

SCHEDULES

SCHEDULE 1

Section 1.

OCCUPATIONAL PENSIONS REGULATORY AUTHORITY

General

- 1 The Authority shall not be regarded as the servant or agent of the Crown, or as enjoying any status, privilege or immunity of the Crown; and its property shall not be regarded as property of, or property held on behalf of, the Crown.
- 2 The Authority may do anything (except borrow money) which is calculated to facilitate the discharge of their functions, or is incidental or conducive to their discharge.

Tenure of members

- 3 Subject to the following provisions, a person shall hold and vacate office as chairman or other member of the Authority in accordance with the terms of the instrument appointing him.
- 4 If a member of the Authority becomes or ceases to be chairman, the Secretary of State may vary the terms of the instrument appointing him to be a member so as to alter the date on which he is to vacate office.
- 5 A person may at any time resign office as chairman or other member of the Authority by giving written notice of his resignation signed by him to the Secretary of State.
- 6 (1) The chairman of the Authority may at any time be removed from office by notice in writing given to him by the Secretary of State.
- (2) If a person ceases to be chairman by virtue of sub-paragraph (1), he shall cease to be a member of the Authority.
- 7 (1) If the Secretary of State is satisfied that a member of the Authority other than the chairman—
- (a) has been absent from meetings of the Authority for a period longer than three consecutive months without the Authority's permission,
 - (b) has become bankrupt or made an arrangement with his creditors, or
 - (c) is unable or unfit to discharge the functions of a member,
- the Secretary of State may remove that member by notice in writing.
- (2) In the application of sub-paragraph (1) to Scotland—
- (a) the reference to a member's having become bankrupt shall be read as a reference to sequestration of the member's estate having been awarded, and
 - (b) the reference to a member having made an arrangement with his creditors shall be read as a reference to his having made a trust deed for the behoof of his creditors or a composition contract.

Status: This is the original version (as it was originally enacted).

Expenses, remuneration, etc.

- 8 (1) The Secretary of State may pay the Authority such sums as he thinks fit towards their expenses.
- (2) The Authority may pay, or make provision for paying, to or in respect of the chairman or any other member such salaries or other remuneration, and such pensions, allowances, fees, expenses or gratuities, as the Secretary of State may determine.
- (3) Where a person ceases to be a member of the Authority otherwise than on the expiration of his term of office and it appears to the Secretary of State that there are circumstances which make it right for that person to receive compensation, the Authority may make to that person a payment of such amount as the Secretary of State may determine.

Parliamentary disqualification

- 9 In Part II of Schedule 1 to the House of Commons Disqualification Act 1975, and in Part II of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 (bodies all members of which are disqualified), there is inserted at the appropriate place—

“The Occupational Pensions Regulatory Authority”.

The Ombudsman

- 10 In the Parliamentary Commissioner Act 1967, in Schedule 2 (departments and authorities subject to investigation), there is inserted at the appropriate place—

“The Occupational Pensions Regulatory Authority”.

Staff

- 11 (1) There shall be a chief executive and, with the approval of the Secretary of State as to numbers, other employees of the Authority.
- (2) The first chief executive shall be appointed by the Secretary of State on such terms and conditions as to remuneration and other matters as the Secretary of State may determine.
- (3) Any reappointment of the first chief executive, and the appointment of the second and any subsequent chief executive, shall be made by the Authority, with the approval of the Secretary of State, on such terms and conditions as to remuneration and other matters as the Authority may, with the approval of the Secretary of State, determine.
- (4) The other employees shall be appointed by the Authority on such terms and conditions as to remuneration and other matters as the Authority may, with the approval of the Secretary of State, determine.
- (5) The Secretary of State may, on such terms as to payment by the Authority as he thinks fit, make available to the Authority such additional staff and such other facilities as he thinks fit.

Status: This is the original version (as it was originally enacted).

The Superannuation Act 1972 (c. 11)

- 12 (1) Employment with the Authority shall be included among the kinds of employment to which a scheme under section 1 of the Superannuation Act 1972 can apply, and accordingly in Schedule 1 to that Act (in which those kinds of employment are listed), at the end of the list of Other Bodies there is inserted—

“The Occupational Pensions Regulatory Authority”

- (2) The Authority must pay to the Treasury, at such times as the Treasury may direct, such sums as the Treasury may determine in respect of the increase attributable to this paragraph in the sums payable out of money provided by Parliament under the Superannuation Act 1972.

Proceedings

- 13 (1) The Secretary of State may make regulations generally as to the procedure to be followed by the Authority in the exercise of their functions and the manner in which their functions are to be exercised.

- (2) Such regulations may in particular make provision—

- (a) as to the hearing of parties, the taking of evidence and the circumstances (if any) in which a document of any prescribed description is to be treated, for the purposes of any proceedings before the Authority, as evidence, or conclusive evidence, of any prescribed matter,
- (b) as to the time to be allowed for making any application or renewed application to the Authority (whether for an order or determination of the Authority or for the review of a determination, or otherwise),
- (c) as to the manner in which parties to any proceedings before the Authority may or are to be represented for the purposes of the proceedings.

- (3) Regulations under sub-paragraph (1) may provide for enabling the Authority to summon persons—

- (a) to attend before them and give evidence (including evidence on oath) for any purposes of proceedings in connection with an occupational pension scheme,
- (b) to produce any documents required by the Authority for those purposes, or
- (c) to furnish any information which the Authority may require relating to any such scheme which is the subject matter of proceedings pending before them.

- 14 (1) The Authority may establish a committee for any purpose.

- (2) The quorum of the Authority shall be such as they may determine, and the Authority may regulate their own procedure and that of any of their committees.

- (3) The Authority may authorise the chairman or any other member, the chief executive or any committee established by the Authority to exercise such of the Authority’s functions as they may determine.

- (4) This paragraph is subject to regulations made by virtue of paragraph 13 and to section 96(5).

Status: This is the original version (as it was originally enacted).

Validity

- 15 The validity of any proceedings of the Authority, or of any of their committees, shall not be affected by any vacancy among the members or by any defect in the appointment of any member.

Accounts

- 16 (1) It shall be the duty of the Authority—
- (a) to keep proper accounts and proper records in relation to the accounts,
 - (b) to prepare in respect of each financial year of the Authority a statement of accounts, and
 - (c) to send copies of the statement to the Secretary of State and to the Comptroller and Auditor General before the end of the month of August next following the financial year to which the statement relates.
- (2) The statement of accounts shall comply with any directions given by the Secretary of State with the approval of the Treasury as to—
- (a) the information to be contained in it,
 - (b) the manner in which the information contained in it is to be presented, or
 - (c) the methods and principles according to which the statement is to be prepared,
- and shall contain such additional information as the Secretary of State may with the approval of the Treasury require to be provided for the information of Parliament.
- (3) The Comptroller and Auditor General shall examine, certify and report on each statement received by him in pursuance of this paragraph and shall lay copies of each statement and of his report before each House of Parliament.
- (4) In this paragraph, “financial year” means the period beginning with the date on which the Authority is established and ending with the next following 31st March, and each successive period of twelve months.

Other expenses

- 17 The Authority may—
- (a) pay to persons attending meetings of the Authority at the request of the Authority such travelling and other allowances (including compensation for loss of remunerative time) as the Secretary of State may determine, and
 - (b) pay to persons from whom the Authority may decide to seek advice, as being persons considered by the Authority to be specially qualified to advise them on particular matters, such fees as the Secretary of State may determine.

Fees

- 18 Regulations made by the Secretary of State may authorise the Authority to charge fees for their services in respect of the modification of an occupational pension scheme on an application made under section 69, or under any corresponding provision in force in Northern Ireland, including services in connection with the drawing up of any order of the Authority made on application.

Status: This is the original version (as it was originally enacted).

Application of seal and proof of instruments

- 19 (1) The fixing of the common seal of the Authority shall be authenticated by the signature of the secretary of the Authority or some other person authorised by them to act for that purpose.
- (2) Sub-paragraph (1) does not apply in relation to any document which is or is to be signed in accordance with the law of Scotland.
- 20 A document purporting to be duly executed under the seal of the Authority shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

SCHEDULE 2

Section 78.

PENSIONS COMPENSATION BOARD

General

- 1 The Compensation Board shall not be regarded as the servant or agent of the Crown, or as enjoying any status, privilege or immunity of the Crown; and their property shall not be regarded as property of, or property held on behalf of, the Crown.
- 2 The Compensation Board may do anything which is calculated to facilitate the discharge of their functions, or is incidental or conducive to their discharge, including in particular—
- (a) giving guarantees or indemnities in favour of any person, or
 - (b) making any other agreement or arrangement with or for the benefit of any person.

Tenure of members

- 3 Subject to the following provisions, a person shall hold and vacate office as chairman or other member of the Compensation Board in accordance with the terms of the instrument appointing him.
- 4 If a member of the Compensation Board becomes or ceases to be chairman, the Secretary of State may vary the terms of the instrument appointing him to be a member so as to alter the date on which he is to vacate office.
- 5 A person may at any time resign office as chairman or other member of the Compensation Board by giving written notice of his resignation signed by him to the Secretary of State.
- 6 The chairman or any other member of the Compensation Board may at any time be removed from office by notice in writing given to him by the Secretary of State.

Expenses, remuneration, etc.

- 7 (1) The Compensation Board may pay, or make provision for paying, to or in respect of the chairman or any other member such salaries or other remuneration, and such pensions, allowances, fees, expenses or gratuities, as the Secretary of State may determine.

Status: This is the original version (as it was originally enacted).

- (2) Where a person ceases to be a member of the Compensation Board otherwise than on the expiration of his term of office and it appears to the Secretary of State that there are circumstances which make it right for that person to receive compensation, the Compensation Board may make to that person a payment of such amount as the Secretary of State may determine.

Parliamentary disqualification

- 8 In Part II of Schedule 1 to the House of Commons Disqualification Act 1975, and in Part II of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 (bodies all members of which are disqualified), there is inserted at the appropriate place—

“The Pensions Compensation Board”.

The Ombudsman

- 9 In the Parliamentary Commissioner Act 1967, in Schedule 2 (departments and authorities subject to investigation), there is inserted at the appropriate place—

“The Pensions Compensation Board”.

Staff

- 10 (1) The Compensation Board may (with the approval of the Secretary of State as to numbers) appoint such persons to be employees of theirs as the Board think fit, on such terms and conditions as to remuneration and other matters as the Board may with the approval of the Secretary of State determine.
- (2) The Secretary of State may, on such terms as to payment by the Compensation Board as he thinks fit, make available to the Compensation Board such additional staff and such other facilities as he thinks fit.
- (3) The Pensions Ombudsman may, on such terms as to payment by the Compensation Board as he thinks fit, make available to the Compensation Board such of his employees as he thinks fit.

The Superannuation Act 1972 (c. 11)

- 11 (1) Employment with the Compensation Board shall be included among the kinds of employment to which a scheme under section 1 of the Superannuation Act 1972 can apply, and accordingly in Schedule 1 to that Act (in which those kinds of employment are listed), at the end of the list of Other Bodies there is inserted—

“The Pensions Compensation Board”.

- (2) The Compensation Board must pay to the Treasury, at such times as the Treasury may direct, such sums as the Treasury may determine in respect of the increase attributable to this paragraph in the sums payable out of money provided by Parliament under the Superannuation Act 1972.

Proceedings

- 12 The Secretary of State may make regulations generally as to the procedure to be followed by the Compensation Board in the exercise of their functions and the manner in which their functions are to be exercised.
- 13 The Compensation Board must meet at least once in the first twelve months of their existence, and at least once in each succeeding period of twelve months.
- 14 (1) The Compensation Board may (subject to sub-paragraph (2)) authorise any of their members to exercise such of the Compensation Board's functions as the Board may determine.
- (2) The Compensation Board may not authorise any of their members to—
- (a) determine whether section 81 applies to an application for compensation under section 82 in respect of any occupational pension scheme,
 - (b) determine the amount of any payment under section 83,
 - (c) determine whether any payment should be made under section 84 or the amount of any such payment, or
 - (d) exercise such functions of the Compensation Board as may be prescribed.
- (3) The quorum of the Compensation Board shall be such as they may determine, and the Board may regulate their own procedure.
- (4) The decisions of the Compensation Board must be taken by agreement of a majority of the members of the Compensation Board who are present at the meeting where the decision is taken.
- (5) This paragraph is subject to regulations made by virtue of paragraph 12.
- 15 (1) Where the Compensation Board notify any person of a decision on any matter dealt with by them by means of a formal hearing, or on review, they shall furnish a written statement of the reasons for the decision.
- (2) Any statement by the Compensation Board of their reasons for a decision, whether the statement is given by them in pursuance of this paragraph or otherwise, shall be taken to form part of the decision, and accordingly to be incorporated in the record.

