



Social Security Pensions Act 1975

1975 CHAPTER 60

PART IV

OCCUPATIONAL PENSIONS

Other provisions

[^{F1}59A Modification of effect of section 59(5).

- (1) This section applies where the amount by reference to which an increase in an official pension is to be calculated would, but for the provisions of this section, be reduced under section 59(5) of this Act by an amount equal to the rate of a guaranteed minimum pension.
- (2) The Minister for the Civil Service may direct that in such cases or classes of case as may be specified in the direction—
 - (a) no such reduction shall be made; or
 - (b) the reduction shall be of an amount less than the rate of the guaranteed minimum pension;

and in any case to which such a direction applies the increase shall, in respect of such period or periods as may be specified in the direction, be calculated in accordance with the direction, notwithstanding section 59(5).

[Where in any tax year [^{F3}as defined in section 181(1) of the Pension Schemes Act ^{F2}(2A) 1993]—

- (a) an increase is calculated in accordance with a direction under this section; and
- (b) the amount by reference to which the increase is calculated, or any part of it, is increased in that tax year under [^{F4}section 109 of the Pension Schemes Act 1993],

the increase calculated in accordance with the direction shall be reduced by the amount of the increase under [^{F5}that section].]

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975, Section 59A. (See end of Document for details)

- (3) A direction under this section may provide that where it has applied in any case and ceases to apply in that case, the rate of the official pension for any period following the date on which the direction ceases to apply shall, in such circumstances as may be specified in the direction, be calculated as if the direction had never applied.
- (4) A direction under this section may provide that the rate of an official pension shall, in such circumstances as may be specified in the direction, be calculated as if the direction had been in force at all times during such period as may be so specified.
- (5) A direction made under subsection (2) above may be varied or revoked by a subsequent direction.]

Extent Information

- E1** Ss. 59, 59A have the same extent as the Pensions (Increase) Act 1971, in that they extend to E.W.S. only except for specified purposes for which purposes they also extend to N.I., see s. 68(3)(a) and [Pensions \(Increase\) Act 1971 \(c. 56\), s. 19](#)

Textual Amendments

- F1** [S. 59A](#) inserted by [Social Security Act 1979 \(c. 18\), s. 11\(4\)](#)
- F2** [S. 59A\(2A\)](#) inserted (with effect from 6.4.1988) by [Social Security Act 1986 \(c. 50\), s. 9\(9\)](#)
- F3** Words in [s. 59A\(2A\)](#) inserted (7.2.1994) by 1993 c. 48, s. 190, [Sch. 8 para. 9\(2\)\(a\)](#); S.I. 1994/86, [art. 2](#)
- F4** Words in [s. 59A\(2A\)](#) substituted (7.2.1994) by 1993 c. 48, s. 190, [Sch. 8 para. 9\(2\)\(b\)](#); S.I. 1994/86, [art. 2](#)
- F5** Words in [s. 59A\(2A\)](#) substituted (7.2.1994) by 1993 c. 48, s. 190, [Sch. 8 para. 9\(2\)\(c\)](#); S.I. 1994/86, [art. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the Social Security Pensions Act 1975, Section 59A.