

SCHEDULES

SCHEDULE 1

Section 12.

DEFERRED RETIREMENT

Increase of pension where pensioner defers retirement

- 1 Where a person defers his retirement from regular employment after attaining pensionable age, the rate of his Category A or Category B retirement pension shall be increased by an amount equal to the aggregate of the increments to which he is entitled under paragraph 2 below, but only if that amount is enough to increase the rate of the pension by at least 1 per cent.
- 2 (1) Subject to paragraph 3 below, a person is entitled to an increment under this paragraph for each complete incremental period in his period of deferment.
- (2) In this Schedule—
- (a) "incremental period" means any period of six consecutive days, excluding Sunday (Monday therefore being treated as the next consecutive day following Saturday); and
- (b) "period of deferment", in relation to any person, means the period beginning with the day on which he attains pensionable age and ending with the day before that of his retirement.
- (3) Subject to paragraph 3 below, the amount of the increment for any such incremental period shall be 1/8th per cent, of the weekly rate of the Category A or Category B retirement pension to which that person would have been entitled for the period if he had retired on attaining pensionable age.
- (4) For the purposes of sub-paragraph (3) above the weekly rate of the pension for any period shall be taken to be the rate that would have applied on the last day of that period, including any increase under section 28(7) of the principal Act (invalidity) and any increase under paragraph 4 below but not any increase under section 41, 45 or 46 of the principal Act (child and adult dependants) or any graduated retirement benefit.
- (5) Where one or more orders have come into force under section 124 of the principal Act (increases in rates of benefit) during the period of deferment the rate for any incremental period shall be determined under sub-paragraph (4) above as if the order or orders had come into force before the beginning of the period of deferment.
- 3 Regulations may provide that a day shall be treated in relation to any person or his pension as not being a day of increment and—
- (a) if any incremental period in that person's period of deferment consists wholly of days that fall to be so treated in relation to him or his pension, he shall not be entitled to any increment for that incremental period under sub-paragraph (1) of paragraph 2 above ;

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- (b) if any such incremental period contains one or more such days, the amount of the increment for the period under sub-paragraph (3) of that paragraph shall be proportionately reduced.

Increase of pension where pensioner's deceased spouse has deferred retirement

- 4 (1) Where a woman is entitled to a Category A or Category B retirement pension and—
- (a) she has had a husband and he has died, and she was married to him when he died ; and
 - (b) the husband either—
 - (i) was entitled to a Category A or Category B retirement pension with an increase under this Schedule ; or
 - (ii) would have been so entitled if he had retired on the date of his death,
- the rate of her pension shall be increased by an amount equal to the increase to which he was or would have been entitled.
- (2) Where a man is entitled to a Category A or Category B retirement pension and—
- (a) he has had a wife and she has died, and he was married to her when she died ; and
 - (b) he was over pensionable age when she died ; and
 - (c) the wife either—
 - (i) was entitled to a Category A or Category B retirement pension with an increase under this Schedule ; or
 - (ii) would have been so entitled if she had retired on the date of her death,
- the rate of his pension shall be increased by an amount equal to the increase to which she was or would have been entitled.

Married women

- 5 (1) For the purposes of paragraphs 1 to 3 above in their application to a Category B retirement pension to which a married woman is entitled by virtue of her husband's contributions, a married woman who retires (or is deemed by virtue of section 27(5) of the principal Act to retire) before her husband shall be treated as deferring her retirement until he retires and her period of deferment shall accordingly be treated as ending with the day before that of his retirement.
- (2) References in sub-paragraph (1) above to the retirement of a woman's husband shall, where the marriage is terminated before he retires, be construed as references to the termination of the marriage.
- (3) In the case of—
- (a) a Category B retirement pension to which a married woman is entitled by virtue of her husband's contributions ; or
 - (b) a married woman's Category A retirement pension with an increase under section 10(2) of this Act attributable to her husband's contributions,
- the reference in paragraph 2(3) above to the pension to which a person would have been entitled if he had retired on attaining pensionable age shall be construed as a reference to the pension to which she would have been entitled if she and her husband had so retired.

- (4) Paragraph 4(2)(c) above shall not apply to a Category B retirement pension to which the wife was or would have been entitled by virtue of the man's contributions ; and where the Category A retirement pension to which the wife was or would have been entitled includes an increase under section 10(2) of this Act attributable to his contributions, the increase to which he is entitled under that paragraph shall be calculated as if there had been no increase under that section.

SCHEDULE 2

Section 52.

