

- C4** [S. 27](#): transfer of functions conferred (1.4.1995) by [1995/269](#), art. 3, Sch. para. 8

28 Pension of Lord Chancellor. **U.K.**

^{F9}(1) Subject to section 31 of this Act, the annual amount of any pension granted under section 3 of the Lord Chancellor's Pension Act 1832 shall, in the case of a person resigning the office of Lord Chancellor, be equal to the aggregate of one-half of the annual amount of the salary payable in respect of his tenure of that office and one-half of the annual amount of the salary payable to him as Speaker of the House of Lords at the time when he ceases to hold those offices.]

^{X1}(2) In accordance with the preceding subsection section 3 of the ^{M1}Lord Chancellor's Pension Act 1832 shall be amended by substituting, for the words "£6,250 of lawful money of Great Britain" and for the words "the sum of £6,250", the words "an amount calculated in accordance with subsection (1) of section 28 of the Parliamentary and other Pensions Act 1972 and the provisions (other than this Act) referred to in that subsection."

(3) Any Letters Patent issued under that Act before the passing of this Act shall have effect subject to subsection (1) of this section.

Editorial Information

- X1** The text of [s. 28\(2\)](#) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

Textual Amendments

- F9** [S. 28\(1\)](#) substituted (28.2.1991 with application as mentioned in [s. 1\(4\)](#) of the substituting Act) by Ministerial and other [Pensions and Salaries Act 1991 \(c. 5, SIF 89\)](#), **s. 1(2)(4)**

Marginal Citations

- M1** [1832 c. 111](#).

Status: Point in time view as at 05/12/2005.

Changes to legislation: There are currently no known outstanding effects for the Parliamentary and Other Pensions Act 1972. (See end of Document for details)

Textual Amendments

F10 S. 29 repealed (28.2.1991 with application as mentioned in s. 1(4) of the repealing Act) by Ministerial and other Pensions and Salaries Act 1991 (c. 5, SIF 89), s. 1(3)(4)

F11 30 **U.K.**

Textual Amendments

F11 Ss. 30, 31(5), 33, 34, 36(1)(2)(4), Schs. 1–4 repealed (with saving) by Parliamentary and other Pensions Act 1987 (c. 45, SIF 89), ss. 2, 6, Sch. 2, Sch. 3 para. 1(4), Sch. 4
S. 30 (as saved) revoked (21.1.1994) (with reg. R5, Sch. 7 Pt. III) by S.I. 1993/3253, reg. R5, Sch. 7 Pt.1

PART III U.K.

MISCELLANEOUS AND SUPPLEMENTARY

31 Provisions as to Pensions (Increase) Act 1971. U.K.

(1) ^{F12}

(2) ^{F13} That Schedule shall also be amended as follows, that is to say—

- (a) by inserting at the end of paragraph 1 the words “or under section 26 or 27 of the Parliamentary and other Pensions Act 1972 (pensions of Prime Minister and Speaker and their Dependants)”;
- (b) by inserting at the end of paragraph 2 the words “as amended by section 28 of the Parliamentary and other Pensions Act 1972”; and
- (c) by inserting at the end of paragraph 3 the words “or (except in respect of any period ending before 1st April 1972) under ^{M2}Mr. Speaker King’s Retirement Act 1971”.

(3) In section 5(3) of the ^{M3}Pensions (Increase) Act 1971 (which confers power to make regulations modifying the provisions of that Act in relation to particular official pensions) the reference to the provisions of that Act shall be construed as including a reference to those provisions as they have effect in consequence of the amendments made by the preceding subsections.

(4) In the preceding provisions of this Act any reference to this section shall be construed as a reference to the provisions of the Pensions (Increase) Act 1971 as amended by this section . . . ^{F14} and as modified by any regulations made under section 5(3) of that Act as read with subsection (3) of this section.

^{F15}(5)

Textual Amendments

F12 S. 31(1) repealed (with saving) by Parliamentary and other Pensions Act 1987 (c.45, SIF 89), ss. 2, 6, Sch. 2, Sch. 3 para. 1 (4), Sch. 4

Status: Point in time view as at 05/12/2005.