Validity

- 16 The validity of any proceedings of the Compensation Board shall not be affected by any vacancy among the members or by any defect in the appointment of any member.

Accounts

- 17 (1) The Compensation Board must—
- (a) keep proper accounts and proper records in relation to the accounts,
 - (b) prepare in respect of each financial year of the Compensation Board a statement of accounts, and
 - (c) send copies of the statement to the Secretary of State and to the Comptroller and Auditor General before the end of the month of August next following the financial year to which the statement relates.
- (2) The statement of accounts must comply with any directions given by the Secretary of State with the approval of the Treasury as to—

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- (a) the information to be contained in it,
- (b) the manner in which the information contained in it is to be presented, or
- (c) the methods and principles according to which the statement is to be prepared,

and must contain such additional information as the Secretary of State may with the approval of the Treasury require to be provided for the information of Parliament.

- (3) The Comptroller and Auditor General must examine, certify and report on each statement received by him in pursuance of this paragraph and must lay copies of each statement and of his report before each House of Parliament.
- (4) In this paragraph, “financial year” means the period beginning with the date on which the Board is established and ending with the next following 5th April, and each successive period of twelve months.

Other expenses

- 18 (1) The Compensation Board may—
- (a) pay to persons attending meetings of the Compensation Board at the request of the Board such travelling and other allowances (including compensation for loss of remunerative time) as the Board may determine, and
 - (b) pay to persons from whom the Compensation Board may decide to seek advice, as being persons considered by the Board to be specially qualified to advise them on particular matters, such fees as the Board may determine.
- (2) A determination under sub-paragraph (1) requires the approval of the Secretary of State.

Application of seal and proof of instruments

- 19 (1) The fixing of the common seal of the Compensation Board shall be authenticated by the signature of the chairman of the Compensation Board or some other person authorised by them to act for that purpose.
- (2) Sub-paragraph (1) above does not apply in relation to any document which is or is to be signed in accordance with the law of Scotland.
- 20 A document purporting to be duly executed under the seal of the Compensation Board shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

SCHEDULE 3

Section 122.

AMENDMENTS CONSEQUENTIAL ON PART I

The Employment Protection (Consolidation) Act 1978 (c. 44)

- 1 The Employment Protection (Consolidation) Act 1978 is amended as follows.
- 2 In section 60A(4) (dismissal on grounds of assertion of statutory right), after paragraph (c) there is added—

Status: This is the original version (as it was originally enacted).

- “(d) the rights conferred by sections 42, 43 and 46 of the Pensions Act 1995.”
- 3 In section 71(2B) (compensation award for failure to comply with section 69 not to be made), at the end there is added “of this Act or section 46 of the Pensions Act 1995.”
- 4 In section 72(2) (special award), at the end there is added “of this Act or section 46 of the Pensions Act 1995.”
- 5 In section 73(6B) (calculation of basic award), at the end there is added “of this Act or section 46 of the Pensions Act 1995.”
- 6 In section 77(1) (interim relief), after “57A (1)(a) and (b)” there is inserted “of this Act or section 46 of the Pensions Act 1995”.
- 7 In section 77A(1) (procedure on application for interim relief), after “57A (1)(a) and (b)” there is inserted “of this Act or section 46 of the Pensions Act 1995”.
- 8 In section 133(1) (conciliation officers), after paragraph (e) there is added—
- “or
- (ea) arising out of a contravention, or alleged contravention, of section 42, 43 or 46 of the Pensions Act 1995.”
- 9 In section 136(1) (appeals to Employment Appeal Tribunal), after paragraph (f) there is added—
- “(g) the Pensions Act 1995;”
- 10 In section 138 (application of Act to Crown employment), in subsection (1), after “and section 53” there is inserted “of this Act and sections 42 to 46 of the Pensions Act 1995;”

The Insurance Companies Act 1982 (c. 50)

- 11 (1) In the Table in sub-paragraph (1) of paragraph 3 of Schedule 2B to the Insurance Companies Act 1982, after the entry relating to the Building Societies Commission there is inserted—

“The Occupational Pensions Regulatory Authority.	Functions under the Pension Schemes Act 1993 or the Pensions Act 1995, or any enactment in force in Northern Ireland corresponding to either of them.”
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- (2) In sub-paragraph (9) of that paragraph, after paragraph (b) there is added—

“or

- (c) persons involved in the operation of occupational pension schemes (within the meaning of the Pension Schemes Act 1993 or, in Northern Ireland, the Pension Schemes (Northern Ireland) Act 1993), and accordingly the “or” after paragraph (a) is omitted.

The Companies Act 1985 (c. 6)

- 12 In section 449(1) of the Companies Act 1985, after paragraph (df) there is inserted—

Status: This is the original version (as it was originally enacted).

“(dg) for the purpose of enabling or assisting the Occupational Pensions Regulatory Authority to discharge their functions under the Pension Schemes Act 1993 or the Pensions Act 1995 or any enactment in force in Northern Ireland corresponding to either of them.”.

The Bankruptcy (Scotland) Act 1985 (c. 66)

13 In section 31(1) of the Bankruptcy (Scotland) Act 1985 (vesting in permanent trustee of debtor’s estate on sequestration), after “Act” there is inserted “and section 91(3) of the Pensions Act 1995”.

14 In section 32 of that Act (vesting of estate, and dealings of debtor, after sequestration), after subsection (2) there is inserted—

“(2A) The amount allowed for the purposes specified in paragraphs (a) and (b) of subsection (2) above shall not be less than the total amount of any income received by the debtor—

- (a) by way of guaranteed minimum pension; and
- (b) in respect of his protected rights as a member of a pension scheme, “guaranteed minimum pension” and “protected rights” having the same meanings as in the Pension Schemes Act 1993.”.

The Insolvency Act 1986 (c. 45)

15 In section 310 of the Insolvency Act 1986 (income payments orders)—

- (a) in subsection (2), after “income of the bankrupt” there is inserted “when taken together with any payments to which subsection (8) applies”, and
- (b) at the end of subsection (7), there is added—

“and any payment under a pension scheme but excluding any payment to which subsection (8) applies.

(8) This subsection applies to—

- (a) payments by way of guaranteed minimum pension; and
- (b) payments giving effect to the bankrupt’s protected rights as a member of a pension scheme.

(9) In this section, “guaranteed minimum pension” and “protected rights” have the same meaning as in the Pension Schemes Act 1993.”

The Building Societies Act 1986 (c. 53)

16 In section 53(15) of the Building Societies Act 1986, after paragraph (b) there is added—

“or

- (c) persons involved in the operation of occupational pension schemes (within the meaning of the Pension Schemes Act 1993 or, in Northern Ireland, the Pension Schemes (Northern Ireland) Act 1993), and accordingly the “or” after paragraph (a) is omitted.

Status: This is the original version (as it was originally enacted).

The Financial Services Act 1986 (c. 60)

17 In section 180(1) of the Financial Services Act 1986, after paragraph (m) there is inserted—

“(mm) for the purpose of enabling or assisting the Occupational Pensions Regulatory Authority or the Pensions Compensation Board to discharge their functions under the Pension Schemes Act 1993 or the Pensions Act 1995 or any enactment in force in Northern Ireland corresponding to either of them;”

The Banking Act 1987 (c. 22)

18 (1) In the Table in subsection (1) of section 84 of the Banking Act 1987, at the end there is added—

“20. The Occupational Pensions Regulatory Authority.	Functions under the Pension Schemes Act 1993 or the Pensions Act 1995 or any enactment in force in Northern Ireland corresponding to either of them.”
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(2) In subsection (10) of that section, after paragraph (b) there is added—

“or

(c) persons involved in the operation of occupational pension schemes (within the meaning of the Pension Schemes Act 1993 or, in Northern Ireland, the Pension Schemes (Northern Ireland) Act 1993)”, and accordingly the “or” after paragraph (a) is omitted.

The Companies Act 1989 (c. 40)

19 In the Table in section 87(4) of the Companies Act 1989, after the entry relating to the Building Societies Commission there is inserted—

“The Occupational Pensions Regulatory Authority.	Functions under the Pension Schemes Act 1993 or the Pensions Act 1995 or any enactment in force in Northern Ireland corresponding to either of them.”
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The Friendly Societies Act 1992 (c. 40)

20 In the Table in section 64(5) of the Friendly Societies Act 1992, after the entry relating to the Building Societies Commission there is inserted—

“The Occupational Pensions Regulatory Authority.	Functions under the Pension Schemes Act 1993 or the Pensions Act 1995 or any enactment in force in Northern Ireland corresponding to either of them.”
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Status: This is the original version (as it was originally enacted).

The Tribunals and Inquiries Act 1992 (c. 53)

- 21 The Tribunals and Inquiries Act 1992 is amended as follows—
- (a) in section 7(2) (concurrency required for removal of tribunal members), after “(e)” there is inserted “(g) or (h)”,
 - (b) in section 10 (reasons to be given on request), at the end of subsection (5) there is added—
 - “(ba) to decisions of the Pensions Compensation Board referred to in paragraph 35(h) of Schedule 1”,
 - (c) in section 14 (restricted application of the Act in relation to certain tribunals), after subsection (1) there is inserted—
 - “(1A) In this Act—
 - (a) references to the working of the Occupational Pensions Regulatory Authority referred to in paragraph 35(g) of Schedule 1 are references to their working so far as relating to matters dealt with by them by means of a formal hearing or on review, and
 - (b) references to procedural rules for the Authority are references to regulations under—
 - (i) section 96(5) of the Pensions Act 1995 (procedure to be adopted with respect to reviews), or
 - (ii) paragraph 13 of Schedule 1 to that Act (procedure of the Authority), so far as the regulations relate to procedure on any formal hearing by the Authority.”, and
 - (d) in paragraph 35 of Schedule 1 (tribunals under the direct supervision of the Council on Tribunals: pensions), after paragraph (f) there is inserted—
 - “(g) the Occupational Pensions Regulatory Authority established by section 1 of the Pensions Act 1995;
 - (h) the Pensions Compensation Board established by section 78 of that Act”.

The Pension Schemes Act 1993 (c. 48)

- 22 The Pension Schemes Act 1993 is amended as follows.
- 23 In section 6 (registration)—
- (a) after subsection (5) there is inserted—
 - “(5A) The regulations may make provision for information obtained by or furnished to the Registrar under or for the purposes of this Act to be disclosed to the Regulatory Authority or the Pensions Compensation Board”, and
 - (b) in subsection (7), for “(5)” there is substituted “(5A)”.
- 24 Sections 77 to 80 (assignment, forfeiture etc.
of short service benefit) are repealed.
- 25 Sections 102 to 108 (annual increase in pensions in payment) are repealed.
- 26 Section 112 (restriction on investment in employer-related assets) is repealed.
- 27 Section 114 (documents for members etc.) is repealed.

Status: This is the original version (as it was originally enacted).

- 28 Section 116 (regulations as to auditors) is repealed.
- 29 Section 118 (equal access) is repealed.
- 30 Sections 119 to 122 (independent trustees) are repealed.
- 31 In section 129 (overriding requirements)—
- (a) in subsection (1), “Chapter I of Part V”, “sections 119 to 122”, “under Chapter I of Part V or” and “or sections 119 to 122” are omitted,
 - (b) in subsection (2), for the words from “Chapter III” to “section 108)” there is substituted “and Chapter III of that Part”, and
 - (c) subsection (3)(a) is omitted.
- 32 In section 132 (conformity of schemes with requirements), “the equal access requirements” is omitted.
- 33 In section 133(1) (advice of the Board), “the equal access requirements” is omitted.
- 34 In section 134 (determination of questions)—
- (a) in subsection (3), “the equal access requirements”, and
 - (b) in subsection (4), “or the equal access requirements” and “or , as the case may be, section 118(1)”, are omitted.
- 35 In section 136(2)(e)(iv) (applications to modify schemes), “or the equal access requirements” is omitted.
- 36 In section 139(2) (functions of the Board), “the equal access requirements” is omitted.
- 37 In section 140(4) (effect of orders), paragraph (c) and the “and” immediately preceding it are omitted.
- 38 Section 144 (deficiencies in assets on winding up) is repealed.
- 39 In section 153 (power to modify Act)—
- (a) in subsection (1), the words from “and Chapter I” to “section 108)” are omitted,
 - (b) subsections (3) and (4) are omitted,
 - (c) in subsection (5), “Chapter I of Part VII” is omitted, at the end of paragraph (b) there is inserted “or”, and paragraph (d) and the preceding “or” are omitted, and
 - (d) subsections (6) and (7) are omitted.
- 40 In section 154(1) (application of provisions to personal pension schemes), after “provision of this Act” there is inserted “or of sections 22 to 26 and 40 of the Pensions Act 1995”.
- 41 In section 159 (inalienability of certain pensions), after subsection (4) there is inserted—
- “(4A) Where a person—
- (a) is entitled or prospectively entitled as is mentioned in subsection (1),
or
 - (b) is entitled to such rights or to such a payment as is mentioned in subsection (4),
- no order shall be made by any court the effect of which would be that he would be restrained from receiving anything the assignment of which is or would be made void by either of those subsections.