CONTRACTING-OUT REGULATIONS

General regulations

- 1 In relation to employments which are or at any time have been contracted-out employments, and to the operation of schemes by reference to which such employments are or have been contracted-out, provision may be made by regulations—
- (a) for treating an earner's employment, where it ends before a person succeeds to the business of the earner's employer, as having been employment under the employer's successor ;
 - (b) for disregarding changes in an earner's employment due to the death of an employer or other cause, or any cesser of contracted-out employment so due, or for treating employment under one employer as a continuation of that under another and treating any contracting-out certificate issued to, or election made by, the former employer as issued to or made by the latter ;
 - (c) for disregarding temporary interruptions in an earner's employment or contracted-out employment, and for treating the employment in either case as continuing during the interruption; and
 - (d) generally as to the circumstances in which an earner's employment is or is not to be treated as having begun, or as having come to an end ;
- and references in this paragraph to an earner's employment beginning or ending shall include references to his employment becoming or ceasing to be contracted-out employment.
- 2 Regulations may enable the Occupational Pensions Board to determine, in prescribed circumstances, that an earner, or any group of earners whose employment falls within a particular category or description of contracted-out employments, has been in such employment from a date earlier than would otherwise be the case, not being, in the case of an earner within the scope of the determination, a date earlier than that on which his relevant employment began or a contracting-out certificate was issued in respect of it, whichever is the later.
- 3 Provision may be made by regulations for requiring an employer to give notice to the Secretary of State when an earner's employment becomes or ceases to be contracted-out employment and when an earner's employment in contracted-out employment begins or ends.

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Requisite benefits

- 4 (1) Regulations may, in relation to any method adopted in an occupational pension scheme for making ascertainable its requisite benefits, provide for adjusting figures so as to avoid fractional amounts and otherwise to facilitate computation.
- (2) Regulations may require employers of earners (whether or not for the time being in contracted-out employment) to notify earners and others, in the prescribed manner, of the method by which the requisite benefits of any occupational pension scheme fall to be calculated under the scheme and any regulations applicable thereto.

Modification of Part III in certain cases

- 5 (1) Regulations may modify the provisions of Part III of this Act in their application to cases in which a person is employed at the same time in two or more employments (whether or not under the same employer), being employments of which at least one is contracted-out employment but which are not all contracted-out employments, with a view to enabling the employments to be treated either separately or together for the purposes of that Part of this Act.
- (2) Regulations may modify the provisions of Part III of this Act in their application to cases in which—
- (a) any description of benefit under a scheme is subject to a limit (however imposed) operating so as to prevent service beyond a particular length from qualifying for further benefits;
 - (b) earners qualify for the benefits of a scheme by reference not only to service in contracted-out employment but also to service in the same or another employment (whether or not contracted-out employment) before the scheme was contracted-out in relation to them or their employment;
- and regulations under this paragraph may include provision for securing that in such cases an earner's employment does not cease to be contracted-out employment only because his service for the time being does not qualify him for the requisite benefits.

State scheme premiums

- 6 (1) Regulations may make provision for requiring persons to furnish the Secretary of State or the Occupational Pensions Board with such information as he or the Board may require for the purposes of sections 42 to 50 of this Act.
- (2) In relation to employed earners who, in any period of service in contracted-out employment—
- (a) have been paid earnings in any income tax week by more than one person in respect of different employments ; or
 - (b) have worked under the general control or management of a person other than their immediate employer,
- and in relation to any other case for which it appears to the Secretary of State that such provision is needed, regulations may provide that for the purposes of sections 42 to 45 of this Act the prescribed person shall be treated as the employer of any earners.
- (3) Regulations may, in relation to state scheme premiums, provide—
- (a) for dispensing with the payment of a premium where its amount would be inconsiderable ;

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- (b) for treating a premium payable in respect of any person as actually paid where the failure to pay is shown not to have been with the consent or connivance of, or attributable to any negligence on the part of, that person ;
- (c) for treating a premium wrongly paid, or paid as to the wrong amount, as paid (wholly or in part) in discharge of a liability for another premium or for contributions under Part I of the principal Act;
- (d) for the return of premiums paid in error or, in prescribed circumstances, of premiums as to which the Secretary of State is satisfied that they ought to be repaid ;
- (e) for the Secretary of State, in prescribed circumstances where a premium has been paid in respect of a person, to direct the payment out of the National Insurance Fund to that person or his estate of an amount equal to a prescribed part of die premium;
- (f) for any other matters incidental to the payment, collection or return of premiums.

Centralised schemes

- 7 (1) Regulations may modify sections 31 to 49 of this Act in their application to employments in the case of which earners under different employers qualify by virtue of their respective service in those employments for the benefits of the same occupational pension scheme.
- (2) Regulations under this paragraph may provide—
- (a) for the trustees or managers of the scheme instead of the employer to be subject to the liabilities imposed by sections 42 to 45 of this Act;
 - (b) for the adjustment (whether as a consequence of any provision made under paragraph (a) above or otherwise) of rights and liabilities as between employers, earners and the trustees or managers.

Special provisions for certain public service pension schemes

- 8 (1) In relation to employments of any class to which this paragraph applies, the Secretary of State may by regulations—
- (a) direct that elections with a view to the issue, variation or surrender of contracting-out certificates shall be made and revoked by him instead of by the employer ;
 - (b) make provision for other things which by or under Part III of this Act are required or authorised to be done by or to an employer to be done instead by or to the Secretary of State ;
 - (c) make provision for treating any employments of the class in question as employments under a single employer different from the employer in any other employment;
 - (d) make provision for the recovery by the Secretary of State of any state scheme premium from any person where it has been paid by the Secretary of State instead of by that person.
- (2) Before making any regulations under this paragraph the Secretary of State shall consult with such bodies concerned with employments of the class in question as appear to him fairly to represent the interests of the employers and earners in those employments.

