

These notes refer to the Pensions Act (Northern Ireland) 2012 (c.3) which received Royal Assent on 1 June 2012

Pensions Act (Northern Ireland) 2012

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1: State Pension

Section 1: Equalisation of and increase in pensionable age for men and women

Section 1 amends the rules for determining State Pension age for men and women as set out in paragraph 1 of Schedule 2 to the 1995 Order.

Subsection (2) amends sub-paragraph (1) to provide that men born before 6th December 1953, rather than those born before 6th April 1959, will continue to attain State Pension age on their 65th birthday.

Subsection (3) omits sub-paragraph (4) as a woman born between the relevant dates will now reach State Pension age on her 66th birthday.

Subsection (4) amends the timetable which sets out when a woman born on a particular date reaches State Pension age during the transition from 60 to 65. The transition is accelerated, so that instead of increasing in one-month increments, State Pension age increases in increments of three months, as laid out in the table below:

(1)	(2)	(3)	(4)	(5)
<i>Date of Birth</i>	<i>Date State Pension age Reached under Current timetable</i>	<i>Age on date in (2) (years/ months)¹</i>	<i>Date State Pension age reached under revised timetable</i>	<i>Age on date in (4) (years/ months)¹</i>
6 April 1953	6 May 2016	63.1 – 63.0	6 July 2016	63.3 – 63.2

*

Note: Those born on the last day of the period in column (1) will in fact be one day older than indicated in columns (3) and (5), for example, a woman born on 5th May 1953 will be aged 63 years, 0 months and 1 day on the day she would reach current state pension age.

¹

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(1)	(2)	(3)	(4)	(5)
<i>Date of Birth</i>	<i>Date State Pension age Reached under Current timetable</i>	<i>Age on date in (2) (years/ months)¹</i>	<i>Date State Pension age reached under revised timetable</i>	<i>Age on date in (4) (years/ months)¹</i>
to 5 May 1953				
6 May 1953 to 5 June 1953	6 July 2016	63.2 – 63.1	6 Nov 2016	63.6 – 63.5
6 June 1953 to 5 July 1953	6 Sept 2016	63.3 – 63.2	6 March 2017	63.9 – 63.8
6 July 1953 to 5 Aug 1953	6 Nov 2016	63.4 – 63.3	6 July 2017	64.0 – 63.11
6 Aug 1953 to 5 Sept 1953	6 Jan 2017	63.5 – 63.4	6 Nov 2017	64.3 – 64.2
6 Sept 1953 to 5 Oct 1953	6 March 2017	63.6 – 63.5	6 March 2018	64.6 – 64.5
6 Oct 1953 to 5 Nov 1953	6 May 2017	63.7 – 63.6	6 July 2018	64.9 – 64.8
6 Nov 1953 to 5 Dec 1953	6 July 2017	63.8 – 63.7	6 Nov 2018	65.0 – 64.11
* Note: Those born on the last day of the period in column (1) will in fact be one day older than indicated in columns (3) and (5), for example, a woman born on 5 th May 1953 will be aged 63 years, 0 months and 1 day on the day she would reach current state pension age.				

Subsection (5) replaces Table 2, which provides for the transition from 65 to 66 for men and women between April 2024 and April 2026, with the revised timetable.

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1
1
1
1

Subsection (6) amends sub-paragraph (7) which provides that people born on or after 6th April 1960 (namely those born after the last group affected by the schedule in Table 2) but before 6th April 1968 will have a State Pension age of 66. With the revisions made by *subsection (5)*, anyone born on or after 6th October 1954 but before 6th April 1968 will now also reach State Pension age on their 66th birthday.

Subsection (7) introduces Schedule 1 (equalisation of and increase in pensionable age for men and women: consequential amendments).

Section 2: Duty to report on the impact of socio-economic background (including health indicators) in relation to retirement pension

Section 2 places a duty on the Department to report on the impact of socio-economic background (including health indicators) in relation to retirement pension. The report is to be laid before the Assembly within two years of Royal Assent.

Section 3: Abolition of certain additions to the state pension

Section 3 amends section 132 of the Social Security Administration (Northern Ireland) Act 1992 and Schedule 5 to the Social Security Contributions and Benefits (Northern Ireland) Act 1992. This section removes the provision for new awards of small “top-up” amounts to a person’s State Pension from the specified date where that person is a member of a salary-related contracted-out scheme who has delayed taking his or her private pension and earned “increments” on their Guaranteed Minimum Pension (GMP), or is the survivor of such a member. The GMP is the minimum pension a scheme is required by law to pay to a person who was in contracted-out employment between 1978 and 1997.

The small “top-up” amounts, referred to as “Payable Uprated Contracted-out Deduction Increments” (PUCODIs), are paid by the State to take account of the fact that the occupational pension scheme is only responsible for providing limited indexation on the extra amounts gained by the individual for postponing their private pension – the GMP increments. For example, schemes are not required to provide any indexation on GMP increments accrued between 1978 and 1988, but must provide indexation at the rate of the rise in the general level of prices in Great Britain capped at three per cent for accruals between 1988 and 1997. Hence the State will index any GMP increments in line with the general rise in the level of prices for any 1978 to 1988 accruals, and by anything over three per cent for accruals between 1988 and 1997.

PUCODIs do not apply to any periods of contracted-out employment after April 1997 as the requirement to provide a GMP was replaced with the requirement to provide benefits which are broadly equivalent to those provided under the Reference Scheme Test.

Awards which have been made and are in payment before the specified date will not be affected.

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Subsection (6) gives effect to Schedule 2 (Abolition of certain additions to the state pension: consequential amendments etc.).

Section 4: Consolidation of additional pension

Section 4 gives effect to Schedule 3 (Consolidation of additional pension).