Status: This is the original version (as it was originally enacted).

- (4B) Subsection (4A) does not prevent the making of an attachment of earnings order under the Attachment of Earnings Act 1971.”
- 42 In section 170 (determination of questions by Secretary of State), subsections (5) and (6) are omitted.
- 43 In section 178 (meaning of “trustee” and “manager”) in paragraph (a), after “Administration Act 1992” there is inserted “or of sections 22 to 26 of the Pensions Act 1995”, and the “or” after “Social Security Acts 1975 to 1991” is omitted.
- 44 In section 181 (general interpretation)—
- (a) in subsection (1)—
- (i) the definition of “equal access requirements” is omitted, and
- (ii) after the definition of “regulations” there is inserted—
- ““the Regulatory Authority” means the Occupational Pensions Regulatory Authority;”, and
- (b) in subsection (2), for the words from “160” to “requirements” there is substituted “and 160”.
- 45 In section 183 (sub-delegation), in subsection (3)—
- (a) for “97(1), 104(8) and 144(5)” there is substituted “and 97(1)”,
- (b) the words from “or, in the case of” to “determined” are omitted, and
- (c) the words following paragraph (b) are omitted.
- 46 In section 185(1) (consultation about regulations), “I or” is omitted.
- 47 In Schedule 7 (re-enactment or amendment of certain provisions not in force), paragraphs 1 and 3 are omitted.

SCHEDULE 4

Section 126.

EQUALISATION

PART I

PENSIONABLE AGES FOR MEN AND WOMEN

Rules for determining pensionable age

- 1 The following rules apply for the purposes of the enactments relating to social security, that is, the following Acts and the instruments made, or having effect as if made, under them: the Social Security Contributions and Benefits Act 1992, the Social Security Administration Act 1992 and the Pension Schemes Act 1993.

Rules

- (1) A man attains pensionable age when he attains the age of 65 years.
- (2) A woman born before 6th April 1950 attains pensionable age when she attains the age of 60.

Status: This is the original version (as it was originally enacted).

- (3) A woman born on any day in a period mentioned in column 1 of the following table attains pensionable age at the commencement of the day shown against that period in column 2.
(4) A woman born after 5th April 1955 attains pensionable age when she attains the age of 65.

TABLE

<i>(1) Period within which woman's birthday falls</i>	<i>(2) Day pensionable age attained</i>
6th April 1950 to 5th May 1950	6th May 2010
6th May 1950 to 5th June 1950	6th July 2010
6th June 1950 to 5th July 1950	6th September 2010
6th July 1950 to 5th August 1950	6th November 2010
6th August 1950 to 5th September 1950	6th January 2011
6th September 1950 to 5th October 1950	6th March 2011
6th October 1950 to 5th November 1950	6th May 2011
6th November 1950 to 5th December 1950	6th July 2011
6th December 1950 to 5th January 1951	6th September 2011
6th January 1951 to 5th February 1951	6th November 2011
6th February 1951 to 5th March 1951	6th January 2012
6th March 1951 to 5th April 1951	6th March 2012
6th April 1951 to 5th May 1951	6th May 2012
6th May 1951 to 5th June 1951	6th July 2012
6th June 1951 to 5th July 1951	6th September 2012
6th July 1951 to 5th August 1951	6th November 2012
6th August 1951 to 5th September 1951	6th January 2013
6th September 1951 to 5th October 1951	6th March 2013
6th October 1951 to 5th November 1951	6th May 2013
6th November 1951 to 5th December 1951	6th July 2013
6th December 1951 to 5th January 1952	6th September 2013
6th January 1952 to 5th February 1952	6th November 2013
6th February 1952 to 5th March 1952	6th January 2014
6th March 1952 to 5th April 1952	6th March 2014
6th April 1952 to 5th May 1952	6th May 2014
6th May 1952 to 5th June 1952	6th July 2014
6th June 1952 to 5th July 1952	6th September 2014
6th July 1952 to 5th August 1952	6th November 2014
6th August 1952 to 5th September 1952	6th January 2015

Status: This is the original version (as it was originally enacted).

<i>(1) Period within which woman's birthday falls</i>	<i>(2) Day pensionable age attained</i>
6th September 1952 to 5th October 1952	6th March 2015
6th October 1952 to 5th November 1952	6th May 2015
6th November 1952 to 5th December 1952	6th July 2015
6th December 1952 to 5th January 1953	6th September 2015
6th January 1953 to 5th February 1953	6th November 2015
6th February 1953 to 5th March 1953	6th January 2016
6th March 1953 to 5th April 1953	6th March 2016
6th April 1953 to 5th May 1953	6th May 2016
6th May 1953 to 5th June 1953	6th July 2016
6th June 1953 to 5th July 1953	6th September 2016
6th July 1953 to 5th August 1953	6th November 2016
6th August 1953 to 5th September 1953	6th January 2017
6th September 1953 to 5th October 1953	6th March 2017
6th October 1953 to 5th November 1953	6th May 2017
6th November 1953 to 5th December 1953	6th July 2017
6th December 1953 to 5th January 1954	6th September 2017
6th January 1954 to 5th February 1954	6th November 2017
6th February 1954 to 5th March 1954	6th January 2018
6th March 1954 to 5th April 1954	6th March 2018
6th April 1954 to 5th May 1954	6th May 2018
6th May 1954 to 5th June 1954	6th July 2018
6th June 1954 to 5th July 1954	6th September 2018
6th July 1954 to 5th August 1954	6th November 2018
6th August 1954 to 5th September 1954	6th January 2019
6th September 1954 to 5th October 1954	6th March 2019
6th October 1954 to 5th November 1954	6th May 2019
6th November 1954 to 5th December 1954	6th July 2019
6th December 1954 to 5th January 1955	6th September 2019
6th January 1955 to 5th February 1955	6th November 2019
6th February 1955 to 5th March 1955	6th January 2020
6th March 1955 to 5th April 1955	6th March 2020

PART II

ENTITLEMENT TO CERTAIN PENSION AND OTHER BENEFITS

Pension increases for dependent spouses

- 2 (1) For sections 83 and 84 of the Social Security Contributions and Benefits Act 1992 (pension increases for dependent wife or husband) there is substituted—

“83A Pension increase for spouse.

- (1) Subject to subsection (3) below, the weekly rate of a Category A or Category C retirement pension payable to a married pensioner shall, for any period mentioned in subsection (2) below, be increased by the amount specified in relation to the pension in Schedule 4, Part IV, column (3).
- (2) The periods referred to in subsection (1) above are—
- (a) any period during which the pensioner is residing with the spouse, and
 - (b) any period during which the pensioner is contributing to the maintenance of the spouse at a weekly rate not less than the amount so specified, and the spouse does not have weekly earnings which exceed that amount.
- (3) Regulations may provide that for any period during which the pensioner is residing with the spouse and the spouse has earnings there shall be no increase of pension under this section”.
- (2) This paragraph shall have effect on or after 6th April 2010.

Category B retirement pensions

- 3 (1) For sections 49 and 50 of the Social Security Contributions and Benefits Act 1992 (Category B retirement pensions for women) there is substituted—

“48A Category B retirement pension for married person.

- (1) A person who—
- (a) has attained pensionable age, and
 - (b) on attaining that age was a married person or marries after attaining that age,
- shall be entitled to a Category B retirement pension by virtue of the contributions of the other party to the marriage (“the spouse”) if the following requirement is met.
- (2) The requirement is that the spouse—
- (a) has attained pensionable age and become entitled to a Category A retirement pension, and
 - (b) satisfies the conditions specified in Schedule 3, Part I, paragraph 5.
- (3) During any period when the spouse is alive, a Category B retirement pension payable by virtue of this section shall be payable at the weekly rate specified in Schedule 4, Part I, paragraph 5.

Status: This is the original version (as it was originally enacted).

- (4) During any period after the spouse is dead, a Category B retirement pension payable by virtue of this section shall be payable at a weekly rate corresponding to—
- (a) the weekly rate of the basic pension, plus
 - (b) half of the weekly rate of the additional pension,
- determined in accordance with the provisions of sections 44 to 45A above as they apply in relation to a Category A retirement pension, but subject to section 46(2) above and the modification in section 48C(4) below.
- (5) A person's Category B retirement pension payable by virtue of this section shall not be payable for any period falling before the day on which the spouse's entitlement is to be regarded as beginning for that purpose by virtue of section 5(1)(k) of the Administration Act.

48B Category B retirement pension for widows and widowers.

- (1) A person ("the pensioner") whose spouse died—
- (a) while they were married, and
 - (b) after the pensioner attained pensionable age,
- shall be entitled to a Category B retirement pension by virtue of the contributions of the spouse if the spouse satisfied the conditions specified in Schedule 3, Part I, paragraph 5.
- (2) A Category B retirement pension payable by virtue of subsection (1) above shall be payable at a weekly rate corresponding to—
- (a) the weekly rate of the basic pension, plus
 - (b) half of the weekly rate of the additional pension,
- determined in accordance with the provisions of sections 44 to 45A above as they apply in relation to a Category A retirement pension, but subject to section 46(2) above and the modifications in subsection (3) below and section 48C(4) below.
- (3) Where the spouse died under pensionable age, references in the provisions of sections 44 to 45A above as applied by subsection (2) above to the tax year in which the pensioner attained pensionable age shall be taken as references to the tax year in which the spouse died.
- (4) A person who has attained pensionable age ("the pensioner") whose spouse died before the pensioner attained that age shall be entitled to a Category B retirement pension by virtue of the contributions of the spouse if—
- (a) where the pensioner is a woman, the following condition is satisfied, and
 - (b) where the pensioner is a man, the following condition would have been satisfied on the assumption mentioned in subsection (7) below.
- (5) The condition is that the pensioner—
- (a) is entitled (or is treated by regulations as entitled) to a widow's pension by virtue of section 38 above, and
 - (b) became entitled to that pension in consequence of the spouse's death.
- (6) A Category B retirement pension payable by virtue of subsection (4) above shall be payable—

Status: This is the original version (as it was originally enacted).

- (a) where the pensioner is a woman, at the same weekly rate as her widow's pension, and
 - (b) where the pensioner is a man, at the same weekly rate as that of the pension to which he would have been entitled by virtue of section 38 above on the assumption mentioned in subsection (7) below.
- (7) The assumption referred to in subsections (4) and (6) above is that a man is entitled to a pension by virtue of section 38 above on the same terms and conditions, and at the same rate, as a woman.

48C Category B retirement pension: general.

- (1) Subject to the provisions of this Act, a person's entitlement to a Category B retirement pension shall begin on the day on which the conditions of entitlement become satisfied and shall continue for life.
 - (2) In any case where—
 - (a) a person would, apart from section 43(1) above, be entitled both to a Category A and to a Category B retirement pension, and
 - (b) section 47(1) above would apply for the increase of the Category A retirement pension,section 47(1) above shall be taken as applying also for the increase of the Category B retirement pension, subject to reduction or extinguishment of the increase by the application of section 47(2) above or section 46(5) of the Pensions Act.
 - (3) In the case of a pensioner whose spouse died on or before 5th April 2000, sections 48A(4)(b) and 48B(2)(b) above shall have effect with the omission of the words "half of".
 - (4) In the application of the provisions of sections 44 to 45A above by virtue of sections 48A(4) or 48B(2) above, references in those provisions to the pensioner shall be taken as references to the spouse".
- (2) Section 48A of that Act (as inserted by this paragraph) does not confer a right to a Category B retirement pension on a man by reason of his marriage to a woman who was born before 6th April 1950.
- (3) Section 48B of that Act (as inserted by this paragraph) does not confer a right to a Category B retirement pension on a man who attains pensionable age before 6th April 2010; and section 51 of that Act does not confer a right to a Category B retirement pension on a man who attains pensionable age on or after that date.