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- (3) Subject to sub-paragraphs (4) and (5) below, the employments in which an earner's service qualifies him for benefit under any of the following enactments shall constitute a class to which this paragraph applies—
- Section 26 of the Fire Service Act 1947 ;
 - The Police Pensions Act 1948 ;
 - Sections 7 to 10 of the Superannuation Act 1972.
- (4) Where service in any employment would qualify a person as aforesaid under any of the enactments specified in sub-paragraph (3) above but for rules having effect under section 2 of the Superannuation (Miscellaneous Provisions) Act 1948 (persons transferring to and from certain employments), the employment shall be treated as falling within the class to which that enactment relates and as not falling within any other class to which this paragraph applies.
- (5) Where a local Act contains a provision for the payment of benefits in respect of service which but for the provision would qualify a person for such benefits under the enactments specified in sub-paragraph (3) above, that provision shall be deemed to be included among the enactments so specified.

Incidental matters

- 9 Regulations may make provision for any incidental matters connected with the provisions of Part III of this Act in relation to any employment which is, has been or may become contracted-out employment and for any incidental matters otherwise connected with the provisions of that Part or this Schedule.

SCHEDULE 3

Section 58.

PRIORITY IN BANKRUPTCY ETC

Earners' contributions to occupational pension scheme

- 1 Section 153 of the principal Act shall have effect as if the debts specified in subsection (2) of that section included any sum owed on account of an earner's contributions to an occupational pension scheme, being contributions deducted from earnings paid in the period of four months immediately preceding the date of the relevant event or otherwise due in respect of earnings paid or payable in that period.

Employer's contributions to occupational pension scheme

- 2 (1) The said section 153 shall have effect as if the debts specified in subsection (2) of that section also included any sum owed on account of an employer's contributions to a contracted-out scheme, being contributions payable—
- (a) in the period of twelve months immediately preceding the date of the relevant event; and
 - (b) in respect of earners in contracted-out employment by reference to the scheme towards the provision for those earners of guaranteed minimum pensions under the scheme.

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- (2) In so far as contributions cannot from the terms of the scheme be identified as falling within sub-paragraph (1) above, the amount of the debt having priority by virtue of that sub-paragraph shall be deemed to be an amount equal to—
- (a) 7 per cent, of the total reckonable earnings paid or payable, in the period of twelve months referred to in that sub-paragraph, to or for the benefit of non-contributing earners ; or
 - (b) 4.5 per cent, of the total reckonable earnings paid or payable in that period to or for the benefit of contributing earners.
- (3) For the purposes of sub-paragraph (2) above—
- (a) the earnings to be taken into account as reckonable earnings are those paid or payable to or for the benefit of earners in contracted-out employment (by reference to the scheme) in the whole or any part of the said period of twelve months ; and
 - (b) earners are to be identified as contributing or non-contributing in relation to service of theirs in contracted-out employment by reference to the scheme according to whether or not in the period in question they were liable under the terms of the scheme to contribute in respect of that service towards the provision of pensions under the scheme.
- (4) In this paragraph " employer " shall be construed in accordance with regulations made under section 66(3) of this Act and " reckonable earnings ", in relation to any employment, means the earner's earnings from that employment so far as those earnings—
- (a) were comprised in any payment of earnings made to him or for his benefit at a time when the employment was contracted-out employment; and
 - (b) exceeded the current lower earnings limit but not the current upper earnings limit.

State scheme premiums

- 3 (1) The said section 153 shall have effect as if the debts specified in subsection (2) of that section also included any sum owed on account of a state scheme premium payable at any time before, or in consequence of, the occurrence of the relevant event.
- (2) Where any such premium is payable in respect of a period of service of more than twelve months (taking into account any previous linked qualifying service), the amount to be paid in priority by virtue of this paragraph shall be limited to the amount of the premium that would have been payable if the service had been confined to the last twelve months taken into account in fixing the actual amount of the premium.
- (3) Where—
- (a) by virtue of this paragraph the whole or part of a premium is required to be paid in priority to other debts of the debtor or his estate ; and
 - (b) the person liable for the payment would be entitled to recover the whole or part of any sum paid on account of it from another person either under section 47 of this Act or under any provision made by the relevant scheme for the purposes of that section or otherwise,
- that other person shall be liable for any part of the premium for the time being unpaid ; but so that no person shall be liable by virtue of this sub-paragraph for an amount in excess of the sum which might thereunder be recovered from him if the premium had been paid in full by the person liable for it, after deducting from that sum any

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amount which has been or may be recovered from him in respect of any part of that payment paid otherwise than under this sub-paragraph.

- (4) The payment under sub-paragraph (3) above of any amount in respect of a premium shall have the same effect on the rights and liabilities of the person making it (other than his liabilities under that sub-paragraph) as if it had been a payment of that amount on account of the sum recoverable from him in respect of a premium as mentioned in sub-paragraph (3)(b) above.

Interpretation

- 4 In this Schedule " the relevant event" has the meaning assigned to it by Schedule 18 to the principal Act in relation to section 153(2) of that Act; and references to a contracted-out scheme, contracted-out employment and a state scheme premium include references to a contracted-out scheme, contracted-out employment and a state scheme premium within the meaning of any provisions in force in Northern Ireland and corresponding to the provisions of this Act.

SCHEDULE 4

Section 65(1), (2).

