

1976 No. 276

PENSIONS

Pensions Increase (Annual Review) Order (Northern Ireland) 1976

Made 17th September 1976

Coming into operation 1st December 1976

The Department(a) of Finance, in exercise of the powers conferred on it by sections 2 and 9(4) of the Pensions (Increase) Act (Northern Ireland) 1971(b), as amended by Article 20 of the Superannuation (Northern Ireland) Order 1972(c) and Articles 3 and 5 of the Pensions (Increase) (Northern Ireland) Order 1974(d), and of every other power enabling it in that behalf, hereby makes the following order:

1. This order may be cited as the Pensions Increase (Annual Review) Order (Northern Ireland) 1976, and shall come into operation on 1st December 1976.

2.—(1) In this order—

“the Act of 1971” means the Pensions (Increase) Act (Northern Ireland) 1971;

“the existing orders” means the Pensions Increase (Annual Review) Order (Northern Ireland) 1972(e), the Pensions Increase (Annual Review) Order (Northern Ireland) 1973(f), the Pensions Increase (Annual Review) Order (Northern Ireland) 1974(g), and the Pensions Increase (Annual Review) Order (Northern Ireland) 1975(h).

(2) For the purposes of this order the time when a pension begins is that stated in section 8(2) of the Act of 1971, and “beginning date” shall be construed accordingly.

3.—(1) The annual rate of an official pension may, if a qualifying condition is satisfied or the pension is a widow’s pension, be increased by the pension authority in respect of any period beginning on or after 1st December 1976, as follows:

- (a) a pension beginning on or before 1st July 1975 may be increased by 13.8 per cent. of the basic rate as increased by the amount of any increase under section 1 of the Act of 1971 or under the existing Orders;
- (b) a pension beginning in the six months following 1st July 1975 may be increased by 19.2 per cent. of the basic rate;
- (c) a pension beginning in the six months following 1st January 1976 may be increased by 8.8 per cent. of the basic rate.

(a) Formerly Ministry: see 1973 c. 36 Sch. 5 para. 8(1)

(b) 1971 c. 35 (N.I.)

(c) S.I. 1972/1073 (N.I. 10)

(d) S.I. 1974/1267 (N.I. 2)

(e) S.R. & O. (N.I.) 1972 No. 263 (p. 1400)

(f) S.R. & O. (N.I.) 1973 No. 364 (II, p. 2063)

(g) S.R. 1974 No. 296 (II, p. 1396)

(h) S.R. 1975 No. 269 (II, p. 1272)

(2) For the purpose of showing the cumulative effect of the increases payable under section 1 of the Act of 1971, under the existing Orders and under paragraph (1), the provisions of that section, other than the provisions relating to pensions payable under the Belfast Corporation Act (Northern Ireland) 1943(i), with the effect of the existing Orders and paragraph (1) incorporated in them, are set out in the Schedule.

4. In respect of any lump sum or instalment of a lump sum which became payable in the six months ending with 1st July 1976, but for which the beginning date fell before 2nd January 1976, there may be paid an increase of 7.3 per cent. of the amount of the lump sum or instalment as increased by any increase under section 1 of the Act of 1971 or under the existing Orders.

Sealed with the Official Seal of the Department of Finance for Northern Ireland on 17th September 1976.

(L.S.)

J. Armstrong
Assistant Secretary

SCHEDULE

Article 3(2)

Provisions of section 1 of the Pensions (Increase) Act (Northern Ireland) 1971, other than the provision relating to pensions payable under the Belfast Corporation Act (Northern Ireland) 1943, reproduced with the effect of the existing Orders and Article 3(1) of this order incorporated in them

1.—(1) Subject to the provisions of this Act, the annual rate of an official pension may, if any qualifying condition is satisfied or the pension is a widow's pension, be increased by the pension authority in respect of any period on or after 1st December 1976, as follows:—