Home responsibilities protection

- 4
- (1) In paragraph 5 of Schedule 3 to the Social Security Contributions and Benefits Act 1992 (contribution conditions for entitlement to retirement pension), in subparagraph (7)(a) (condition that contributor must have paid or been credited with contributions of the relevant class for not less than the requisite number of years modified in the case of those precluded from regular employment by responsibilities at home), "(or at least 20 of them, if that is less than half)" is omitted.
 - (2) This paragraph shall have effect in relation to any person attaining pensionable age on or after 6th April 2010.

Status: This is the original version (as it was originally enacted).

Additional pension

- 5 In section 46(2) of the Social Security Contributions and Benefits Act 1992 (benefits calculated by reference to Category A retirement pension), for the words following “45(4)(b) above-” there is substituted—

““N” =

- (a) the number of tax years which begin after 5th April 1978 and end before the date when the entitlement to the additional pension commences, or
- (b) the number of tax years in the period—
 - (i) beginning with the tax year in which the deceased spouse (“S”) attained the age of 16 or if later 1978-79, and
 - (ii) ending immediately before the tax year in which S would have attained pensionable age if S had not died earlier,
 whichever is the smaller number”.

Increments

- 6 (1) In section 54(1) of the Social Security Contributions and Benefits Act 1992 (election to defer right to pension), in paragraph (a), the words from “but” to “70” are omitted.
- (2) In Schedule 5 to that Act—
- (a) in paragraph 2(2), the definition of “period of enhancement” (and the preceding “and”) are omitted, and
 - (b) for “period of enhancement” (in every other place in paragraphs 2 and 3 where it appears) there is substituted “period of deferment”.
- (3) In paragraph 2(3) of that Schedule, for “1/7th per cent.” there is substituted “1/5th per cent.”
- (4) In paragraph 8 of that Schedule, sub-paragraphs (1) and (2) are omitted.
- (5) Sub-paragraph (1) above shall come into force on 6th April 2010; and sub-paragraphs (2) to (4) above shall have effect in relation to incremental periods beginning on or after that date.

Graduated retirement benefit

- 7 In section 62(1) of the Social Security Contributions and Benefits Act 1992 (graduated retirement benefit continued in force by regulations)—
- (a) in paragraph (a), for “replacing section 36(4) of the National Insurance Act 1965” there is substituted “amending section 36(2) of the National Insurance Act 1965 (value of unit of graduated contributions) so that the value is the same for women as it is for men and for replacing section 36(4) of that Act”, and
 - (b) at the end of paragraph (b) there is added “and for that section (except subsection (5)) so to apply as it applies to women and their late husbands”.

Christmas bonus for pensioners

- 8 In section 149(4) of that Act (Christmas bonus: supplementary), for “70 in the case of a man or 65 in the case of a woman” there is substituted “65”.

PART III

CONSEQUENTIAL AMENDMENTS

Pensionable age

- 9 In section 50 of the London Regional Transport Act 1984 (travel concessions), for subsection (7)(a) there is substituted—
- “(a) persons who have attained pensionable age (within the meaning given by the rules in paragraph 1 of Schedule 4 to the Pensions Act 1995)”.
- 10 In section 93 of the Transport Act 1985 (travel concessions), for subsection (7)(a) there is substituted—
- “(a) persons who have attained pensionable age (within the meaning given by the rules in paragraph 1 of Schedule 4 to the Pensions Act 1995)”.
- 11 In section 73B(2)(b)(ii) of the Housing (Scotland) Act 1987 (rent loan scheme), for “of the Social Security Act 1975” there is substituted “given by the rules in paragraph 1 of Schedule 4 to the Pensions Act 1995”.
- 12 In the Income and Corporation Taxes Act 1988—
- (a) in section 187(2) (interpretation), the definition of “pensionable age” is omitted,
- (b) in the words following paragraph (d) of paragraph 2 of Schedule 10 (retention of shares in connection with profit sharing schemes), for “to pensionable age” there is substituted “in the case of a man, to the age of 65, and in the case of a woman, to the age of 60”.
- (c) in sub-paragraph (2) of paragraph 3A of that Schedule, for “pensionable age” there is substituted—
- “(a) in the case of a man, 65, and
(b) in the case of a woman, 60.”, and
- (d) in sub-paragraph (4) of that paragraph, for “pensionable age” there is substituted “in the case of a man, 65, and in the case of a woman, 60.”
- 13 In the Social Security Contributions and Benefits Act 1992—
- (a) in section 122(1) (interpretation of Parts I to VI), for the definition of “pensionable age” there is substituted—
- ““pensionable age” has the meaning given by the rules in paragraph 1 of Schedule 4 to the Pensions Act 1995”, and
- (b) in section 150(2) (interpretation of Part X), for the definition of “pensionable age” there is substituted—
- ““pensionable age” has the meaning given by the rules in paragraph 1 of Schedule 4 to the Pensions Act 1995”.
- 14 In section 191 of the Social Security Administration Act 1992 (interpretation), for the definition of “pensionable age” there is substituted—
- ““pensionable age” has the meaning given by the rules in paragraph 1 of Schedule 4 to the Pensions Act 1995”.

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- 15 In section 58 of the Trade Union and Labour Relations (Consolidation) Act 1992 (exemption from requirement for election), in subsection (3)(b), for the words following “pensionable age” there is substituted “(within the meaning given by the rules in paragraph 1 of Schedule 4 to the Pensions Act 1995)”.
- 16 For section 49 of the Pension Schemes Act 1993 (married women and widows), including the cross heading preceding it, there is substituted—

“Women, married women and widows

49 Women, married women and widows.

The Secretary of State may make regulations modifying, in such manner as he thinks proper—

- (a) this Chapter in its application to women born on or after 6th April 1950, and
- (b) sections 41, 42, 46(1), 47(2) and (5) and 48, in their application to women who are or have been married”.
- 17 In section 181(1) of that Act (interpretation), for the definition of “pensionable age” there is substituted—

““pensionable age”—

- (a) so far as any provisions (other than sections 46 to 48) relate to guaranteed minimum pensions, means the age of 65 in the case of a man and the age of 60 in the case of a woman, and
- (b) in any other case, has the meaning given by the rules in paragraph 1 of Schedule 4 to the Pensions Act 1995”.

Pension increases for dependent spouses

- 18 In the Social Security Contributions and Benefits Act 1992—
- (a) in section 25(6)(c) (unemployment benefit), for “83” there is substituted “83A”,
- (b) in section 30B(3) (incapacity benefit: rate, inserted by the Social Security (Incapacity for Work) Act 1994), for “83” there is substituted “83A”,
- (c) in section 78(4)(d) (benefits for the aged), for “83” there is substituted “83A”,
- (d) in section 85(4) (pension increase: care of children), for “83(3)” there is substituted “83A(3)”,
- (e) in section 88 (pension increase: supplementary), for “83” there is substituted “83A”,
- (f) in section 114(4) (persons maintaining dependants, etc.), for “84” there is substituted “83A”, and
- (g) in section 149(3)(b) (Christmas bonus), for “83(2) or (3)” there is substituted “83A(2) or (3)”.
- 19 In the Social Security (Incapacity for Work) Act 1994, in Schedule 1, paragraphs 20 and 21 are omitted.
- 20 Paragraphs 18 and 19 shall have effect on or after 6th April 2010.

Category B retirement pensions

- 21 (1) In section 20(1)(f) of the Social Security Contributions and Benefits Act 1992 (general description of benefits), for sub-paragraph (ii) there is substituted—
- “(ii) Category B, payable to a person by virtue of the contributions of a spouse (with increase for child dependants)”.
- (2) In section 25(6) of that Act, in paragraph (b), for “(for married women) under section 53(2)” there is substituted “(for married people) under section 51A(2)”.
- (3) In section 30B of that Act (incapacity benefit), in paragraph (a) of the proviso to subsection (3), for “(for married women) under section 53(2)” there is substituted “(for married people) under section 51A(2)”.
- (4) In section 41(5)(a) of that Act (long-term incapacity benefit for widowers), for “section 51 below” there is substituted “the contributions of his wife”.
- (5) In section 46(2) of that Act (calculation of additional pension in certain benefits), for “50(3)” there is substituted “48A(4) or 48B(2)”.
- (6) After section 51 of that Act there is inserted—

“51A Special provision for married people.

- (1) This section has effect where, apart from section 43(1) above, a married person would be entitled both—
- (a) to a Category A retirement pension, and
- (b) to a Category B retirement pension by virtue of the contributions of the other party to the marriage.
- (2) If by reason of a deficiency of contributions the basic pension in the Category A retirement pension falls short of the weekly rate specified in Schedule 4, Part I, paragraph 5, that basic pension shall be increased by the lesser of—
- (a) the amount of the shortfall, or
- (b) the amount of the weekly rate of the Category B retirement pension.
- (3) This section does not apply in any case where both parties to the marriage attained pensionable age before 6th April 1979”, and section 53 of that Act (special provision for married women) is omitted.
- (7) In section 52 of that Act (special provision for surviving spouses), for subsection (1) (b) there is substituted—
- “(b) to a Category B retirement pension by virtue of the contributions of a spouse who has died”.
- (8) In section 54 of that Act (supplemental provisions), for subsection (3) there is substituted—
- “(3) Where both parties to a marriage (call them “P” and “S”) have become entitled to retirement pensions and—
- (a) P’s pension is Category A, and
- (b) S’s pension is—
- (i) Category B by virtue of P’s contributions, or

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(ii) Category A with an increase under section 51A(2) above by virtue of P's contributions,

P shall not be entitled to make an election in accordance with regulations made under subsection (1) above without S's consent, unless that consent is unreasonably withheld".

(9) In section 60 of that Act (complete or partial failure to satisfy contribution conditions)

-
- (a) in subsection (2), for "him" (in paragraph (b)) there is substituted "the employed earner" and for "his widow's entitlement" there is substituted "the entitlement of the employed earner's widow or widower", and
- (b) for subsection (3)(d) there is substituted—
- “(d) a Category B retirement pension payable by virtue of section 48B above”.

(10) In section 85 of that Act (pension increase for person with care of children), in subsection (3), for "man whose wife" there is substituted "person whose spouse".

(11) In Schedule 4 to that Act (rates of benefit, etc.), in paragraph 5 of Part I, for "section 50(1)(a)(i)" there is substituted "section 48A(3)".

(12) In Schedule 5 to that Act (increased pension where entitlement deferred), in paragraph 2(5)(a), for "5 or 6" there is substituted "5, 5A or 6".

(13) In paragraph 4 of that Schedule, for sub-paragraphs (1) and (2) there is substituted—

- “(1) Subject to sub-paragraph (3) below, where—
- (a) a widow or widower (call that person "W") is entitled to a Category A or Category B retirement pension and was married to the other party to the marriage (call that person "S") when S died, and
- (b) S 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 S's period of deferment had ended on the day before S's death,
- the rate of W's pension shall be increased by an amount equal to the increase to which S was or would have been entitled under this Schedule apart from paragraphs 5 to 6”.

(14) Paragraph 4(1) of that Schedule (as inserted by sub-paragraph (13) above) shall have effect where W is a man who attains pensionable age before 6th April 2010 as if paragraph (a) also required him to have been over pensionable age when S died.