AMENDMENTS OF ENACTMENTS

PART I

CONSEQUENTIAL AND OTHER AMENDMENTS

The Bankruptcy (Scotland) Act 1913

- 1 In section 118(1) of the Bankruptcy (Scotland) Act 1913 for paragraphs (f) and (g) there shall be substituted—
- “(f) all the debts specified in section 153(2) of the Social Security Act 1975, Schedule 3 to the Social Security Pensions Act 1975 and any corresponding provisions in force in Northern Ireland”.

The Bankruptcy Act 1914

- 2 In the Bankruptcy Act 1914—
- (a) in section 33(1) for paragraphs (f) and (g) there shall be substituted—
- “(f) all debts specified in section 153(2) of the Social Security Act 1975, Schedule 3 to the Social Security Pensions Act 1975 and any corresponding provisions in force in Northern Ireland”;
- (b) in Schedule 2 to that Act, in paragraph 9 for the words " contributions or premiums payable under Part III of the Social Security Act 1973 " mere shall be substituted the words " state scheme premiums payable under Part III of the Social Security Pensions Act 1975 or any corresponding provisions in force in Northern Ireland ".

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The Companies Act 1948

- 3 In section 319(1)(e) of the Companies Act 1948 for the words from " all the debts " onwards, there shall be substituted the words " all the debts specified in section 153(2) of the Social Security Act 1975, Schedule 3 to the Social Security Pensions Act 1975 and any corresponding provisions in force in Northern Ireland ".

The Law Reform (Personal Injuries) Act 1948

- 4 In section 2(1) of the Law Reform (Personal Injuries) Act 1948 for the words "the Social Security Act 1975 or the Social Security (Northern Ireland) Act 1975 " there shall be substituted the words " the Social Security Act 1975, the Social Security Pensions Act 1975 or any corresponding provisions in force in Northern Ireland. "

The Administration of Justice Act 1964

- 5 In section 17(2)(b) of the Administration of Justice Act 1964 for the words from " together " onwards there shall be substituted the words " together with—
- (i) secondary Class 1 contributions payable in respect of those officers under Part I of the Social Security Act 1975 ; and
 - (ii) state scheme premiums so payable under Part III of the Social Security Pensions Act 1975 ".

The Family Allowances Act 1965

- 6 In section 8(3) of the Family Allowances Act 1965 after the words "the Social Security Act 1975" there shall be inserted the words " , the Social Security Pensions Act 1975 ".

The Supplementary Benefit Act 1966 (The Ministry of Social Security Act 1966)

- 7 In section 16(1)(a) of the Supplementary Benefit Act 1966 after the words " the Social Security Act 1975 " there shall be inserted the words " or Part II of the Social Security Pensions Act 1975 ".
- 8 In section 26(4) of that Act after the words " Part II of the Social Security Act 1975 " there shall be inserted the words " or Part II of the Social Security Pensions Act 1975 ".
- 9 In paragraph 24 of Schedule 2 to that Act—
- (a) after sub-paragraph (2)(d) there shall be inserted—
 - “(e) any guaranteed minimum pension within the meaning of the Social Security Pensions Act 1975”;
 - (b) in sub-paragraph (3) after the words "the Social Security Act 1975 " there shall be inserted the words " or Part II of the Social Security Pensions Act 1975 ";
 - (c) in sub-paragraphs (4) and (5) for the words "the rate specified in Part I of Schedule 4 to the Social Security Act 1975 for a widow's pension under that Act" there shall be substituted the words " the sum specified in section 6(1) (a) of the Social Security Pensions Act 1975 ".

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The Agriculture Act 1967

- 10 In section 67(3)(e) of the Agriculture Act 1967 after the words "Part U of the Social Security Act 1975" there shall be inserted the words " or Part II of the Social Security Pensions Act 1975 ".

The Rent Act 1968

- 11 In section 40(3)(a) of the Rent Act 1968 for the words " Part III of the Social Security Act 1973 " there shall be substituted the words " Part III of the Social Security Pensions Act 1975. "

The Income and Corporation Taxes Act 1970

- 12 In section 8(2)(b) of the Income and Corporation Taxes Act 1970 after the words " those Acts" there shall be inserted the words " or the Social Security Pensions Act 1975 or under any provisions in force in Northern Ireland and corresponding to the last-mentioned Act. "

The Administration of Justice Act 1970

- 13 In Schedule 4 to the Administration of Justice Act 1970 for paragraph 3 there shall be substituted—
- “3 State scheme premiums under Part III of the Social Security Pensions Act 1975.”

The Family Income Supplements Act 1970

- 14 In section 8(4) of the Family Income Supplements Act 1970 for the words " the Social Security Act 1975 " there shall be substituted the words " the Social Security Acts 1975 ".

The Attachment of Earnings Act 1971

- 15 In section 24(2) of the Attachment of Earnings Act 1971 after paragraph (e) there shall be inserted—
- “(f) guaranteed minimum pension within the meaning of the Social Security Pensions Act 1975.”
- 16 In Schedule 2 to that Act for paragraph 3 there shall be substituted—
- “3 State scheme premiums under Part III of the Social Security Pensions Act 1975.”
- 17 In Schedule 4 to that Act for the words " The [Social Security Act 1975 \(c. 14\)](#)" there shall be substituted the words " The Social Security Acts 1975 ([cc. 14 and 60](#)) ".