- (a) a pension beginning before the year 1969 may be increased by the amount necessary to bring the rate up to the 1969 standard, that is to say to the rate arrived at by applying to the basic rate of pension the multiplier given in Schedule 1 for the year in which the pension began, and by a further 136.9644 per cent. of the rate so increased;
- (b) a pension beginning on or before 1st April 1969 but not earlier than that year may be increased by 136.9644 per cent. of the basic rate;
- (c) a pension beginning in the six months following 1st April 1969 may be increased by 132.9481 per cent. of the basic rate;
- (d) a pension beginning in the six months following 1st October 1969 may be increased by 128.9317 per cent. of the basic rate;
- (e) a pension beginning in the six months following 1st April 1970 may be increased by 120.8990 per cent. of the basic rate;
- (f) a pension beginning in the six months following 1st October 1970 may be increased by 112.8663 per cent. of the basic rate;
- (g) a pension beginning in the six months following 1st April 1971 may be increased by 102.8273 per cent. of the basic rate;
- (h) a pension beginning in the six months following 1st October 1971 may be increased by 92.9600 per cent. of the basic rate;
- (i) a pension beginning in the three months following 1st April 1972 may be increased by 89.1227 per cent. of the basic rate;
- (j) a pension beginning in the six months following 1st July 1972 may be increased by 84.5663 per cent. of the basic rate;
- (k) a pension beginning in the six months following 1st January 1973 may be increased by 77.3775 per cent. of the basic rate;
- (l) a pension beginning in the six months following 1st July 1973 may be increased by 69.4756 per cent. of the basic rate;
- (m) a pension beginning in the six months following 1st January 1974 may be increased by 61.1525 per cent. of the basic rate;
- (n) a pension beginning in the six months following 1st July 1974 may be increased by 47.1434 per cent. of the basic rate;
- (o) a pension beginning in the six months following 1st January 1975 may be increased by 36.4462 per cent. of the basic rate;
- (p) a pension beginning in the six months following 1st July 1975 may be increased by 19.2 per cent. of the basic rate;
- (q) a pension beginning in the six months following 1st January 1976 may be increased by 8.8 per cent. of the basic rate.

(3) In the case of a pension beginning before the year 1969 the increase authorised by subsection (1)(a) shall take the place of those authorised by the Pensions (Increase) Acts (Northern Ireland) 1920 to 1969, but in the cases provided for by section 6 shall be of the larger amount there specified by reference to increases that might have been made under those Acts together with a further increase of 136.9644 per cent. of the pension as so increased.

EXPLANATORY NOTE

(This note is not part of the order but is intended to indicate its general purport.)

Under section 2 of the Pensions (Increase) Act (Northern Ireland) 1971 (as amended by Article 20 of the Superannuation (Northern Ireland) Order 1972) the Department of Finance is required to conduct a review of rates of public service pensions against any rise in the cost of living during the review period. The order provides for the payment, with effect from 1st December 1976, of the pension increases resulting from the 1976 review and based on the rise in the cost of living during the review period of twelve months ending with 30th June 1976. To qualify for an increase a person must satisfy one of the conditions specified in section 3 of the Act of 1971 (as amended by Article 3 of the Pensions (Increase) (Northern Ireland) Order 1974) or the pension must be a widow's pension.

For pensions (or deferred lump sums) which began on or before 1st July 1975 the increase is of the percentage by which the cost of living rose during the review period (13.8%). For pensions (or deferred lump sums) which began in the six months following 1st July 1975, or in the six months following 1st January 1976, the increases (19.2% and 8.8% respectively) are of the percentage by which the cost of living at the end of the review period exceeded its mean level during the respective periods of six months ending 31st July 1975 and six months ending 31st January 1976.

The order reproduces, in the Schedule, the general provisions of section 1 of the Act of 1971 with the effect of the earlier Orders of this order incorporated in them so as to indicate the cumulative increases payable under the Act and the annual review Orders.

The order also provides for the payment, as a result of the review, of increases in certain lump sums payment of which was deferred and which became payable in the six months ending with 1st July 1976.