

*Changes to legislation:* There are currently no known outstanding effects for the  
Parliamentary and other Pensions Act 1987, SCHEDULE 3. (See end of Document for details)

## SCHEDULES

### SCHEDULE 3

Section 6.

#### CONSEQUENTIAL MODIFICATIONS AND SAVINGS

#### *The<sup>M1</sup> Superannuation (Miscellaneous Provisions) Act 1948*

##### Marginal Citations

**M1** 1948 c. 33.

- 1 (1) For the purposes of section 2 of the Superannuation (Miscellaneous Provisions) Act 1948 (pensions of persons transferring to different employment) a person's service—
- (a) as a Member of the House of Commons of the United Kingdom during any period in respect of which he is a participant in relation to his membership of that House in arrangements contained in the Parliamentary pension scheme; or
  - (b) as the holder of an office mentioned in subsection (2)(b), (c) or (d) of section 2 of this Act during any period in respect of which he is a participant in relation to that office in any such arrangements; or
  - (c) as a Member of the House of Commons of the United Kingdom or the holder of an office so mentioned during any period in respect of which his service was treated as employment by virtue of section 23 of the Parliamentary and other Pensions Act 1972; or
  - (d) as a Member of the House of Commons of Northern Ireland,
- shall be treated as employment within the meaning of the said Act of 1948, whether or not it would be so treated apart from this paragraph.
- (2) Without prejudice to the power conferred by virtue of paragraph 13 of Schedule 1 to this Act, regulations under section 2 of this Act may make provision specifying the circumstances in which any person is to be regarded for the purposes of this paragraph as being a participant in relation to his membership of the House of Commons of the United Kingdom, or in relation to any office, in arrangements contained in the Parliamentary pension scheme.
- (3) In relation to any time before the coming into force of the first regulations to be made containing any such provision as is mentioned in sub-paragraph (2) above a person shall be treated as a participant in arrangements contained in the Parliamentary pension scheme—
- (a) in relation to his Membership of the House of Commons, if he is a Member of that House;
  - (b) in relation to any office, if he is a participant under section 2 of the <sup>M2</sup>Parliamentary and other Pensions Act 1972, as that section has effect by virtue of Schedule 2 to this Act.

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- (4) Nothing in this Act shall affect the validity of any rules which are in force at the coming into force of this paragraph under section 2 of the said Act of 1948 or which have effect under section 36(4) of the Parliamentary and other Pensions Act 1972 as if they were so in force.

**Marginal Citations**

**M2** 1972 c. 48.

**F12** .....

**Textual Amendments**

**F1** Sch.3 paras. 2, 5 repealed by *Income and Corporation Taxes Act 1988 (c. 1, SIF 63:1)*, s. 844, Sch. 30 para. 6(1), **Sch. 31**

*The <sup>M3</sup>Pensions (Increase) Act 1971*

**Marginal Citations**

**M3** 1971 c. 56.

- 3 (1) In section 5(3) of the Pensions (Increase) Act 1971 (power to modify Act in relation to certain official pensions), the reference to the provisions of that Act and of sections 59 and 59A of the <sup>M4</sup>Social Security Pensions Act 1975 shall include a reference to those provisions as they have effect in consequence of the following provisions of this paragraph.
- (2) Notwithstanding the repeal by this Act of Part I and section 34(1) of the <sup>M5</sup>Parliamentary and other Pensions Act 1972, section 19(2)(a) of the said Act of 1971 shall continue to have effect, after the coming into force of the repeal, with the amendment made by the said section 34(1).
- (3) In Schedule 2 to the said Act of 1971, for paragraph 3A there shall be substituted the following paragraph—
- “3A A pension which under the Parliamentary pension scheme (within the meaning of the Parliamentary and other Pensions Act 1987) is payable out of the Parliamentary Contributory Pension Fund.”
- (4) Without prejudice to paragraph 4 of Schedule 2 to this Act—
- (a) any regulations made under section 5(3) of the said Act of 1971 which immediately before the day on which this paragraph comes into force have effect in relation to pensions payable under any enactment the effect of which is continued under Schedule 2 to this Act shall have effect on and after that day, with the necessary modifications, as if they had effect in relation to pensions payable under the corresponding provision of the Parliamentary pension scheme; and

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- (b) any increases made before that day under the said Act of 1971 and sections 59 and 59A of the Social Security Pensions Act 1975 shall be taken into account in determining the amount of any pension which was being paid before that day and continues to be paid on and after that day under that scheme.
- (5) Subject to any regulations made under section 2 of this Act, the provisions of the said Act of 1971 and of the said sections 59 and 59A shall not be taken into account in calculating any amount—
- (a) in accordance with subsection (1) of section 8 of the Parliamentary and other Pensions Act 1972 (alternative calculation of pension by reference to the 1965 Act), as that subsection has effect by virtue of Schedule 2 to this Act; or
  - (b) for the purposes of subsection (2) of section 25 of the said Act of 1972 (meaning of “basic or prospective pension or pensions”), as that subsection so has effect.

**Marginal Citations**

- M4 1975 c. 60.
- M5 1972 c. 48.

*<sup>M6</sup>Parliamentary and other Pensions Act 1972*

**Marginal Citations**

- M6 1972 c. 48.

<sup>F2</sup>4 .....

**Textual Amendments**

- F2 Sch. 3 para. 4 repealed (25.4.2013) by Public Service Pensions Act 2013 (c. 25), s. 41(1)(b), Sch. 11 para. 7 (with Sch. 11 para. 8)

<sup>F3</sup>5 .....

**Textual Amendments**

- F3 Sch.3 paras. 2, 5 repealed by Income and Corporation Taxes Act 1988 (c. 1, SIF 63:1), s. 844, Sch. 30 para. 6(1), Sch. 31

*The <sup>M7</sup>House of Commons Members’ Fund and Parliamentary Pensions Act 1981*

**Marginal Citations**

- M7 1981 c. 7.

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- 6 In section 1(5)(b) of the House of Commons Members' Fund and Parliamentary Pensions Act 1981 (disqualification from benefit of certain office holders and persons receiving pensions), for the words from "a qualifying office" to "that Act" there shall be substituted the words " an office mentioned in paragraph (b), (c) or (d) of section 2(2) of the Parliamentary and other Pensions Act 1987 or is in receipt of a pension under the Parliamentary and other Pensions Act 1972. "

**Changes to legislation:**

There are currently no known outstanding effects for the Parliamentary and other Pensions Act 1987, SCHEDULE 3.