The Pensions (Increase) Act 1971

- 18 In section 5(3) of the Pensions (Increase) Act 1971 for the words " in relation to a particular review under section 2 above " there shall be substituted the words " for any particular purpose ".

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- 19 In section 15(4) of that Act for the words "section 1 or 2 above " there shall be substituted the words " section 1 above or section 59 of the Social Security Pensions Act 1975 ".

The Finance Act 1971

- 20 In paragraph 1(b) of Schedule 4 to the Finance Act 1971 for the words following " benefit under " there shall be substituted—

- “(i) the Social Security Act 1975,
- (ii) the Social Security Pensions Act 1975,
- (iii) the Social Security (Northern Ireland) Act 1975, or
- (iv) any provisions in force in Northern Ireland and corresponding to provisions of the Social Security Pensions Act 1975,

which is payable to the wife otherwise than by virtue (wholly or partly) of her own contributions.”

The Housing (Financial Provisions) (Scotland) Act 1972

- 21 In Schedule 2 to the Housing (Financial Provisions) (Scotland) Act 1972, in paragraph 9(2)(i) for the words "the rate specified in Schedule 4 to the Social Security Act 1975 for a widow's pension under that Act" there shall be substituted the words " the sum specified in section 6(1)(a) of the Social Security Pensions Act 1975. "

The Housing Finance Act 1972

- 22 In Schedule 3 to the Housing Finance Act 1972, in paragraph 9(2)(j) for the words "the rate specified in Schedule 4 to the Social Security Act 1975 for a widow's pension under that Act" there shall be substituted the words " the sum specified in section 6(1)(a) of the Social Security Pensions Act 1975. "

The Social Security Act 1973

- 23 In section 51(7)(a) of the Social Security Act 1973 for the word " recognised " there shall be substituted the words " contracted-out ".

- 24 In section 63 of that Act—

- (a) in subsection (4) for the words " section 51(4)(a) of this Act" there shall be substituted the words " section 40(1) of the Social Security Pensions Act 1975 (in this Act referred to as " the Pensions Act ") " ;
- (b) in subsection (6) for the word " recognition " there shall be substituted the words " contracting-out ".

- 25 In section 64 of that Act—

- (a) in subsections (3) (the concluding words), (4) and (8) after the words " this Act" there shall be inserted the words " or the Pensions Act ";
- (b) in subsection (3)(a) for the words " recognised pensionable employment" there shall be substituted the words " contracted-out employment ".

- 26 In section 66 of that Act—

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- (a) in subsection (1) after the words " this Act" there shall be inserted the words " and the Pensions Act ";
 - (b) in subsection (7)(a) for the words " recognition certificates " there shall be substituted the words " contracting-out certificates ";
 - (c) after subsection (9) there shall be inserted—
 - “(10) References in this section to the Pensions Act and contracting-out certificates shall respectively include references—
 - (a) to any provisions in force in Northern Ireland and corresponding to provisions of this Part of this Act or the Pensions Act; and
 - (b) to contracting-out certificates within the meaning of any such provisions.”
- 27 In section 67 of that Act—
- (a) in subsection (1)(a) for the words " recognition certificate " there shall be substituted the words " contracting-out certificate ";
 - (b) in subsection (4) after the words " review under this section " there shall be inserted the words " or under any corresponding provision in force in Northern Ireland ".
- 28 In section 69(2)(a) and (5) of that Act for the words " recognised " there shall be substituted the words " contracted-out ".
- 29 In section 86 of that Act—
- (a) in subsection (1)(a) after the words " this Act" there shall be inserted the words " or Part III or IV of the Pensions Act ";
 - (b) in subsection (1)(b) for the words from " under section 85(1) " onwards there shall be substituted the words " under section 60(2) of the Pensions Act falls to be determined by that Board ";
 - (c) in subsection (1)(c) for the words "either Board" in both places there shall be substituted the words " that Board ";
 - (d) in subsection (3) for the words " either Board " there shall be substituted the words " the Occupational Pensions Board ".
- 30 In section 89(1) and (3)(b) of that Act for the words from " reserve scheme contributions " onwards there shall be substituted the words " state scheme premiums ".
- 31 In section 99(1) of that Act the following definitions shall be inserted at the appropriate points—
- “‘contracted-out employment ’ and ‘contracting-out certificate ’ shall be construed in accordance with section 30 of the Pensions Act and references to a contracted-out scheme and to contracting-out shall be construed in accordance with section 32 of that Act;”
 - “‘guaranteed minimum pension ’ has the meaning given in section 26 of the Pensions Act;”
 - “‘the Pensions Act ’ means the Social Security Pensions Act 1975;”
 - “‘requisite benefits ’ has the meaning given in section 26 of the Pensions Act;”
 - “‘state scheme premium ’ means a state scheme premium under Part III of the Pensions Act or under any corresponding provision in force in Northern Ireland ;”.

