1974. No. 279 **[C]**

PENSIONS

Pensions Increase (Civil Service Pensions)

REGULATIONS, DATED 31ST OCTOBER 1974, MADE BY THE DEPARTMENT OF FINANCE UNDER ARTICLES 2(2), 3(1), (2) AND (4) AND 6(*a*) OF THE PENSIONS (INCREASE) (NORTHERN IRELAND) ORDER 1974.

The Department of Finance in exercise of the powers conferred by Articles 2(2), 3(1), (2) and (4) and 6(*a*) of the Pensions (Increase) (Northern Ireland) Order 1974(**a**) and of all other powers enabling it in that behalf, hereby makes the following regulations:

1. These regulations may be cited as the Pensions Increase (Civil Service Pensions) Regulations (Northern Ireland) 1974 and shall come into operation on 6th November 1974.

2. In these regulations—

"the 1974 Order" means the Pensions (Increase) (Northern Ireland) Order 1974;

"civil service pension" means a pension payable under the principal civil service pension scheme;

"Class A pension" means any civil service pension payable in respect of service ending with—

(*a*) employment in which any pay increase normally takes effect on 1st January in any year; or

(*b*) employment in the civil service of Northern Ireland of a kind in relation to which increases in pay are, or on 1st October 1973 were, linked to rates of pay negotiated by a body specified in column 1 of Schedule 1;

"Class B pension" means any civil service pension—

(*a*) which is payable in respect of service ending with employment in the civil service of Northern Ireland of a kind in relation to which increases in pay are, or on 1st October 1973 were, linked to rates of pay negotiated by a body specified in column 1 of Schedule 2; or

(*b*) which is not either such a pension as is specified in paragraph (*a*) or a Class A pension;

"principal civil service pension scheme" has the meaning given by Article 4(10) of the Superannuation (Northern Ireland) Order 1972(**b**).

3. Civil service pensions are hereby prescribed for the purposes of Article 3(1) of the 1974 Order.

(a) S.I. 1974/1267 (N.I. 2). (b) S.I. 1972/1073 (N.I. 10).

4. Class A pensions are pensions as respects which, in the opinion of the Department of Finance, increases in the emoluments relevant for the purpose of calculating the pensions were deferred during the period beginning with 6th November 1972 and ending with 31st March 1973 in consequence of provisions of the Counter-Inflation (Temporary Provisions) Act 1972(**c**), and accordingly sub-paragraph (*a*) of Article 3(2) of the 1974 Order applies to such pensions.

5. The date on which, in the opinion of the Department of Finance, the emoluments relevant for the purpose of calculating a civil service pension were, or are expected to be, increased by the principal pay increase made, or expected to be made, during the year ending with 6th November 1974, in accordance with the code in force under section 2 of the Counter-Inflation Act 1973(**d**) at the time of the increase, is—

(*a*) in the case of a Class A pension in respect of service ending with employment of a kind in relation to which increases in pay are, or on 1st October 1973, were, linked to rates of pay negotiated by one of the bodies specified in column 1 of Schedule 1, the date appearing in column 2 of that Schedule opposite the name of that body;

(*b*) in any other case of Class A pension, 1st January 1974;

(*c*) in the case of a Class B pension in respect of service ending with employment of a kind in relation to which increases in pay are, or on 1st October 1973 were, linked to rates of pay negotiated by one of the bodies specified in column 1 of Schedule 2, the date appearing in column 2 of that Schedule opposite the name of that body; and

(*d*) in the case of any other Class B pension, 1st July 1974;

and accordingly those dates shall respectively be the relevant dates for those pensions.

6.—(1) The 1974 Order shall have effect, in relation to any civil service pension which by virtue of the principal civil service pension scheme is calculated by reference to the provisions of paragraph 2(2) or 5 of Schedule 1 to the Superannuation Act (Northern Ireland) 1967(**e**) (which apply to certain persons who were civil servants on 17th December 1935), subject to the amendments specified in paragraph (2).

(2) In relation to such a pension as is described in paragraph (1) the Schedule to the 1974 Order shall have effect as if—

(*a*) in paragraph 5, for the words "before 1st April 1974" there were substituted the words "on or before the relevant date"; and

(*b*) paragraphs 7 and 16 were omitted,

and accordingly, such a pension, if it begins after the relevant date for the pension, shall not be increased under the 1974 Order.

7. Any increase of pension payable by virtue of these regulations shall have effect in respect of any period beginning on or after 1st December 1973.

Sealed with the Official Seal of the Department of Finance for Northern Ireland this 31st day of October 1974.

(L.S.) *J. S. H. Gaw,*
Assistant Secretary.

(**c**) 1972. c. 74.
(**d**) 1973. c. 9.
(**e**) 1967. c. 24 (N.I.).