Changes to legislation: There are currently no known outstanding effects for the Parliamentary and Other Pensions Act 1972. (See end of Document for details)

- F13** Except as specified the text of s. 31(2) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.
- F14** Words repealed (with saving) by Parliamentary and other Pensions Act 1987 (c. 45, SIF 89), ss. 2, 6, Sch. 2, Sch. 3 para. 1(4), **Sch. 4**
- F15** Ss. 30, 31(5), 33, 34, 36(1)(2)(4), Schs. 1–4 repealed (with saving) by Parliamentary and other Pensions Act 1987 (c. 45, SIF 89), ss. 2, 6, Sch. 2, Sch. 3 para. 1(4), **Sch. 4**

Marginal Citations

- M2** 1971 c. 13.
- M3** 1971 c. 56.

32 Annuity premiums of Ministers and other office-holders. U.K.

F16

Textual Amendments

- F16** S. 32 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), **Sch. 1 Pt. 11**

F17 **33**— **U.K.**
34

Textual Amendments

- F17** Ss. 30, 31(5), 33, 34, 36(1)(2)(4), Schs. 1–4 repealed (with saving) by Parliamentary and other Pensions Act 1987 (c. 45, SIF 89), ss. 2, 6, Sch. 2, Sch. 3 para. 1(4), **Sch. 4**
- S. 33 (as saved) revoked (21.1.1994) (with reg. R5, Sch. 7 Pt. III) by S.I. 1993/3253, **reg. R5 Sch. 7 Pt.1**

35 Interpretation (general). U.K.

(1) In this Act, except in so far as the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say—

“the Act of 1965” means the ^{M4}Ministerial Salaries and Members’ Pensions Act 1965;

F18

“the Consolidated Fund” means the Consolidated Fund of the United Kingdom;

F18

F18

“enactment” includes an enactment of the Parliament of Northern Ireland;

F18

(2) Except in so far as the context otherwise requires, any reference in this Act to an enactment shall be construed as a reference to that enactment as amended or extended by or under any other enactment.

Status: Point in time view as at 05/12/2005.

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Textual Amendments

F18 S. 35: Definitions repealed (with saving) by Parliamentary and other Pensions Act 1987 (c. 45, SIF 89), ss. 2, 6, Sch. 2, Sch. 3 para. 1(4), Sch. 4, and s. 35 as having effect as mentioned in that Sch. 2, revoked (21.1.1994)(with reg. R5, Sch. 7 Pt. III) by S.I. 1993/3253, reg. R5, Sch. 7 Pt.1

Marginal Citations

M4 1965 c. 11.

36 Amendments, repeals and savings. U.K.

^{F19}(1)

(3) The repeal shall not affect the operation—

- (a) of subsections (1) to (3) of section 3 of the ^{M5}Ministerial Salaries Consolidation Act 1965 (pensions of Prime Ministers), or
- (b) of subsection (4) of that section (which relates to dependants of Prime Ministers) or of any provisions of the Act of 1965 as applied by that subsection,

in relation to any person who held office as Prime Minister and First Lord of the Treasury before 1st April 1972 but has not (whether before or after the passing of this Act) held that office at any time after that date.

^{F19}(4)

Textual Amendments

F19 Ss. 30, 31(5), 33, 34, 36(1)(2)(4), Schs. 1–4 repealed (with saving) by Parliamentary and other Pensions Act 1987 (c. 45, SIF 89), ss. 2, 6, Sch. 2, Sch. 3 para. 1(4), Sch. 4

Marginal Citations

M5 1965 c. 58.

37 Short title. U.K.

This Act may be cited as the Parliamentary and other Pensions Act 1972.

Status: Point in time view as at 05/12/2005.

*Changes to legislation: There are currently no known outstanding effects for the
Parliamentary and Other Pensions Act 1972. (See end of Document for details)*

SCHEDULES

^{F20}SCHEDULES 1—4 **U.K.**

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Textual Amendments

F20 Ss. 30, 31(5), 33, 34, 36(1)(2)(4), Schs. 1—4 repealed (with saving) by Parliamentary and other Pensions Act 1987 (c. 45, SIF 89), ss. 2, 6, Sch. 2, Sch. 3 para. 1(4), **Sch. 4**
Schs. 1 and 2 (as saved) revoked (with reg. R5, Sch. 7 Pt. III) by S.I. 1993/3253, reg. R5, **Sch. 7 Pt.1.**

Status:

Point in time view as at 05/12/2005.

Changes to legislation:

There are currently no known outstanding effects for the Parliamentary and Other Pensions Act 1972.