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- 32 In Schedule 16 to that Act—
- (a) in paragraph 4(2) and (3) for the words " minimum benefits for recognition purposes ", " minimum personal pension " and "minimum benefits" there shall be substituted the words " requisite benefits ";
 - (b) in paragraph 7(1)(b) for the words " recognised pensionable employment" there shall be substituted the words " contracted-out employment ";
 - (c) in paragraph 9(2)(a) for the word "recognised" there shall be substituted the words " contracted-out ";
 - (d) in paragraph 23 for the words " recognised pensionable employment" there shall be substituted the words " contracted-out employment ".
- 33 In Schedule 17 to that Act, in paragraph 14, after the word "Act" there shall be inserted the words " or under any corresponding provision in force in Northern Ireland ".

The Employment and Training Act 1973

- 34 In section 12(2)(a) of the Employment and Training Act 1973 after the words " the Social Security Act 1975 " there shall be inserted the words " , the Social Security Pensions Act 1975 ".

The National Insurance Act 1974

- 35 In section 6(1) of the National Insurance Act 1974 there shall be added at the end the words " or the Social Security Pensions Act 1975. "

The Social Security Act 1975

- 36 In section 4 of the Social Security Act 1975—
- (a) in subsection (1) for the words following paragraph (b) there shall be substituted the words " and those limits shall be such amounts as may be specified for that year under section 1 of the Social Security Pensions Act 1975 (in this Act referred to as " the Pensions Act ") " ;
 - (b) in subsection (6) after the words " subject to regulations under sections 128 to 132 below" there shall be inserted the words " and to section 27 of the Pensions Act ".
- 37 In section 12(1)(f) of that Act after the words "payable to a woman by virtue of her husband's contributions" there shall be inserted the words " or payable to a man by virtue of his late wife's contributions ".
- 38 In section 13 of that Act—
- (a) in subsection (2), after paragraph (b) there shall be inserted “and
 - (c) of calculating the additional component in the rate of a long-term benefit”;
 - (b) at the beginning of subsection (3) there shall be inserted " Subject to section 3 of the Pensions Act ".
- 39 In section 14 of that Act—
- (a) for subsection (2)(c) there shall be substituted—
 - “(c) the person—

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- (i) would on that day have been entitled to a Category B retirement pension by virtue of the contributions of his deceased spouse, but
 - (ii) has made an election for the purposes of section 30(3) of this Act and has not revoked the election.”;
 - (b) for subsection (6)(a) there shall be substituted—
 - “(a) any increase under section 10(2) of or Schedule 1 to the Pensions Act;”.
- 40 In section 15 of that Act—
- (a) for subsection (2)(b) there shall be substituted—
 - “(b) the person—
 - (i) would on that day have been entitled to a Category B retirement pension by virtue of the contributions of his deceased spouse, but
 - (ii) has made an election for the purposes of section 30(3) of this Act and has not revoked the election.”;
 - (b) in subsection (3) for the words from " at the weekly rate " onwards there shall be substituted the words " at the rate specified in section 14 of the Pensions Act ";
 - (c) for subsection (4)(a) there shall be substituted—
 - “(a) any increase under section 10(2) of or Schedule 1 to the Pensions Act;”.
- 41 In section 25(1) of that Act for the words " at the weekly rate specified in relation thereto in Schedule 4, Part I, paragraph 6 " there shall be substituted the words " at the rate specified in section 13 of the Pensions Act ".
- 42 In section 26(1) of that Act for the words " at the weekly rate specified in relation thereto in Schedule 4, Part I, paragraph 7" there shall be substituted the words " at the rate specified in section 13 of the Pensions Act ".
- 43 In section 28(1) of that Act for the words "at the weekly rate specified in relation thereto in Schedule 4, Part I, paragraph 8" there shall be substituted the words " at the rate specified in section 6 of the Pensions Act ".
- 44 In section 29(7) of that Act in paragraph (a)(i) the word " lower " shall be omitted and in paragraphs (a)(ii) and (b) for the words " at the higher rate so specified " there shall be substituted the words " at the rate specified in section 7 of the Pensions Act ".
- 45 In section 30(4)(b) of that Act there shall be inserted at the end the words " or Category A with an increase by virtue of that husband's contributions under section 10(2) of the Pensions Act ".
- 46 In section 33(3) of that Act after the words " Schedule 4 to this Act" there shall be inserted " or Part II of the Pensions Act "
- 47 In section 34(1) of that Act, after paragraph (c), there shall be inserted—
- “(cc) mobility allowance”.
- 48 In section 42(3) of that Act after the words "Category A" there shall be inserted " , B ".

