

Changes to legislation: Health Service Commissioners Act 1993, Cross Heading: Pensions and other benefits is up to date with all changes known to be in force on or before 25 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 1

THE [F1ENGLISH F1...][F1COMMISSIONER]

Textual Amendments

- F1** Sch. 1: words in heading inserted (1.7.1999) by 1998 c. 38, s. 112, **Sch. 10 para. 16(2)** (with ss. 139(2), 143(2)); S.I. 1999/1290, **art. 4**
- F1** Words in Sch. 1 heading omitted (14.7.2004) by virtue of **The Scottish Public Services Ombudsman Act 2002 (Consequential Provisions and Modifications) Order 2004** (S.I. 2004/1823), arts. 1, **17(11)(a)**
- F1** Word in Sch. 1 heading substituted (14.7.2004) by **The Scottish Public Services Ombudsman Act 2002 (Consequential Provisions and Modifications) Order 2004** (S.I. 2004/1823), arts. 1, **17(11)(a)**

Pensions and other benefits

- 7 Schedule 1 to the **M1Parliamentary Commissioner Act 1967** (which relates to pensions and other benefits) has effect with respect to persons who hold or have held office as [F1the Commissioner] as it has effect with respect to persons who hold or have held office as the Parliamentary Commissioner.

Textual Amendments

- F1** Words in Sch. 1 para. 7 substituted (1.4.2006) by **Public Services Ombudsman (Wales) Act 2005** (c. 10), s. 40, **Sch. 6 para. 53(7)** (with s. 38); S.I. 2005/2800, art. 5(1)(3)

Marginal Citations

- M1** 1967 c. 13.

- 8 In computing the salary of a former holder of the office of Commissioner for the purposes of Schedule 1 to the 1967 Act, there shall be disregarded—
- (a) any abatement of that salary under paragraph 5,
 - (b) any temporary abatement of that salary in the national interest, and
 - (c) any voluntary surrender of that salary in whole or in part.
- 9 (1) In this paragraph, “relevant office” means the office of Parliamentary Commissioner or [F2the office] of Health Service Commissioner.
- (2) The Treasury may by regulations provide that Schedule 1 to the Parliamentary Commissioner Act 1967 shall have effect, in relation to persons who have held more than one relevant office, with such modifications as it considers necessary in consequence of those persons having held more than one such office; and different regulations may be made in pursuance of paragraph 4 of Schedule 1 to the 1967 Act in relation to different relevant offices.

Changes to legislation: Health Service Commissioners Act 1993, Cross Heading: Pensions and other benefits is up to date with all changes known to be in force on or before 25 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (3) A person shall not be entitled to make simultaneously different elections in pursuance of paragraph 1 or 2 of Schedule 1 to the 1967 Act in respect of different relevant offices.
- (4) Where a person has made or is treated as having made an election in pursuance of paragraph 1 or 2 of Schedule 1 to the 1967 Act in respect of any relevant office, he shall be deemed to have made the same election in respect of all such other offices to which he is, or is subsequently, appointed.
- (5) No account shall be taken for the purposes of Schedule 1 to the 1967 Act of a period of service in a relevant office if salary in respect of the office was not paid for that period.
- (6) Regulations under this paragraph may make such incidental or supplementary provision as the Treasury considers necessary.
- (7) Regulations under this paragraph shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

F2 Words in Sch. 1 para. 9(1) substituted (14.7.2004) by [The Scottish Public Services Ombudsman Act 2002 \(Consequential Provisions and Modifications\) Order 2004 \(S.I. 2004/1823\)](#), arts. 1, **17(11)(j)**

Modifications etc. (not altering text)

C1 Sch. 1 para. 9: transfer of certain functions (1.4.1995) by [S.I. 1995/269](#), art. 3, **Sch. para. 24**

- 10 In any case where a person makes an election under paragraph 2(1)(a) of Schedule 1 to the ^{M2}Parliamentary Commissioner Act 1967 (as substituted by Part II of Schedule 4 to the ^{M3}Judicial Pensions and Retirement Act 1993) so that Schedule 1 to the 1967 Act continues to have effect in relation to him as it did before the coming into force of Part II of Schedule 4 to the 1993 Act, this Schedule shall have effect—
- (a) as if in paragraph 7 the words “hold or” (in both places) and in paragraph 9(3) and (4) the words “or 2” (in both places) were omitted, and
 - (b) as if for the reference in paragraph 9(2) to paragraph 4 of Schedule 1 to the 1967 Act there were substituted a reference to paragraph 8 of that Schedule.

Marginal Citations

M2 1967 c. 13.

M3 1993 c. 8.

Changes to legislation:

Health Service Commissioners Act 1993, Cross Heading: Pensions and other benefits is up to date with all changes known to be in force on or before 25 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 3(1F) inserted by [2006 c. 44 s. 15\(2\)](#)
- s. 7(2)(d) and word inserted by [2006 c. 44 s. 15\(4\)\(b\)](#)
- s. 14(2G)(2H) inserted by [2006 c. 44 s. 15\(7\)](#)
- s. 14(2G)(c) word inserted by [2012 c. 7 Sch. 5 para. 70\(6\)\(a\)](#)
- s. 14(2G)(e) and word omitted by [2012 c. 7 Sch. 5 para. 70\(6\)\(b\)](#)