



Parliamentary Pensions etc. Act 1984

1984 CHAPTER 52

Parliamentary pensions: contributions, calculation and entitlement

3 Abolition of qualifying period and further provision for refunds on death

- (1) In relation to any person who has been a Member of the House of Commons at a time after the passing of this Act or has at any such time held a qualifying office, the 1972 Act and the 1978 Act shall have effect (subject to subsection (4) below) with the omission of the following provisions (being provisions relating to the minimum period of reckonable service necessary for the payment of a pension), that is to say—
 - (a) paragraph (c) of section 7(1) of the 1972 Act;
 - (b) in section 13(1)(b) of the 1972 Act, the words "and had an aggregate period of reckonable service (whether as a Member or otherwise) of not less than four years " and the words " and had an aggregate period of reckonable service (whether as a Member or otherwise) of not less than three years " ;
 - (c) in section 7(4) of the 1978 Act, the words " but had an aggregate period of reckonable service (whether as a Member or otherwise) of not less than four years " ; and
 - (d) section 8 of the 1978 Act (short-term pensions for widows, widowers and children).
- (2) Accordingly, in relation to a person who has been a Member of the House of Commons at a time after the passing of this Act or has at any such time held a qualifying office—
 - (a) section 7(4) of the 1972 Act shall have effect as if for the words " paragraphs (a) to (c) of subsection (1) of this section " there were substituted the words " paragraphs (a) and (b) of subsection (1) of this section " ; and
 - (b) section 18(3) of that Act shall have effect as if at the end of paragraph (d) there were inserted the words " ; and
 - (c) he has not become entitled to a pension under this Part of this Act."
- (3) In relation to a person who dies after the passing of this Act, section 19 of the 1972 Act (refund of contributions after death of contributor) shall have effect as if—
 - (a) for paragraph (a) there were substituted the following paragraph—

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“(a) without leaving a widow, widower or relevant child (within the meaning of section 15 of this Act) who is, or may become, entitled in respect of that person to receive a pension under any of sections 13 to 15 of this Act; and”;

and

(b) in paragraph (b) for the words " paragraphs (a) to (d) " there were substituted the words " paragraphs (a), (b), (d) and (e) " .

(4) Where

(a) a person who was a Member of the House of Commons at the passing of this Act dies; and

(b) but for the preceding provisions of this section a pension would have been payable under section 8 of the 1978 Act to that person's widow or widower, or for the benefit of any child or children of that person,

then, if a valid election is made, that pension shall be so payable instead of any pension that by virtue of the preceding provisions of this section or section 8 below would otherwise be payable to that person's widow or widower, or for the benefit of the child or children in question, under any of sections 13 to 15 of the 1972 Act.

(5) In subsection (4) above " a valid election" means an election made, in such manner as the Trustees may require, either before, or not later than three months after, the first instalment of any pension that but for the election would be payable under any of sections 13 to 15 of the 1972 Act becomes so payable, being an election made—

(a) in the case of a widow or widower, by that widow or widower; or

(b) in the case of a child or children, by such person as the Trustees may direct.

(6) In this section " child" has the same meaning as in section 15 of the 1972 Act.