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- 49 In section 119(4) of that Act, after paragraph (c) there shall be inserted—
“(cc) modifying those subsections in relation to payments by way of a mobility allowance in respect of any person, where the benefit was not paid to him but to some other person on his behalf”.
- 50 In section 120 of that Act—
(a) in subsection (1) for the words " in respect of contributions " there shall be substituted the words " in respect of Class 2, 3 or 4 contributions ";
(b) in subsection (2) for the words "contributions under this Act" there shall be substituted the words " contributions of those Classes ";
(c) subsection (5)(a) shall be omitted.
- 51 In section 125(1) of that Act, for paragraph (a) there shall be substituted—
“(a) Parts I, IV and V of Schedule 4 to this Act and paragraphs 1 to 3, 4 and 5 of Part III; and”.
- 52 In section 135(2) of that Act, after paragraph (c) there shall be inserted—
“(cc) a mobility allowance”.
- 53 In section 143(1) of that Act, after paragraph (b) there shall be inserted—
“(bb) payments to or in respect of persons suffering from physical disability such that they are unable to walk or virtually unable to do so”.
- 54 In section 144(2)(c) of that Act after the words " contributions under this Act " there shall be inserted the words " or a state scheme premium under Part III of the Pensions Act ".
- 55 In section 145 of that Act—
(a) in subsection (1)(a) after the words " this Act" there shall be inserted the words " or any state scheme premiums under Part III of the Pensions Act ";
(b) in subsection (2)(e) after the word " contributions" there shall be inserted the words " or premiums ".
- 56 In section 146(1) of that Act after the words " Act to pay " there shall be inserted the words " or any state scheme premium which is payable by him under Part III of the Pensions Act ".
- 57 In section 148(1)(b) of that Act after " Revenue) " there shall be inserted the words " or of a state scheme premium ".
- 58 In section 150(1) of that Act after the word " contribution " (in both places) there shall be inserted the words " or premium ".
- 59 In section 151 of that Act—
(a) in subsection (1) for the words " reserve scheme contributions or premiums under the 1973 Act" there shall be substituted the words " state scheme premiums under Part III of the Pensions Act ";
(b) in subsection (3) for the words " reserve scheme contributions or premiums " there shall be substituted the words " state scheme premiums ".
- 60 In section 152 of that Act for subsection (8) there shall be substituted—
“(8) Sums recovered by the Secretary of State under the provisions mentioned in subsection (4) above, so far as representing state scheme premiums, are to be treated for all purposes of the Pensions Act (including in particular sections

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47 and 64(3)) as premiums paid to the Secretary of State under that Act in respect of the persons in respect of whom they were originally payable.”

61 In Schedule 1 to that Act, in paragraph 6(1)(f) for the words " section 8(3) of this Act" and " reserve scheme contributions or a reserve scheme premium " there shall be substituted respectively the words " section 5 of the Pensions Act " and " a state scheme premium ".

62 In Part I of Schedule 4 to that Act, for paragraph 9 there shall be substituted—

“9. Category B retirement pension where section 29(7)(a)(i) applies.	£6.90 ””
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63 In Part V of Schedule 4 to that Act, in paragraph 13 for the words " the weekly rate for the time being of a widow's pension as specified in Part I of this Schedule, paragraph 7" there shall be substituted the words " the sum specified in section 6(1) (a) of the Pensions Act ".

64 In Schedule 20 to that Act the following definitions shall be inserted at the appropriate points—

“ Long-term benefit '	A Category A or Category B retirement pension, a widowed mother's allowance, a widow's pension or an invalidity pension.”
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“ The Pensions Act '	The Social Security Pensions Act 1975.”
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“ Qualifying earnings factor '	An earnings factor equal to the lower earnings limit for the tax year in question multiplied by 52.”,
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and in the second column of that Schedule in the definition of " Week ", after " 45(3) " there shall be inserted " of this Act and section 35(6) of the Pensions Act ".

The Social Security (Consequential Provisions) Act 1975

65 In Schedule 3 to the Social Security (Consequential Provisions) Act 1975, in paragraph 9(1)(b) for the words " those schemes and provisions " there shall be substituted the words " that scheme ".

PART II

MINOR CORRECTIONS OF 1975 CONSOLIDATION ACTS

The Social Security Act 1975

66 In section 142(4)(b) of the Social Security Act 1975, for the words " Great Britain" and " Northern Ireland" there shall be substituted respectively the words " Northern Ireland " and " Great Britain ".

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67 In section 152(2) of that Act, for the words " Criminal Justice Act 1948 " there shall be substituted the words " Powers of Criminal Courts Act 1973 ".

The Social Security (Northern Ireland) Act 1975

68 In section 96(1) of the Social Security (Northern Ireland) Act 1975, for the words " 95(1)(a) or (b) " there shall be substituted the words " 95(1)(a) or (c) ".

69 In section 133(3)(b) of that Act, for the words " Northern Ireland " and " Great Britain " there shall be substituted respectively the words " Great Britain " and " Northern Ireland ".

70 In section 138(5) of that Act, for the word " paragraph " there shall be substituted the word " subsection ".

The Social Security (Consequential Provisions) Act 1975

71 In Schedule 3 to the Social Security (Consequential Provisions) Act 1975—

(a) for paragraph 12(4) there shall be substituted—

“(4) In paragraph 10 of this Schedule as it applies to Northern Ireland—

(a) the first reference in sub-paragraphs (a) and (b) to an Order in Council includes a reference to an order made by the Secretary of State ; and

(b) in sub-paragraph (b) the words " and any regulations having effect by virtue of section 22(2) of the Family Allowances Act " shall be omitted.”

(b) after paragraph 13(1) there shall be inserted—

“(1A) An order made by the Secretary of State, under an enactment repealed by this Act, for any purpose for which an Order in Council may be made under one of the consolidations shall not be invalidated by the repeal but shall have effect as if it were an Order in Council so made.”

(c) in paragraph 31, there shall be inserted at the end of the Table—

“The words from " by statutory instrument " onwards (in paragraph 30(2)).

The words " by statutory rule for the purposes of the Statutory Rules Act (Northern Ireland) 1958 ; and any statutory rule containing any such regulations shall be laid before the Northern Ireland Assembly after being made.”