(15) For paragraphs 5 and 6 of that Schedule there is substituted—

- “5 (1) Where—
- (a) a widow or widower (call that person "W") is entitled to a Category A or Category B retirement pension and was married to the other party to the marriage (call that person "S") when S died, and
- (b) S either—
- (i) was entitled to a guaranteed minimum pension with an increase under section 15(1) of the Pensions Act, or

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- (ii) would have been so entitled if S had retired on the date of S's death,
the rate of W's pension shall be increased by the following amount.
- (2) The amount is—
- (a) where W is a widow, an amount equal to the sum of the amounts set out in paragraph 5A(2) or (3) below (as the case may be), and
 - (b) where W is a widower, an amount equal to the sum of the amounts set out in paragraph 6(2), (3) or (4) below (as the case may be).
- 5A (1) This paragraph applies where W (referred to in paragraph 5 above) is a widow.
- (2) Where the husband dies before 6th April 2000, the amounts referred to in paragraph 5(2)(a) above are the following—
- (a) an amount equal to one-half of the increase mentioned in paragraph 5(1)(b) above,
 - (b) the appropriate amount, and
 - (c) an amount equal to any increase to which the husband had been entitled under paragraph 5 above.
- (3) Where the husband dies after 5th April 2000, the amounts referred to in paragraph 5(2)(a) above are the following—
- (a) one-half of the appropriate amount after it has been reduced by the amount of any increases under section 109 of the Pensions Act, and
 - (b) one-half of any increase to which the husband had been entitled under paragraph 5 above.
- 6 (1) This paragraph applies where W (referred to in paragraph 5 above) is a widower.
- (2) Where the wife dies before 6th April 1989, the amounts referred to in paragraph 5(2)(b) above are the following—
- (a) an amount equal to the increase mentioned in paragraph 5(1)(b) above,
 - (b) the appropriate amount, and
 - (c) an amount equal to any increase to which the wife had been entitled under paragraph 5 above.
- (3) Where the wife dies after 5th April 1989 but before 6th April 2000, the amounts referred to in paragraph 5(2)(b) above are the following—
- (a) the increase mentioned in paragraph 5(1)(b) above, so far as attributable to employment before 6th April 1988,
 - (b) one-half of that increase, so far as attributable to employment after 5th April 1988,
 - (c) the appropriate amount reduced by the amount of any increases under section 109 of the Pensions Act, and
 - (d) any increase to which the wife had been entitled under paragraph 5 above.

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- (4) Where the wife dies after 5th April 2000, the amounts referred to in paragraph 5(2)(b) above are the following—
- (a) one-half of the increase mentioned in paragraph 5(1)(b) above, so far as attributable to employment before 6th April 1988,
 - (b) one-half of the appropriate amount after it has been reduced by the amount of any increases under section 109 of the Pensions Act, and
 - (c) one-half of any increase to which the wife had been entitled under paragraph 5 above”.
- (16) Paragraph 5(1) of that Schedule (inserted by sub-paragraph (15) above) shall have effect, where W is a man who attained pensionable age before 6th April 2010, as if paragraph (a) also required him to have been over pensionable age when S died.
- (17) In paragraph 7 of that Schedule—
- (a) in sub-paragraph (1), for “paragraphs 5 and 6” there is substituted “paragraphs 5 to 6”, and
 - (b) in sub-paragraph (2), for “paragraph 5 or 6” there is substituted “paragraph 5, 5A or 6”.
- (18) In paragraph 8 of that Schedule, for sub-paragraphs (3) and (4) there is substituted—
- “(3) In the case of the following pensions (where “P” is a married person and “S” is the other party to the marriage), that is—
- (a) a Category B retirement pension to which P is entitled by virtue of the contributions of S, or
 - (b) P’s Category A retirement pension with an increase under section 51A(2) above attributable to the contributions of S,
- the reference in paragraph 2(3) above to the pension to which a person would have been entitled if that person’s entitlement had not been deferred shall be construed as a reference to the pension to which P would have been entitled if neither P’s nor S’s entitlement to a retirement pension had been deferred.
- (4) Paragraph 4(1)(b) above shall not apply to a Category B retirement pension to which S was or would have been entitled by virtue of W’s contributions (“W” and “S” having the same meaning as in paragraph 4(1)); and where the Category A retirement pension to which S was or would have been entitled includes an increase under section 51A(2) above attributable to W’s contributions, the increase to which W is entitled under that paragraph shall be calculated as if there had been no increase under that section”.
- 22 In section 46 of the Pension Schemes Act 1993 (effect of entitlement to guaranteed minimum pension on payment of benefits), in subsection (6)(b)(iii), for “section 49” there is substituted “section 48A or 48B”.

SCHEDULE 5

Section 151.

AMENDMENTS RELATING TO PART III

The Public Records Act 1958 (c. 51)

- 1 In Schedule 1 to the Public Records Act 1958 (definition of “Public Record”), in the Table—
- (a) in Part I, the entry relating to the Occupational Pensions Board is omitted, and
 - (b) in Part II—
 - (i) after the entry relating to the Nature Conservancy Council for England, there is inserted—

“Occupational Pensions Regulatory Authority.”, and
 - (ii) after the entry relating to the Office of the Director General of Fair Trading, there is inserted—

“ Pensions Compensation Board.”

The Administration of Justice Act 1970 (c. 31)

- 2 In Schedule 4 to the Administration of Justice Act 1970 (taxes, social insurance contributions, etc. subject to special enforcement provisions), in paragraph 3, for “State scheme premiums” there is substituted “Contributions equivalent premiums”.

The Attachment of Earnings Act 1971 (c. 31)

- 3 In Schedule 2 to the Attachment of Earnings Act 1971 (taxes, social security contributions, etc. relevant for purposes of section 3(6)), in paragraph 3, for “State scheme premiums” there is substituted “Contributions equivalent premiums”.

The House of Commons Disqualification Act 1975 (c. 24)

- 4 In Part II of Schedule 1 to the House of Commons Disqualification Act 1975 (bodies of which all members are disqualified), the entry relating to the Occupational Pensions Board is omitted.

The Northern Ireland Assembly Disqualification Act 1975 (c. 25)

- 5 In Part II of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 (bodies of which all members are disqualified), the entry relating to the Occupational Pensions Board is omitted.

The Social Security Pensions Act 1975 (c. 60)

- 6 (1) In section 61 of the Social Security Pensions Act 1975 (consultation about regulations) for the words from “refer the proposals” in subsection (2) to the end of subsection (3) there is substituted “consult such persons as he may consider appropriate”.

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- (2) In section 61B(1) of that Act (orders and regulations: general provisions), “except any power of the Occupational Pensions Board to make orders” is omitted.
- (3) In section 64(3) of that Act (expenses and receipts), for “state scheme premium” there is substituted “contributions equivalent premium”.

The European Parliament (Pay and Pensions) Act 1979 (c. 50)

- 7 In section 6(4) of the European Parliament (Pay and Pensions) Act 1979 (provision for payment of block transfer value into another pension scheme), “and the Occupational Pensions Board” is omitted.

The Justices of the Peace Act 1979 (c. 55)

- 8 In section 55(6)(b)(ii) of the Justices of the Peace Act 1979 (duties of local authorities), for “state scheme premiums” there is substituted “contributions equivalent premiums”.

The Judicial Pensions Act 1981 (c. 20)

- 9 In section 14A(2) of the Judicial Pensions Act 1981 (modifications of that Act in relation to personal pensions), in the definition of “personal pension scheme”, for the words from “by” to the end there is substituted “in accordance with section 7 of the Pension Schemes Act 1993;”.

The Insurance Companies Act 1982 (c. 50)

- 10 In the Table in paragraph 3(1) of Schedule 2B to the Insurance Companies Act 1982 (restriction on disclosure of information), the entry relating to the Occupational Pensions Board is omitted.

The Companies Act 1985 (c. 6)

- 11 In Schedule 2 to the Companies Act 1985 (interpretation of references to “beneficial interest”), in paragraphs 3(2)(b) and 7(2)(b), for “state scheme premium” there is substituted “contributions equivalent premium”.

The Income and Corporation Taxes Act 1988 (c. 1)

- 12 (1) In section 649 of the Income and Corporation Taxes Act 1988 (minimum contributions towards approved personal pension schemes), in subsection (2), for the definition of “the employee’s share” there is substituted—

“‘the employee’s share’ of minimum contributions is the amount that would be the minimum contributions if, for the reference in section 45(1) of the Pension Schemes Act 1993 to the appropriate age-related percentage, there were substituted a reference to the percentage mentioned in section 41(1A)(a) of that Act”.

- (2) This paragraph does not extend to Northern Ireland.

Status: This is the original version (as it was originally enacted).

The Social Security Act 1989 (c. 24)

- 13 (1) Section 29(7) of the Social Security Act 1989 (regulations and orders) is omitted.
(2) In Schedule 5 to that Act (equal treatment in employment related schemes for pensions etc.), paragraph 4 is omitted.

The Social Security Contributions and Benefits Act 1992 (c. 4)

- 14 In Schedule 1 to the Social Security Contributions and Benefits Act 1992 (supplementary provisions), in paragraph 8(1)(g), for “state scheme premium” there is substituted “contributions equivalent premium”.

The Social Security Administration Act 1992 (c. 5)

- 15 (1) The Social Security Administration Act 1992 is amended as follows.
(2) In section 110 (appointment and powers of inspectors)—
(a) in subsections (2)(c)(ii) and (6)(a)(ii), for “state scheme premium” there is substituted “contributions equivalent premium”, and
(b) in subsection (7)(e)(i), for “state scheme premiums” there is substituted “contributions equivalent premiums”.
(3) In section 120 (proof of previous offences), in subsections (3) and (4), for “state scheme premiums” there is substituted “contributions equivalent premiums”.
(4) In Schedule 4 (persons employed in social security administration etc.), the entries in Part I relating to the Occupational Pensions Board are omitted.

The Tribunals and Inquiries Act 1992 (c. 53)

- 16 (1) The Tribunals and Inquiries Act 1992 is amended as follows.
(2) In section 7(2) (concurrence needed for removal of members of certain tribunals), “(d) or” is omitted.
(3) In section 10(5) (reasons to be given for decisions of tribunals and Ministers), paragraph (c) is omitted.
(4) In section 13(5)(a) (power to amend), “and (d)” is omitted.
(5) In section 14 (restricted application of Act in relation to certain tribunals), subsection (2) is omitted.
(6) In Schedule 1 (Tribunals under the direct supervision of the Council on Tribunals), paragraph 35(d) is omitted.

The Judicial Pensions and Retirement Act 1993 (c. 8)

- 17 In section 13(9) of the Judicial Pensions and Retirement Act 1993 (election for personal pension), in the definition of “personal pension scheme”, “by the Occupational Pensions Board” is omitted.

The Pension Schemes Act 1993 (c. 48)

- 18 The Pension Schemes Act 1993 is amended as follows.

Status: This is the original version (as it was originally enacted).

- 19 Sections 2 to 5 (constitution, membership etc.
of the Board) are repealed.
- 20 For section 6(8) (Board may be appointed as Registrar), there is substituted—
- “(8) Nothing in this Act or the Pensions Act 1995 shall be taken to imply that the
Regulatory Authority may not be appointed as the Registrar.”
- 21 In the provisions listed in the first column of the table—
- (a) in each place where the word appears, for “Board” there is substituted
“Secretary of State”, and
- (b) the additional amendments listed in the second column of the table in
relation to those provisions shall have effect.

TABLE

<i>Provision</i>	<i>Additional amendments</i>
Section 8 (meaning of terms).	—
Section 9 (requirements for certification).	In subsection (4), for “they think” there is substituted “he thinks”.
Section 11 (employer’s right to elect as to contracting-out).	In subsection (4), for “consider” and “they” there is substituted, respectively, “considers” and “he”. In subsection (5)(d), for “they are” there is substituted “he is”.
Section 30 (protected rights).	—
Section 34 (cancellation etc. of certificates).	In subsection (2)(a), for “they have” there is substituted “he has”. In subsections (4) and (5), for “they consider” (in both places) and “they” (in both places) there is substituted, respectively, “he considers” and “he”.
Section 50 (schemes ceasing to be certified).	In subsection (2), for “have” (in both places) and “their” there is substituted, respectively, “has” and “his”. In subsection (3), for “they subsequently approve” there is substituted “he subsequently approves”. In subsection (4), for the first “have” there is substituted “has”.
Section 57 (contribution equivalent premiums).	In subsection (4) for “consider” and “they” there is substituted, respectively, “considers” and “he”.

Status: This is the original version (as it was originally enacted).

