



# Superannuation Act 1972

## 1972 CHAPTER 11

### *Miscellaneous and Supplemental*

#### **24 Compensation for loss of office, etc.**

- (1) Subject to subsection (2) below, the Secretary of State may, with the consent of the Minister, by regulations provide for the payment by such person as may be prescribed by or determined under the regulations of pensions, allowances or gratuities by way of compensation to or in respect of the following persons, that is to say, persons—
- (a) in relation to whom regulations may be made under section 7, section 9 or section 10 of this Act or section 1 of the <sup>M1</sup>[<sup>F1</sup>Police Pensions Act 1976] or [<sup>F2</sup>in respect of whose service payments may be made under a scheme brought into operation under section 34 of the Fire and Rescue Services Act 2004]; and
  - (b) who suffer loss of office or employment, or loss or diminution of emoluments, in such circumstances, or by reason of the happening of such an event, as may be prescribed by the regulations.

[<sup>F3</sup>(1A) Subsection (1) is subject to section 19 of the Public Service Pensions Act 2013 (restrictions on benefits provided under existing schemes).]

- (2) Regulations under this section relating to persons in relation to whom regulations may be made under section 7 of this Act may be made without the consent of the Minister.
- (3) Regulations under this section may—
- (a) include provision as to the manner in which and the person to whom any claim for compensation is to be made, and for the determination of all questions arising under the regulations;
  - (b) make different provision as respects different classes of persons and different circumstances and make or authorise the Secretary of State to make exceptions and conditions; and
  - (c) be framed so as to have effect from a date earlier than the making of the regulations,

but so that regulations having effect from a date earlier than the date of their making shall not place any individual who is qualified to participate in the benefits for

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which the regulations provide in a worse position than he would have been in if the regulations had been so framed as to have effect only from the date of their making.

- (4) Regulations under this section may include all or any of the provisions referred to in paragraphs 8, 9 and 13 of Schedule 3 to this Act.
- (5) Regulations under this section shall be made by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

**Subordinate Legislation Made**

- P1** S. 24: for exercises of this power see Index to Government Orders.
- P2** S. 24: ss. 10(1)(2)(3)(3A) and 24(1)(3)(4) (with s. 12(1)(2) and Sch. 3) power exercised by [S.I. 1991/584](#).

**Textual Amendments**

- F1** Words substituted by [Police Pensions Act 1976 \(c. 35\)](#), [Sch. 2 para. 10](#)
- F2** Words in s. 24(1)(a) substituted (1.10.2004 for E. and S. and 10.11.2004 for W.) by [Fire and Rescue Services Act 2004 \(c. 21\)](#), ss. 53(1), 61, [Sch. 1 para. 37](#); [S.I. 2004/2304](#), [art. 2\(2\)](#) (subject to [art. 3](#) and with savings for E. and S. in [S.I. 2004/2306](#), [art. 3](#), Sch.); [S.I. 2004/2917](#), [art. 2](#) (with savings (11.11.2004) for W. in [S.I. 2004/2918](#), [art. 3](#), Sch.)
- F3** [S. 24\(1A\)](#) inserted (1.4.2014) by [Public Service Pensions Act 2013 \(c. 25\)](#), s. 41(2), [Sch. 8 para. 11](#) (with [Sch. 11 para. 8](#)); [S.I. 2014/839](#), [art. 4\(2\)\(d\)](#)

**Modifications etc. (not altering text)**

- C1** S. 24 restricted (E.W.) by [Local Government Act 1985 \(c. 51\)](#), [SIF 81:1](#), [s. 53\(4\)](#)
- C2** S. 24 restricted (S.) (4.1.1995) by [1994 c. 39](#), [ss. 7\(2\)](#), [13\(2\)\(6\)](#), [97\(8\)](#), [137\(5\)](#) (with s. 7(2)); [S.I. 1994/2850](#), [art. 3\(a\)](#), [Sch. 2](#)
- C3** Ss. 7-10, 11(2), 12, 15(5), 16, 24: transfer of certain functions (1.7.1999) by [S.I. 1999/1750](#), [arts. 1\(1\), 2](#), [Sch. 1](#) (with [art. 7](#)); [S.I. 1998/3178](#), [art. 3](#)
- C4** S. 24: functions of local authority not to be responsibility of an executive of the authority (E.) (16.11.2000) by virtue of [S.I. 2000/2853](#), [reg. 2\(1\)](#), [Sch. 1](#) Table H1

**Marginal Citations**

- M1** [1976 c. 35](#).

<sup>F4</sup>25 .....

**Textual Amendments**

- F4** [S. 25](#) repealed by [Social Security Pensions Act 1975 \(c. 60\)](#), [Sch. 5](#)

**26 Financial provisions.**

- (1) There shall be paid out of moneys provided by Parliament—
  - (a) any expenses incurred by a Minister of the Crown in the payment in accordance with schemes made under section 1 of this Act or regulations made under section 9, 10 or 24 thereof of pensions, allowances, gratuities or other sums;

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- (b) expenses incurred by a Secretary of State in making any such payments as are referred to in section 9(4) of this Act;
  - (c) any administrative expenses incurred by a government department in consequence of this Act; and
  - (d) any increase attributable to the provisions of this Act in the sums payable under any other enactment out of moneys so provided.
- (2) Subject to any scheme made under section 1 of this Act or to regulations made under section 9 or 10 of this Act, there shall be paid into the Consolidated Fund all sums received by a Minister of the Crown by virtue of this Act.