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SCHEDULE 5

Section 65(3).

REPEALS

Chapter	Short Title	Extent of Repeal
6 & 7 Eliz. 2. c. 51.	The Public Records Act 1958.	In Schedule 1, in Part I, in the second column of the Table, the words " Reserve Pension Board ".
1970 c. 10.	The Income and Corporation Taxes Act 1970.	In section 219(3), paragraph (a) the words " or any secondary reserve scheme contribution within the meaning of the said Act of 1973"; and the words " in either case ".
1971 c. 32.	The Attachment of Earnings Act 1971.	In Schedule 3, paragraph 3(b).
1971 c. 56.	The Pensions (Increase) Act 1971.	Section 2 but without prejudice to any existing order under that section. Section 9(3), (4) and (4A).
1972 c. 11.	The Superannuation Act 1972.	Section 25.
1972 c. 48.	The Parliamentary and other Pensions Act 1972.	Section 34(2).
1972 c. 53.	The Contracts of Employment Act 1972.	In section 6, paragraph (d) together with the word " and " immediately preceding it.
1973 c. 38.	The Social Security Act 1973.	Section 1(7), (8) and (9). Section 23(1). In section 51, subsections (1), (2) and (4), in subsection (5) the words " in subsection (4) (a) above and " and subsections (6), (8) and (9). In section 52, subsections (1) to (7), in subsection (8) the words " for the purposes of recognition, and " and " other " and subsection (9). Sections 53 to 57. Section 58(1)(c), (3), (4) and (5). In section 59, in subsection (1) the words in

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Chapter	Short Title	Extent of Repeal
		<p>brackets, and subsections (2) to (9).</p> <p>Sections 60 to 62.</p> <p>Part III.</p> <p>Section 85.</p> <p>In section 86, in subsections (1), (4), (5) and (8) the word "concerned", in subsection (4), paragraph (b) together with the word "or" immediately preceding it and subsection (9).</p> <p>Section 88.</p> <p>In section 89, in subsection (3), paragraph (c); and subsection (4).</p> <p>Section 91.</p> <p>In section 92, subsections (1) and (2); in subsection (4) the words from "the recovery" onwards; and subsections (5) to (7).</p> <p>Section 93.</p> <p>In section 98, in subsection (1)(a) the words from "including" onwards, and subsection (2).</p> <p>In section 99, in subsection (1) all the definitions except those of "earnings", "employment", "Inland Revenue", "linked qualifying service", "the Northern Ireland Ministry", "occupational pension scheme", "prescribed", "public service pension scheme", "resources" and "transfer credits", and subsections (6), (7), (10), (13) and (14).</p> <p>Schedule 15.</p> <p>Schedules 18. 19 and 20.</p> <p>Schedule 22.</p>

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Chapter	Short Title	Extent of Repeal
1974 c. 9.	The Pensions (Increase) Act 1974.	<p>In Schedule 23, paragraph 5, and from paragraph 7 to the end.</p> <p>Schedule 24.</p> <p>In section 3, subsection (1) and in subsection (3)(a) the figure " 2(1) ".</p>
1974 c. 14.	The National Insurance Act 1974.	In Schedule 4, paragraphs 33 to 35.
1975 c. 14.	The Social Security Act 1975.	<p>In section 4(6)(a) the words " or 2 per cent, according to whether the earner is liable to contribute at the standard rate or the reduced rate ".</p> <p>Sections 5 and 6.</p> <p>Section 7(2) and (3).</p> <p>In section 8, in subsection (2), paragraph (b) together with the word " and " immediately preceding it, and subsection (3).</p> <p>In section 9(8)(b) the words following " pensionable age ".</p> <p>In section 27(6), the words from " but where " onwards.</p> <p>Section 28(2) to (6) and (8) (a).</p> <p>In section 29, in subsection (7)(a)(i) the word "lower" and subsections (10) to (12).</p> <p>In section 42(4)(a) the words in brackets.</p> <p>Section 120(5)(a).</p> <p>Section 130(2) and (3).</p> <p>In section 133(6), in paragraph (a) the words " the Reserve Pension Fund or" and in paragraph (b) the words " out of the Reserve Pension Fund or".</p>

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Chapter	Short Title	Extent of Repeal
1975 c. 18.	The Social Security (Consequential Provisions) Act 1975.	<p>In section 167(1)(a) the entry relating to section 5(3) and (4).</p> <p>In Schedule 4, in Part I, paragraphs 2, 6, 7 and 8.</p> <p>Schedule 7.</p> <p>In Schedule 20 the definitions of " Reserve Pension Fund", " Reserve scheme contributions " and " Reserve scheme premiums ".</p> <p>In Schedule 2, paragraphs 1(b), 2(b), 1(a), 47, 51, 53 to 57, 58 (except so much as substitutes " Ministry " for " Minister " in section 89(1) of the 1973 Act), 59 and 62 to 65.</p> <p>In Schedule 3, in paragraph 9(1)(a) the word " (respectively) " and paragraph (ii) together with the word " and " immediately preceding it.</p>
1975 c. 24.	The House of Commons Disqualification Act 1975.	<p>In Part II of Schedule 1 the words " The Reserve Pension Board ".</p>