



Social Security Act 1979

1979 CHAPTER 18

Allowances and pensions

11 Increase of official pensions.

- (1) In section 59 of the Pensions Act (increase of official pensions), in subsection (5) for the words from “a person” to “by reference” (in the second place where they occur) there is substituted—

- “(a) a person is entitled to a guaranteed minimum pension when an order under this section comes into force ; and
(b) entitlement to that guaranteed minimum pension arises from an employment from which (either directly or by virtue of the payment of a transfer credit under section 38 of this Act) entitlement to the official pension also arises ;

the amount by reference ”.

- (2) In subsection (7) of section 59, in the definition of “base period”, for the words from “the first” to the end there are substituted the words “ 13th November 1978 (date of relevant order under section 124 of the principal Act, increasing rates of benefit); ”.

- (3) At the end of section 59 there is inserted the following subsection—

“(8) Where, for the purposes of this section, it is necessary to calculate the number of complete months in any period an incomplete month shall be treated as a complete month if it consists of at least 16 days.”.

- (4) After section 59 there is inserted the following section—

“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.

Changes to legislation: There are currently no known outstanding effects for the Social Security Act 1979, Section 11. (See end of Document for details)

- (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) the 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).
- (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..”

Modifications etc. (not altering text)

- C1** The text of s. 11(1)–(4), 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

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