	<i>Provision</i>	<i>Additional amendments</i>
	Section 163 (rule against perpetuities).	In subsection (6), for “consider” there is substituted “considers”.
22	In section 7— (a) in subsections (1) and (6), for “Board” there is substituted “Secretary of State”, and (b) in subsection (4), “by the Board” is omitted.	
23	In section 8 (definition of terms)— (a) in subsection (2), for the words following the definition of “minimum payment” there is substituted— <p style="margin-left: 40px;">“and for the purposes of this subsection “rebate percentage” means the appropriate flat rate percentage for the purposes of section 42A(2)”, and</p> (b) subsection (5) is omitted	
24	In section 9 (requirements for certification), in subsection (3) “22 and” is omitted.	
25	In section 10 (protected rights), in subsection (2)(a), after “minimum payments” there is inserted “and payments under section 42A(3)”.	
26	In section 13 (minimum pensions for earners), in subsection (2)(a), the words from “and does” to the end are omitted.	
27	In section 14 (earner’s guaranteed minimum)— (a) subsection (3) is omitted, (b) in subsection (8) after “1978-79” there is inserted “or later than the tax year ending immediately before the principal appointed day”.	
28	In section 16 (revaluation of earnings factors)— (a) in subsection (3), for the words following “at least” there is substituted “the prescribed percentage for each relevant year after the last service tax year; and the provisions included by virtue of this subsection may also conform with such additional requirements as may be prescribed”, and (b) for the definition of “final relevant year” in subsection (5) there is substituted— <p style="margin-left: 40px;">““final relevant year” means the last tax year in the earner’s working life”.</p>	
29	In section 17 (minimum pensions for widows and widowers), at the end of subsection (7) there is added “or widows”.	
30	Section 22 (financing of benefits) is repealed.	
31	In section 23 (securing of benefits)— (a) subsections (1) and (5) are omitted, (b) in subsection (4), for “(1) to (3)” there is substituted “(2) and (3)”; and subsections (2) and (3) of that section do not apply where the winding up is begun on or after the principal appointed day.	
32	Section 24 (sufficiency of resources) is repealed.	
33	In section 25 (conditions as to investments, etc.)— (a) subsections (1) and (3) are repealed, and	

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(b) for subsection (2) there is substituted—

“(2) A salary related contracted-out scheme must, in relation to any earner’s service before the principal appointed day, comply with any requirements prescribed for the purpose of securing that—

- (a) the Secretary of State is kept informed about any matters affecting the security of the minimum pensions guaranteed under the scheme, and
- (b) the resources of the scheme are brought to and are maintained at a level satisfactory to the Secretary of State”.

34 In section 28 (ways of giving effect to protected rights)—

- (a) in subsection (4)(d), for “a manner satisfactory to the Board” there is substituted “the prescribed manner”, and
- (b) subsection (7) is omitted.

35 In section 29 (the pension and annuity requirements), in subsection (1)(b)(ii), for “a manner satisfactory to the Board” there is substituted “the prescribed manner”.

36 In section 31 (investment and resources of schemes)—

- (a) subsection (1) is omitted,
- (b) in subsection (3)(a), after “minimum payments” there is inserted “and payments under section 42A(3)”, and
- (c) at the end of that section there is added—

“(5) Any minimum contributions required by reason of this section to be applied so as to provide money purchase benefits for or in respect of a member of a scheme must be so applied in the prescribed manner and within the prescribed period”.

37 In section 34 (cancellation, etc. of certificates)—

- (a) in subsection (1), for paragraph (a) there is substituted—
 - “(a) in the case of a contracting-out certificate—
 - (i) on any change of circumstances affecting the treatment of an employment as contracted-out employment, or
 - (ii) where the scheme is a salary related contracted-out scheme and the certificate was issued on or after the principal appointed day, if any employer of persons in the description or category of employment to which the scheme in question relates, or the actuary of the scheme, fails to provide the Secretary of State, at prescribed intervals, with such documents as may be prescribed for the purpose of verifying that the conditions of section 9(2B) are satisfied”,
- (b) subsection (6) is omitted, and
- (c) for subsection (7) there is substituted—

“(7) Without prejudice to the previous provisions of this section, failure of a scheme to comply with any requirements prescribed by virtue of section 25(2) shall be a ground on which the Secretary of State

Status: This is the original version (as it was originally enacted).

may, in respect of any employment to which the scheme relates,
cancel a contracting-out certificate”.

38 Sections 35 (surrender, etc.
issue of further certificates) and 36 (surrender etc. cancellation of further
certificates) are repealed.

39 For section 37 (alteration of rules of contracted-out schemes) there is substituted—

“37 Alteration of rules of contracted-out schemes.

(1) Except in prescribed circumstances, the rules of a contracted-out scheme
cannot be altered unless the alteration is of a prescribed description.

(2) Regulations made by virtue of subsection (1) may operate so as to validate
with retrospective effect any alteration of the rules which would otherwise
be void under this section.

(3) References in this section to a contracted-out scheme include a scheme
which has ceased to be contracted-out so long as any person is entitled to
receive, or has accrued rights to, any benefits under the scheme attributable
to a period when the scheme was contracted-out.

(4) The reference in subsection (3) to a person entitled to receive benefits under
a scheme includes a person so entitled by virtue of being the widower of an
earner only in such cases as may be prescribed.”

40 In section 38 (alteration of rules of appropriate schemes)—

- (a) in subsection (1), the words from “unless” to the end are omitted,
- (b) in subsection (3), the words from “if” to the end are omitted,
- (c) in subsection (4), for the words from the beginning to “direct” there is
substituted “Regulations made by virtue of subsection (2) may”, and
- (d) subsection (7) is omitted.

41 In section 42 (review of reduced rates of contributions), in subsection (3), for “41(1)
(a)” there is substituted “41(1A)(a)”.

42 In section 43 (payment of minimum contributions), in subsection (1), after
“circumstances” there is inserted “or in respect of such periods”.

43 In section 45 (minimum contributions towards personal pension schemes),
subsection (3)(d) is omitted.

44 In section 46(1) (effect of entitlement to guaranteed minimum pensions on payment
of social security benefits), for sub-paragraph (i) there is substituted—

“(i) to that part of its additional pension which is attributable
to earnings factors for any tax years ending before the
principal appointed day”.

45 In section 50 (powers to approve arrangements for scheme ceasing to be certified)—

- (a) in subsection (1)(a)—
 - (i) at the end of sub-paragraph (i) there is inserted “or accrued rights to
pensions under the scheme attributable to their service on or after
the principal appointed day”, and
 - (ii) in sub-paragraph (ii), for “guaranteed minimum pensions under the
scheme” there is substituted “such pensions”,

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- (b) after subsection (1) there is inserted—
- “(1A) The power of the Secretary of State to approve arrangements under this section—
- (a) includes power to approve arrangements subject to conditions, and
- (b) may be exercised either generally or in relation to a particular scheme.
- (1B) Arrangements may not be approved under this section unless any prescribed conditions are met”, and
- (c) subsection (7) is omitted.
- 46 In section 51 (calculation of GMPs preserved under approved arrangements), in subsection (1)(a), for “are subject to approved arrangements” there is substituted “satisfy prescribed conditions”.
- 47 In section 52 (supervision of schemes which have ceased to be certified)—
- (a) in subsection (2), for paragraphs (a) and (b) there is substituted—
- “(a) the scheme has ceased to be a contracted-out scheme, and
- (b) any persons remain who fall within any of the following categories.
- (2A) Those categories are—
- (a) any persons entitled to receive, or having accrued rights to—
- (i) guaranteed minimum pensions, or
- (ii) pensions under the scheme attributable to service on or after the principal appointed day but before the scheme ceased to be contracted-out,
- (b) any persons who have protected rights under the scheme or are entitled to any benefit giving effect to protected rights under it”,
- (b) in subsection (3), for paragraphs (a) and (b) there is substituted—
- “(a) the scheme has ceased to be an appropriate scheme, and
- (b) any persons remain who have protected rights under the scheme or are entitled to any benefit giving effect to protected rights under it”, and
- (c) subsections (4) to (6) are omitted.
- 48 In section 53 (supervision: former contracted-out schemes)—
- (a) for subsection (1) there is substituted—
- “(1) The Secretary of State may direct the trustees or managers of the scheme, or the employer, to take or refrain from taking such steps as the Secretary of State may specify in writing; and such a direction shall be final and binding on the person directed and any person claiming under him.
- (1A) An appeal on a point of law shall lie to the High Court or, in Scotland, the Court of Session from a direction under subsection (1) at the instance of the trustees or managers or the employer, or any person claiming under them.

Status: This is the original version (as it was originally enacted).

- (1B) A direction under subsection (1) shall be enforceable—
- (a) in England and Wales, in a county court as if it were an order of that court, and
 - (b) in Scotland, by the sheriff, as if it were an order of the sheriff and whether or not the sheriff could himself have given such an order”,
- (b) subsection (2) is omitted,
- (c) for subsection (3) there is substituted—
- “(3) If a certificate has been issued under subsection (2) of section 50 and has not been cancelled under subsection (3) of that section, any liabilities in respect of such entitlement or rights as are referred to in section 52(2A)(a) or (b) must, except in prescribed circumstances, be discharged (subject to any directions under subsection (1)) in a prescribed manner and within a prescribed period or such longer period as the Secretary of State may allow”, and
- (d) subsections (4) and (5) are omitted.
- 49 In section 54 (supervision: former appropriate personal pension schemes)—
- (a) for subsections (1) and (2) there is substituted—
- “(1) The Secretary of State may direct the trustees or managers of the scheme to take or refrain from taking such steps as the Secretary of State may specify in writing; and such a direction shall be final and binding on the person directed and any person claiming under him.
- (1A) An appeal on a point of law shall lie to the High Court or, in Scotland, the Court of Session from a direction under subsection (1) at the instance of the trustees or managers or the employer, or any person claiming under them.
- (1B) A direction under subsection (1) shall be enforceable—
- (a) in England and Wales, in a county court as if it were an order of that court, and
 - (b) in Scotland, by the sheriff, as if it were an order of the sheriff and whether or not the sheriff could himself have given such an order.
- (2) If a certificate has been issued under subsection (2) of section 50 and has not been cancelled under subsection (3) of that section, any liabilities in respect of such entitlement or rights as are referred to in section 52(3)(b) must, except in prescribed circumstances, be discharged (subject to any directions under subsection (1)) in a prescribed manner and within a prescribed period or such longer period as the Secretary of State may allow”, and
- (b) subsection (3) is omitted.
- 50 In section 55 (state scheme premiums), subsections (1) and (3) to (6) are omitted.
- 51 In section 56 (provisions supplementary to section 55)—
- (a) subsection (1), in subsection (2) the words following “the prescribed period” and subsection (3) are omitted, and

Status: This is the original version (as it was originally enacted).

- (b) for subsections (5) and (6) there is substituted—
- “(5) The references in section 55(2A) to an accrued right to short service benefit include an accrued right to any provision which, under the preservation requirements, is permitted as an alternative to short service benefit (other than provision for return of contributions or for benefit in the form of a lump sum).
- (6) Subject to regulations under paragraph 1 of Schedule 2, service in any employment which ceases with the death of the employer shall be treated for the purposes of section 55(2A) as ceasing immediately before the death”.
- 52 In section 58 (amount of premiums under section 55), subsections (1) to (3), (5) and (6) are omitted.
- 53 Section 59 (alternative basis for revaluation) is repealed.
- 54 In section 60 (effect of payment of premiums on rights)—
- (a) subsections (1) to (3) are omitted,
- (b) in subsection (4)—
- (i) for “55(2)(i)” there is substituted “55(2A)(a) and (b), (d) and (e)”, and
- (ii) at the end there is added “or (in relation to service on or after the principal appointed day) rights to pensions under the scheme so far as attributable to the amount of the premium”, and
- (c) in subsection (5), for “55(2)(ii)” there is substituted “55(2A)(c)”, and after “widow” there is added “or widower”, and
- (d) subsections (6) to (10) are omitted.
- 55 In section 61 (deduction of contributions equivalent premium from refund of scheme contributions)—
- (a) in subsection (1), for paragraph (a) there is substituted—
- “(a) an earner’s service in contracted-out employment ceases or his employment ceases to be contracted-out employment, and”,
- (b) in subsection (8)—
- (i) for paragraph (a) there is substituted—
- “(a) an earner’s service in contracted-out employment ceases or his employment ceases to be contracted-out employment”, and
- (ii) for “termination” there is substituted “cessation”, and
- (c) in subsection (9), for “termination” (in both places) there is substituted “cessation”.
- 56 In section 62 (no recovery of premiums from earners)—
- (a) in subsection (1), for “state scheme” there is substituted “contributions equivalent”, and
- (b) subsection (2) is omitted.
- 57 In section 63 (further provisions concerning calculations relating to premiums)—
- (a) in subsection (1)—
- (i) paragraph (a) is omitted,

Status: This is the original version (as it was originally enacted).

