
STATUTORY INSTRUMENTS

2004 No. 2417

PARLIAMENT

The Parliamentary Pensions (Additional Voluntary Contributions Scheme) (Amendment) Regulations 2004

Made - - - - *15th September 2004*
Laid before Parliament *17th September 2004*
Coming into force - - *8th October 2004*

The Leader of the House of Commons, in exercise of the powers conferred on him by section 2(1) and (4) of the Parliamentary and other Pensions Act 1987⁽¹⁾, with the consent of the Minister for the Civil Service⁽²⁾ and after consultation with the Trustees of the Parliamentary Contributory Pension Fund and with such persons as appeared to him to represent persons likely to be affected by the Regulations, hereby makes the following Regulations:

Title and commencement

1. These Regulations may be cited as the Parliamentary Pensions (Additional Voluntary Contributions Scheme) (Amendment) Regulations 2004 and shall come into force on 8th October 2004 but shall have effect from 30th June 1999.

Interpretation

2. In these Regulations—

“the AVC Regulations” means the Parliamentary Pensions (Additional Voluntary Contributions Scheme) Regulations 1993⁽³⁾;

and other expressions shall have the same meaning as in the AVC Regulations.

Benefits which may be provided

3. In regulation 7 of the AVC Regulations—

(a) there shall be substituted for paragraph (2)(e)—

⁽¹⁾ 1987 c. 45; section 2 was amended by the Ministerial and other Pensions and Salaries Act 1991 (c. 5), section 2.

⁽²⁾ See article 3 of the Transfer of Functions (Treasury and Minister for the Civil Service) Order 1995 (S.I.1995/269).

⁽³⁾ S.I. 1993/3252, to which there are amendments not relevant to these Regulations.

- “(e) a pension payable to the contributor throughout the remainder of his or her lifetime, under which—
 - (i) payments may be guaranteed to be payable for up to 10 years after the pension commences; or
 - (ii) payments may be guaranteed to be payable for up to 5 years after the pension commences with any balance in respect of any period between death and the expiry of the period of 5 years being paid in one lump sum on death.”; and
- (b) there shall be substituted for paragraph (4)—
 - “(4) In the case of benefits payable at or after a contributor’s retirement, the choice of which of the above types of benefit shall be payable shall be made by the contributor and the benefits must come into payment on any date which is—
 - (a) not later than whichever is the later of—
 - (i) the date of the contributor’s 75th birthday, and
 - (ii) the date on which the contributor’s pension under the principal scheme commences; and
 - (b) not earlier than the date on which the contributor’s pension under the principal scheme commences.”

Purchase of pensions

4. In paragraph (1) of regulation 9 of the AVC Regulations, for “On or before the date of his retirement” there shall be substituted “At least three months before the date on which he would like a pension to come into payment”.

15th September 2004

Peter Hain
Leader of the House of Commons

I consent

15th September 2004

Ruth Kelly
for the Minister for the Civil Service

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations amend the Parliamentary Pensions (Additional Voluntary Contributions Scheme) Regulations 1993 (the “AVC Regulations”). Regulations 3 and 4 amend the AVC Regulations so that AVC benefits no longer have to come into payment at the same time as an MP’s main scheme pension benefits but can be deferred until the MP’s 75th birthday.

2. Section 2(4) of the Parliamentary and other Pensions Act 1987 confers express power to make regulations retrospective in effect. These Regulations take effect from 30th June 1999.