

---

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

---

1974 No. 1867

**PENSIONS**

**The Overseas Service (Pensions Supplement) (Amendment)  
Regulations 1974**

<i>Made - - - -</i>	<i>5th November 1974</i>
<i>Laid before Parliament</i>	<i>18th November 1974</i>
<i>Coming into Operation</i>	<i>1st December 1974</i>

In exercise of the powers conferred on me by section 11 of the Pensions (Increase) Act 1971(a) and section 3(3) of and Schedule 1 to the Ministers of the Crown Act 1974(b) and with the approval of the Minister for the Civil Service, I hereby make the following Regulations:—

*Citation, construction and commencement*

1.—(1) These Regulations may be cited as the Overseas Service (Pensions Supplement) (Amendment) Regulations 1974 and shall be construed as one with the Overseas Service (Pensions Supplement) Regulations 1972(c) (hereinafter referred to as “the principal Regulations”) as amended(d).

(2) These Regulations and the principal Regulations, as amended, may be cited together as the Overseas Service (Pensions Supplement) Regulations 1972 to 1974.

(3) These Regulations shall come into operation on 1st December 1974.

*Amendment of Regulation 4 of the principal Regulations*

2. Regulation 4 of the principal Regulations is amended by substituting the following paragraphs (a) to (e) for paragraphs (a) to (c):—

- “ (a) except as provided in paragraphs (c) (d) and (e) below, in the case of retirement from service under the government of an overseas territory, on the day immediately following the effective date of the latest general revision of pensionable emoluments in relation to the overseas territory from which he retired which was taken into account in determining the amount of that pension ; or
- (b) in the case of retirement from service under the Government of the United Kingdom or the Crown Agents for Oversea Governments and Administrations or the Central Office of the Overseas Audit Department, on the day following the last day of such service ; or
- (c) in the case of retirement from service under the Government of Egypt, before the year 1944 ; or
- (d) in the case of retirement from service under the Government of Hong Kong on or after the coming into operation of these Regulations, on the day following the last day of such service ; or
- (e) in the case of retirement from service under the government of a colony for whose external relations the United Kingdom is responsible or of a territory outside Her Majesty's dominions in which Her Majesty has

---

(a) 1971 c. 56 as amended by 1973 c. 21.

(b) 1974 c. 21.

(c) S.I. 1972/550 (1972 I, p. 1837).

(d) S.I. 1972/1675, 1973/1793, (1972 III, p. 4907; 1973 III, p. 5518).

jurisdiction in right of Her Government in the United Kingdom, where the pensioner was designated as an overseas officer under the Overseas Service Aid Scheme and retired on or after 31 December 1974, on the day following the last day of such service: provided that this paragraph shall not apply to any such designated officer whose pensionable emoluments have not been revised as a result of a general revision of emoluments payable to him under the Overseas Service Aid Scheme which had effect on or after 1 January 1974: ”.

*Amendment of Regulation 6 of the principal Regulations*

3. Regulation 6 of the principal Regulations is amended by substituting a colon for the full stop and adding the following to paragraph (b):—

“provided that this paragraph shall not apply to any pensions in respect of which paragraph (b) (d) or (e) of regulation 4 is applicable.”

*Amendment of Regulation 14 of the principal Regulations*

4. Regulation 14 of the principal Regulations is amended:—

(a) by inserting the words “the rate of exchange on” before the words “such date” in sub-paragraph (c) of paragraph (1);

(b) by substituting the following paragraphs for paragraph (2):—

“(2) Where at the end of the immediately preceding review period the rate of the basic pension enjoyed by the pensioner was greater in terms of sterling when ascertained in accordance with paragraph (3) below than the sterling rate of the basic pension calculated in accordance with the preceding paragraph, then for the purpose of ascertaining any supplement payable under these Regulations the difference between the amounts shall be regarded as an overseas increase paid to the pensioner.

(3) For the purpose of paragraph (2) above, the rate of the basic pension in terms of sterling shall be ascertained in accordance with either—

(a) the middle rate in the official exchange market between the currency in which the basic pension is payable and sterling or, if there is no official exchange market, the prevailing foreign exchange rate for current payments between the currency in which the basic pension is payable and sterling; or

(b) if the rate referred to in sub-paragraph (a) is not applied to the pension, the rate of exchange, as applied to the pension, between the currency in which the basic pension is payable and sterling.”; and

(c) by re-numbering paragraph (3) as paragraph (4).

*Judith Hart,*

Minister of Overseas Development.

5th November 1974.

Consent of the Minister for the Civil Service given under his Official Seal on 5th November 1974.

(L.S.)

*K. H. McNeill,*

Authorised by the Minister for  
the Civil Service.

---

EXPLANATORY NOTE

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

These Regulations amend the Overseas Service (Pensions Supplement) Regulations 1972 and 1973 so as to:—

- (a) provide that pensions payable to persons retiring from the service of the Government of Hong Kong and (from 31st December 1974) certain persons retiring from the service of the governments of dependent territories shall be deemed, for the purposes of regulation 4, to have begun on the day after retirement ; and
- (b) enable account to be taken, when calculating the notional overseas increase under regulation 14(2), of the actual rate of exchange applied by the overseas government where this is neither the current rate of exchange nor the rate specified in regulation 14(1).

SI 1974/1867  
ISBN 0-11-041867-0