## 27 Dissolution of Civil Service Committee for Northern Ireland.

F5 .....

### Textual Amendments

F5 S. 27 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 5 Group 12}

## 28 Certain enactments relating to superannuation of Forestry Commissioners and to declarations required from recipients of certain pensions to cease to have effect.

<sup>X1</sup>(1) Paragraph 11 of Schedule 1 to the <sup>M2</sup>Forestry Act 1967 (which authorizes the grant in certain circumstances of superannuation benefits to a person who retires from the office of Forestry Commissioner while under the age of 60 without renewal of public employment and who is not entitled to a pension by virtue of other provisions of that Schedule) shall cease to have effect.

<sup>X1</sup>(2) Section 6 of the <sup>M3</sup>Appropriation Act 1957 (which prohibits the receipt of an ypayment out of maneys provided by Parliament for half-pay or navy, army, air-force or civil non-effective services unless the prescribed declararion has been made by the recipient) shall cease to have effect.

### Editorial Information

X1 The text of ss. 10(5), 14, 16(2), 17(1), 27(2), 28, 29, Sch. 6 paras. 1-3, 5, 9, 10, 12, 16-21, 24-27, 29-33, 39-41, 43, 46, 48, 51, 56-58, 60-67, 70, 72-74, 77, 78, 80-93, Sch. 8 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

### Marginal Citations

M2 1967 c. 10.

M3 1957 c. 63.

## <sup>X2</sup>29 Amendments, savings, transitional provisions and repeals.

- (1) The enactments mentioned in Schedule 6 to this Act shall have effect subject to the minor and consequential amendments specified therein.

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- (2) The savings and transitional provisions contained in Schedule 7 to this Act shall have effect.
- (3) The inclusion in this Act of any express saving, transitional provision or amendment shall not be taken as prejudicing the operation of [<sup>F6</sup>sections 16(1) and 17(2)(a) of the <sup>M4</sup>Interpretation Act 1978] (which relates to the effect of repeals).
- (4) Subject to section 23 of this Act, and Schedule 7 thereto, the enactments mentioned in Schedule 8 to this Act (which include certain enactments already spent or otherwise unnecessary) are hereby repealed to the extent specified in column 3 of that Schedule.

#### Editorial Information

**X2** The text of ss. 10(5), 14, 16(2), 17(1), 27(2), 28, 29, Sch. 6 paras. 1-3, 5, 9, 10, 12, 16-21, 24-27, 29-33, 39-41, 43, 46, 48, 51, 56-58, 60-67, 70, 72-74, 77, 78, 80-93, Sch. 8 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

**F6** Words substituted by virtue of [Interpretation Act 1978 \(c. 30\), s. 25\(2\)](#)

#### Marginal Citations

**M4** [1978 c. 30.](#)

### 30 Short title, construction of references commencement and extent.

- (1) This Act may be cited as the Superannuation Act 1972.
- (2) References in this Act to an enactment include an enactment in a local Act and a provisional order confirmed by Parliament, and any reference in this Act to any enactment or instrument shall be construed as a reference to that enactment or instrument as amended, and includes a reference thereto as extended or applied, by or under any other enactment or instrument, including any enactment contained in this Act.

<sup>F7</sup>(3) . . . . .

- (4) The other provisions of this Act shall come into force on such day as the Minister may by order made by statutory instrument appoint, and references in this Act to the commencement thereof shall be construed as references to the day appointed by an order under this subsection.

- (5) This section, and the following provisions only of this Act, extend to Northern Ireland, that is to say,—

- (a) sections 1 to 6 and Schedules 1 and 2;

- (b) sections 13 and 17;

- <sup>F8</sup>(c) . . . . .

- (d) section 22(1) and (2) and Schedule 4 so far as they relate to any body exercising functions in relation to Northern Ireland;

- (e) section 23 and paragraph 2 of Schedule 5;

- <sup>F9</sup>(ee) section 25];

- (f) section 26, so far as applicable, <sup>F10</sup>. . . and 28(2);

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- (g) section 29 and Schedules 6 and 8, so far as they relate to any enactment which extends to Northern Ireland and paragraphs 1 to 3, 10, 11 and 13 to 15 of Schedule 7.

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**Textual Amendments**

- F7** Ss. 21, 30(3), Sch. 6 paras. 68, 96 repealed by [British Airways Board Act 1977 \(c. 13, SIF 9\)](#), s. 24(1), [Sch. 2](#)
- F8** S. 30(5)(c) repealed by [British Airways Board Act 1977 \(c. 13\)](#), [Sch. 2](#)
- F9** S. 30(5)(ee) inserted by Parliamentary and other [Pensions Act 1972 \(c. 48\)](#), [s. 34\(2\)](#)
- F10** S. 30(5)(f): reference to s. 27 repealed (22.7.2004) by virtue of [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [s. 1\(1\)](#), {Sch. 1 Pt. 5 Group 12}
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**Modifications etc. (not altering text)**

- C5** 25.3.1972 appointed under s. 30(4) by [S.I. 1972/325](#) for all provisions other than provisions specified in art. 2 of that instrument (namely s. 21 and Sch. 6 paras. 68 and 96) which have been repealed

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