- (ii) in paragraph (b), for “that section” there is substituted “section 58”, and
 - (iii) paragraph (c) is omitted,
 - (b) subsection (2) is omitted,
 - (c) in subsection (3)—
 - (i) paragraph (a) is omitted,
 - (ii) in paragraph (b), for “subsection (4) of that section” there is substituted “section 58(4)”, and
 - (iii) the words following sub-paragraph (ii) are omitted, and
 - (d) subsection (4) is omitted.
- 58 Section 64 (actuarial tables) is repealed.
- 59 Section 65 (former and future earners) is repealed.
- 60 Section 66 (widowers) is repealed.
- 61 In sections 67 and 68 (non-payment of state scheme premiums), for “state scheme premium” (in each place) there is substituted “contributions equivalent premium”.
- 62 In section 84(5), paragraph (b) and the preceding “or” are omitted.
- 63 In section 96 (right to cash equivalent: exercise of options)—
 - (a) in subsection (2)(a), after “guaranteed minimum pensions” there is inserted “his accrued rights so far as attributable to service in contracted-out employment on or after the principal appointed day”, and
 - (b) in subsection (3)(a), for “guaranteed minimum pensions” there is substituted “pensions, being guaranteed minimum pensions or pensions so far as attributable to service in contracted-out employment on or after the principal appointed day”.
- 64 Sections 133 to 135 (advice and determinations as to conformity of schemes with requirements) are repealed.
- 65 In section 155 (requirement to give information to the Secretary of State or the Board)—
 - (a) “or the Board” is omitted,
 - (b) for “or they require” there is substituted “requires”, and
 - (c) for the words from “sections 7” to “premiums” there is substituted “Part III”.
- 66 In section 158 (disclosure of information between government departments)—
 - (a) subsections (2) and (3) are omitted,
 - (b) in subsection (6), “(2) or (3)”, paragraph (d) and the “or” immediately preceding it are omitted,
 - (c) in subsection (7)—
 - (i) for “the Inland Revenue and the Board”, there is substituted “and the Inland Revenue”,
 - (ii) after paragraph (a), there is inserted “or”, and
 - (iii) paragraph (c) and the “or” immediately preceding it are omitted, and
 - (d) subsection (8) is omitted.

Status: This is the original version (as it was originally enacted).

- 67 In section 164(1)(b)(i) (Crown employment), “2 to 5”, “172, 173” and “and Schedule 1” are omitted.
- 68 In section 165 (application of certain provisions to case with foreign element), in subsection (2)(a), for the words from “sections 7” to “premiums)” there is substituted “Part III”.
- 69 In section 166(5) (reciprocity with other countries), “sections 2 to 5”, “172, 173” and “and Schedule 1” are omitted.
- 70 In section 170 (determinations by the Secretary of State)—
- (a) in subsection (1)—
 - (i) in paragraph (b) for “state scheme premium” (in both places) there is substituted “contributions equivalent premium”,
 - (ii) the “and” at the end of paragraph (c) is omitted, and
 - (iii) for the words following paragraph (d) there is substituted “and
 - (e) any question whether an employment is, or is to be treated, for the purposes of the Pension Schemes Act 1993 as contracted-out employment or as to the persons in relation to whom, or the period for which, an employment is, or is to be treated, for the purposes of that Act as such employment”,
 - (b) subsections (3) and (4) are omitted, and
 - (c) at the end of that section there is added—
 - “(7) Sections 18 and 19 of the Social Security Administration Act 1992 (appeals and reviews) shall have effect as if the questions mentioned in subsection (1) of section 17 of that Act included—
 - (a) any question arising in connection with the issue, cancellation or variation of contracting-out certificates or appropriate scheme certificates, not being a question mentioned in subsection (1)(e) above, and
 - (b) any other question arising under this Act which falls to be determined by the Secretary of State, not being a question mentioned in that subsection.
 - (8) Regulations may make provision with respect to the procedure to be adopted on any application for a review made under section 19 of that Act by virtue of subsection (7) above and generally with respect to such applications and reviews, but may not prevent such a review being entered upon without an application being made”.
- 71 In section 171 (questions arising in proceedings), in subsection (1)(b), for “state scheme premium” there is substituted “contributions equivalent premium”.
- 72 Sections 172 and 173 (reviews and appeals) are repealed.
- 73 In section 174 (grants), for “Board” (in both places) there is substituted “Regulatory Authority”.
- 74 In section 176 (fees), for “either by the Secretary of State or by the Board on his behalf” there is substituted “by the Secretary of State”.
- 75 In section 177 (general financial arrangements)—

Status: This is the original version (as it was originally enacted).

- (a) in subsection (3)(b)—
 - (i) in sub-paragraph (i), “sections 2 to 5”, “172, 173” and “and Schedule 1” are omitted, and
 - (ii) in sub-paragraph (ii), the words from “sections 55” to “premiums)” are omitted, and
 - (b) subsection (7)(b) is omitted.
- 76 In section 178(b) (meaning of “trustee” and “manager”), “sections 2 to 5”, “172, 173” and “and Schedule 1” are omitted.
- 77 In section 181 (general interpretation)—
- (a) in subsection (1)—
 - (i) the definitions of “accrued rights premium”, “the Board”, “contracted-out protected rights premium”, “limited revaluation premium”, “pensioner’s rights premium”, “personal pension protected rights premium”, “state scheme premium” and “transfer premium” are omitted, and
 - (ii) in the definition of “contributions equivalent premium”, for “section 55(6)(e)” there is substituted “section 55(2)”,
 - (b) in subsection (3), for “sections 2 to” there is substituted “section”, and “172, 173” and “and Schedule 1” are omitted, and
 - (c) in subsection (7), “and Schedule 1” is omitted.
- 78 In section 182(1) (orders and regulations), “the Board or” is omitted.
- 79 In section 183 (sub-delegation), in subsection (1), “sections 2 to 5”, “172, 173” and “or Schedule 1”, and subsection (2) are omitted.
- 80 In section 185 (consultation about regulations)—
- (a) in subsection (1), for the words from the beginning to “make” there is substituted “Subject to subsection (2), before the Secretary of State makes”, and for the words from “refer the proposals” to the end there is substituted “consult such persons as he may consider appropriate”,
 - (b) in subsection (2), at the end of paragraph (c) there is added—
 - “(d) regulations in the case of which the Secretary of State considers consultation inexpedient because of urgency, or
 - (e) regulations which—
 - (i) state that they are consequential upon a specified enactment, and
 - (ii) are made before the end of the period of six months beginning with the coming into force of that enactment,”
 - (c) subsections (3) and (4) are omitted,
 - (d) in subsection (5), for “subsections (1) to (4)” there is substituted “subsection (1)”,
 - (e) subsection (6) is omitted, and
 - (f) in subsection (8), for “172(4)” there is substituted “170(8)”.
- 81 In section 186(5) (Parliamentary control of regulations and orders), “or section 185(4)” is omitted.
- 82 In section 192(2) (extent), for “sections 1 to 5” there is substituted “section 1” and “section 172(4) and (5)” is omitted.

Status: This is the original version (as it was originally enacted).

- 83 Schedule 1 (the Occupational Pensions Board) is repealed.
- 84 In Schedule 2 (certification regulations)—
- (a) in paragraph 2(1), for “the Board” there is substituted “the Secretary of State”,
 - (b) in paragraph 4(3), for the words from “does not cease” to the end there is substituted “which, apart from the regulations, would not be contracted-out employment is treated as contracted-out employment where any benefits provided under the scheme are attributable to a period when the scheme was contracted-out”,
 - (c) in paragraph 5(1)—
 - (i) “or the Board” and “or, as the case may be, the Board” are omitted, and
 - (ii) for “65” there is substituted “63”,
 - (d) in paragraph 5(2), “to 65” is omitted, and
 - (e) in paragraph 9, for sub-paragraphs (3) to (5) there is substituted—

“(2A) Sub-paragraphs (3) and (4) shall be omitted”.
- 85 In Schedule 4 (priority in bankruptcy), in paragraph 3(1), for “state scheme premium” there is substituted “contributions equivalent premium”.
- 86 In Schedule 6 (transitional provisions and savings), paragraph 11 is omitted.

SCHEDULE 6

Section 177.

GENERAL MINOR AND CONSEQUENTIAL AMENDMENTS

The Public Records Act 1958 (c. 51)

- 1 In Schedule 1 to the Public Records Act 1958 (definition of “Public Record”), in Part II of the Table, there is inserted at the appropriate place—

“Pensions Ombudsman.”

The Pension Schemes Act 1993 (c. 48)

- 2 The Pension Schemes Act 1993 is amended as follows.
- 3 In section 95(1) (ways of taking right to cash equivalent), for “this Chapter” there is substituted “paragraph (a), (aa) or (b) of section 94(1)”.
- 4 In section 97 (calculation of cash equivalents)—
- (a) in subsection (2)(a) after “cash equivalents” there is inserted “except guaranteed cash equivalents”,
 - (b) in subsection (3)(b), for the words from “the date” to the end there is substituted “the appropriate date”, and
 - (c) after that subsection there is inserted—

“(3A) For the purposes of subsection (3), the “appropriate date”—

Status: This is the original version (as it was originally enacted).

- (a) in the case of a salary related occupational pension scheme, is the guarantee date (within the meaning of section 93A), and
 - (b) in any other case, is the date on which the trustees receive an application from the member under section 95.”
 - 5 In section 98 (variation and loss of rights to cash equivalents)—
 - (a) in subsection (1), after “occupational pension scheme” there is inserted “other than a salary related scheme”,
 - (b) after that subsection there is inserted—
 - “(1A) Regulations may provide that a member of a salary related occupational pension scheme who continues in employment to which the scheme applies after his pensionable service in that employment terminates—
 - (a) acquires a right to only part of his guaranteed cash equivalent, or
 - (b) acquires no right to his guaranteed cash equivalent.”,
 - (c) in subsection (2), after “(1)” there is inserted “or (1A)”, and
 - (d) in subsection (3)—
 - (i) in paragraph (a), after “occupational pension scheme” there is inserted “other than a salary related scheme”, and
 - (ii) for paragraph (b) and the “and” immediately preceding it there is substituted—
 - “or
 - (aa) by virtue of regulations under subsection (1A) or (2), a member of a salary related occupational pension scheme does not, on such a termination, acquire a right to the whole or any part of his guaranteed cash equivalent,
 - and his employment terminates at least one year before normal pension age”.
- 6 In section 99 (trustee’s duties after exercise of an option under section 95)—
 - (a) in subsection (2), for paragraphs (a) and (b) there is substituted—
 - “(a) in the case of a member of a salary related occupational pension scheme, within 6 months of the guarantee date, or (if earlier) by the date on which the member attains normal pension age,
 - (b) in the case of a member of any other occupational pension scheme, within 6 months of the date on which they receive the application, or (if earlier) by the date on which the member attains normal pension age, or
 - (c) in the case of a member of a personal pension scheme, within 6 months of the date on which they receive the application.”,
 - (b) after subsection (3) there is inserted—
 - “(3A) In this section, “guarantee date” has the same meaning as in section 93A.”,

Status: This is the original version (as it was originally enacted).

- (c) for subsections (4) and (5) there is substituted—
- “(4) The Regulatory Authority may, in prescribed circumstances, grant an extension of the period within which the trustees or managers of the scheme are obliged to do what is needed to carry out what a member of the scheme requires.
- (4A) Regulations may make provision in relation to applications for extensions under subsection (4).”
- (d) in subsection (6), for “Board” there is substituted “Regulatory Authority”, and
- (e) after that subsection there is added—
- “(7) Where the trustees or managers of an occupational pension scheme have not done what is needed to carry out what a member of the scheme requires within six months of the date mentioned in paragraph (a) or (b) of subsection (2)—
- (a) they must, except in prescribed cases, notify the Regulatory Authority of that fact within the prescribed period, and
- (b) section 10 of the Pensions Act 1995 (power of the Regulatory Authority to impose civil penalties) shall apply to any trustee or manager who has failed to take all such steps as are reasonable to ensure that it was so done.
- (8) Regulations may provide that in prescribed circumstances subsection (7) shall not apply in relation to an occupational pension scheme.”

7 In section 145 (Pensions Ombudsman), in subsection (5) “with the approval of the Treasury” is omitted.

8 In section 151(5)(b) (enforcement in Scotland of Pensions Ombudsman’s determinations), for the words from “Scotland,” to the end there is substituted “in like manner as an extract registered decree arbitral bearing warrant for execution issued by the sheriff court of any sheriffdom in Scotland.”.

9 After section 158 there is inserted—

“158A Other disclosures by the Secretary of State.

- (1) The Secretary of State may, in spite of any obligation as to secrecy or confidentiality imposed by statute or otherwise on him or on persons employed in the Department of Social Security, disclose any information received by him in connection with his functions under this Act or the Pensions Act 1995 to any person specified in the first column of the following Table if he considers that the disclosure would enable or assist the person to discharge the functions specified in relation to the person in the second column of the Table.

Status: This is the original version (as it was originally enacted).

TABLE

<i>Persons</i>	<i>Functions</i>
The Treasury.	Functions under the Financial Services Act 1986.
The Bank of England.	Functions under the Banking Act 1987 or any other functions.
The Regulatory Authority.	Functions under this Act or the Pensions Act 1995, or any enactment in force in Northern Ireland corresponding to either of them.
The Pensions Compensation Board.	Functions under the Pensions Act 1995 or any corresponding enactment in force in Northern Ireland.
The Friendly Societies Commission.	Functions under the enactments relating to friendly societies.
The Building Societies Commission.	Functions under the Building Societies Act 1986.
An inspector appointed by the Secretary of State.	Functions under section 94 or 177 of the Financial Services Act 1986.
A person authorised to exercise powers under section 106 of the Financial Services Act 1986.	Functions under that section.
A designated agency or transferee body or the competent authority (within the meaning of the Financial Services Act 1986).	Functions under the Financial Services Act 1986.
A recognised self-regulating organisation, recognised professional body, recognised investment exchange or recognised clearing house (within the meaning of the Financial Services Act 1986).	Functions in its capacity as an organisation, body, exchange or clearing house recognised under the Financial Services Act 1986.

(2) The Secretary of State may by order—

- (a) amend the Table in subsection (1) by—
 - (i) adding any person exercising regulatory functions and specifying functions in relation to that person,
 - (ii) removing any person for the time being specified in the Table, or
 - (iii) altering the functions for the time being specified in the Table in relation to any person, or
- (b) restrict the circumstances in which, or impose conditions subject to which, disclosure may be made to any person for the time being specified in the Table”.

Status: This is the original version (as it was originally enacted).

- 10 In section 164(1)(b)(i) (Crown employment), the words from “136” to “143” are omitted.
- 11 In section 166(5) (reciprocity with other countries), the words from “136” to “143” are omitted.
- 12 In section 177 (general financial arrangements), in subsection (3)(b)(i), the words from “136” to “143” are omitted.
- 13 In section 178 (meaning of “trustee” and “manager”), in paragraph (b), the words from “136” to “143” are omitted.
- 14 In section 181 (general interpretation), in subsection (3), the words from “136” to “143” are omitted.
- 15 In section 183 (sub-delegation)—
- (a) in subsection (1), the words from “136” to “143” are omitted, and
 - (b) in subsection (3)(b), after “prepared” there is inserted “and from time to time revised”.
- 16 (1) Schedule 9 (transitory modifications) is amended as follows.
- (2) In paragraph 1—
 - (a) in sub-paragraph (1), sub-paragraphs (ii) to (v) are omitted,
 - (b) in sub-paragraph (3)(a)(i), for “provisions mentioned in paragraphs (i) to (v)” there is substituted “provision mentioned in paragraph (i)”, and
 - (c) sub-paragraph (5) is omitted.
 - (3) Paragraphs 3 and 4 are omitted.

SCHEDULE 7

Section 177.

REPEALS

PART I

OCCUPATIONAL PENSIONS

<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
1982 c. 50.	The Insurance Companies Act 1982.	In Schedule 2B, in paragraph 3(9), the “or” after paragraph (a).
1986 c. 53.	The Building Societies Act 1986.	In section 53(15), the “or” after paragraph (a).
1987 c. 22.	The Banking Act 1987.	In section 84(10), the “or” after paragraph (a).
1989 c. 24.	The Social Security Act 1989.	In Schedule 5, paragraph 14.
1993 c. 48.	The Pension Schemes Act 1993.	Sections 77 to 80.

Status: This is the original version (as it was originally enacted).

<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
		Sections 102 to 108.
		In section 110, subsections (2) to (4).
		Section 112.
		Section 114.
		Section 116.
		Section 118.
		Sections 119 to 122.
		In section 129, in subsection (1), “Chapter I of Part V”, “sections 119 to 122”, “under Chapter I of Part V or” and “or sections 119 to 122”, and subsection (3)(a).
		In section 132, “the equal access requirements”.
		In section 133(1), “the equal access requirements”.
		In section 134, in subsection (3), “the equal access requirements” and, in subsection (4), “or the equal access requirements” and “or, as the case may be, section 118(1)”.
		In section 136(2)(e)(iv), “or the equal access requirements”.
		In section 139(2), “the equal access requirements”.
		In section 140(4), paragraph (c) and the “and” immediately preceding it.
		Section 144.
		In section 153, in subsection (1), the words from “and Chapter I” to “section 108”, subsections (3) and (4), in subsection (5), “Chapter I of Part VII”, paragraph (d) and the

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<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
		preceding “or”, and subsections (6) and (7).
		In section 170, subsections (5) and (6).
		In section 178, in paragraph (a), the second “or”.
		In section 181(1), the definition of “equal access requirements”.
		In section 183, in subsection (3), the words from “or, in the case of” to “determined” and the words following paragraph (b).
		In section 185, in subsection (1), “I or”.
		In Schedule 7, paragraphs 1 and 3.
		In Schedule 8, paragraph 3.

PART II

STATE PENSIONS

<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
1988 c. 1.	The Income and Corporation Taxes Act 1988.	In section 187, in subsection (2), the definition of “pensionable age”.
1992 c. 4.	The Social Security Contributions and Benefits Act 1992.	Section 53. In section 54, in subsection (1)(a), the words from “but” to “70”, and subsection (4). In Schedule 3, in paragraph 5(7)(a), “(or at least 20 of them, if that is less than half”. In Schedule 5, in paragraph 2(2), the definition of “period of enhancement” and the previous “and”, and in

These repeals have effect in accordance with Schedule 4 to this Act.

Status: This is the original version (as it was originally enacted).

<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
1994 c. 18.	The Social Security (Incapacity for Work) Act 1994.	paragraph 8, sub-paragraphs (1) and (2). In Schedule 1, paragraphs 20 and 21.

These repeals have effect in accordance with Schedule 4 to this Act.

PART III

CERTIFICATION OF PENSION SCHEMES ETC.

<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
1958 c. 51.	The Public Records Act 1958.	In Schedule 1, in the Table, the entry relating to the Occupational Pensions Board.
1975 c. 24.	The House of Commons Disqualification Act 1975.	In Part II of Schedule 1, the entry relating to the Occupational Pensions Board.
1975 c. 25.	The Northern Ireland Assembly Disqualification Act 1975.	In Part II of Schedule 1, the entry relating to the Occupational Pensions Board.
1975 c. 60.	The Social Security Pensions Act 1975.	In section 61B(1), “except any power of the Occupational Pensions Board to make orders”.
1979 c. 50.	The European Parliament (Pay and Pensions) Act 1979.	In section 6(4), “and the Occupational Pensions Board”.
1982 c. 50.	The Insurance Companies Act 1982.	In Schedule 2B, in paragraph 3(1), in the Table, the entry relating to the Occupational Pensions Board.
1989 c. 24.	The Social Security Act 1989.	Section 29(7). In Schedule 5, paragraph 4.
1992 c. 5.	The Social Security Administration Act 1992.	In Schedule 4, the entries in Part I relating to the Occupational Pensions Board.
1992 c. 53.	The Tribunals and Inquiries Act 1992.	In section 7(2), “(d) or”.

Status: This is the original version (as it was originally enacted).

<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
		In section 10(5), paragraph (c).
		In section 13(5)(a), “and (d)”.
		In section 14, subsection (2).
		In Schedule 1, paragraph 35(d).
1993 c. 8.	The Judicial Pensions and Retirement Act 1993.	In section 13(9), in the definition of “personal pension scheme”, “by the Occupational Pensions Board”.
1993 c. 48.	The Pension Schemes Act 1993.	Sections 2 to 5.
		In section 7(4), “by the Board”.
		Section 8(5).
		In section 9(3), “22 and”.
		In section 13(2)(a), the words from “and does” to the end.
		In section 14, subsection (3).
		Section 22.
		In section 23, subsections (1) and (5).
		Section 24.
		In section 25, subsections (1) and (3).
		Section 28(7).
		Section 31(1).
		Section 34(6).
		Sections 35 and 36.
		In section 38, in subsection (1), the words from “unless” to the end, in subsection (3), the words from “if” to the end, and subsection (7).
		In section 45, subsection (2) and, in subsection (3), paragraph (d) and, in paragraph (e), the words following “prescribed period”.

Status: This is the original version (as it was originally enacted).

<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
		In section 48(2), paragraph (b) and, in paragraph (c), “if the earner dies before reaching pensionable age”.
		Section 50(7).
		In section 52, subsections (4) to (6).
		In section 53, subsections (2), (4) and (5).
		Section 54(3).
		In section 55, subsection (1) and subsections (3) to (6).
		In section 56, subsection (1), in subsection (2), the words following “the prescribed period”, and subsection (3).
		In section 58, subsections (1) to (3), (5) and (6).
		Section 59.
		In section 60, subsections (1) to (3) and (6) to (10).
		In section 62, subsection (2).
		In section 63, in subsection (1), paragraphs (a) and (c), subsection (2), in subsection (3), paragraph (a) and the words following sub-paragraph (ii), and subsection (4).
		Sections 64 to 66.
		In section 84, in subsection (5), paragraph (b) and the preceding “or”.
		Sections 133 to 135.
		In section 155, “or the Board”.
		In section 158, subsections (2) and (3), in subsection (6), “(2) or (3)”, paragraph (d) (and the “or” immediately preceding it), in subsection (7), paragraph (c)

Status: This is the original version (as it was originally enacted).

<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
		(and the “or” immediately preceding it) and subsection (8).
		In section 164(1)(b)(i), “2 to 5”, “172,173” and “and Schedule 1”.
		In section 166(5), “sections 2 to 5”, “172, 173” and “and Schedule 1”.
		In section 170, in subsection (1), the “and” at the end of paragraph (c) and subsections (3) and (4).
		Sections 172 and 173.
		In section 177, in subsection 3(b)(i), “sections 2 to 5”, “172, 173” and “and Schedule 1” in subsection (3)(b)(ii), the words from “sections 55” to “premiums”, and in subsection (7), paragraph (b).
		In section 178, in paragraph (b), “sections 2 to 5”, “172, 173” and “and Schedule 1”.
		In section 181, in subsection (1), the definitions of “accrued rights premium”, “the Board”, “contracted-out protected rights premium”, “limited revaluation premium”, “pensioner’s rights premium”, “personal pension protected rights premium”, “state scheme premium” and “transfer premium”, in subsection (3) “172, 173” and “and Schedule 1”, and in subsection (7) “and Schedule 1”.
		In section 182(1), “the Board or”.
		In section 183, in subsection (1), “sections 2 to 5”, “172, 173”, and

Status: This is the original version (as it was originally enacted).

<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
		“or Schedule 1” and subsection (2).
		In section 185, subsections (3), (4) and (6).
		In section 186(5), “or section 185(4)”.
		In section 192(2), “section 172(4) and (5)”.
		Schedule 1.
		In Schedule 2, in paragraph 5, in sub-paragraph (1), “or the Board” and “or, as the case may be, the Board”, in sub-paragraph (2), “to 65”, in sub-paragraph (3), “in relation to state scheme premiums” and paragraph (b), and sub-paragraph (5).
		In Schedule 6, paragraph 11.
		In Schedule 8, paragraph 44(a) and (b)(i) and the “and” immediately following it.

PART IV

MISCELLANEOUS AND GENERAL

<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
1971 c. 56.	The Pensions (Increase) Act 1971.	In section 3, in subsection (2) (c), “is a woman who”.
1993 c. 48.	The Pension Schemes Act 1993.	Sections 136 to 143. In section 145, “with the approval of the Treasury”. In section 149, in subsection (3), at the end of paragraph (a), “and”. In section 164(1)(b)(i), the words from “136” to “143”. In section 166(5), the words from “136” to “143”.

The repeal in the Pensions (Increase) Act 1971 shall come into force on the day this Act is passed.

Status: This is the original version (as it was originally enacted).

<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
		Section 172(1)(b).
		In section 177, in subsection (3)(b)(i), the words from “136” to “143”.
		In section 178, in paragraph (b), the words from “136” to “143”.
		In section 181, in subsection (3), the words from “136” to “143”.
		In section 183, in subsection (1), the words from “136” to “143”.
		In Schedule 9, in paragraph 1, in sub-paragraph (1), sub-paragraphs (ii) to (v), and sub-paragraph (5), and paragraphs 3 and 4.

The repeal in the Pensions (Increase) Act 1971 shall come into force on the day this Act is passed.
