



Pensions Act 2007

CHAPTER 22

PENSIONS ACT 2007

PART 1

STATE PENSION

Entitlement to Category A and B retirement pensions

- 1 Category A and B retirement pensions: single contribution condition
- 2 Category B retirement pension: removal of restriction on entitlement

Credits for basic state pension

- 3 Contributions credits for relevant parents and carers

Abolition of adult dependency increases

- 4 Category A and C retirement pensions: abolition of adult dependency increases

Up-rating of basic state pension and other benefits

- 5 Up-rating of basic pension etc. and standard minimum guarantee by reference to earnings
- 6 Preservation of link with prices in case of other benefits
- 7 Removal of link between lower earnings limit and basic pension
- 8 Removal of link between lower earnings limit and basic pension: Northern Ireland

Additional pension: deemed earnings factors

- 9 Deemed earnings factors for purposes of additional pension

Status: This is the original version (as it was originally enacted).

Additional pension: simplification of accrual rates

- 10 Additional pension: removal of accrual band from 2010-11
- 11 Additional pension: simplified accrual rates as from flat rate introduction year
- 12 Additional pension: upper accrual point

Increase in state pension age

- 13 Increase in pensionable age for men and women

PART 2

OCCUPATIONAL AND PERSONAL PENSION SCHEMES

Contracting-out

- 14 Conversion of guaranteed minimum pensions
- 15 Abolition of contracting-out for defined contribution pension schemes

Dispute resolution

- 16 Dispute resolution arrangements

Actuarial guidance

- 17 Removal of Secretary of State's role in approving actuarial guidance

Financial assistance scheme

- 18 Financial assistance scheme: increased levels of payments
- 19 Temporary restriction on purchase of annuities

PART 3

PERSONAL ACCOUNTS DELIVERY AUTHORITY

- 20 Personal Accounts Delivery Authority
- 21 Initial function of the Authority
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SCHEDULES

SCHEDULE 1 — State pension: consequential and related amendments

Part 1 — CATEGORY A AND B RETIREMENT PENSIONS: SINGLE CONTRIBUTION CONDITION

- 1 (1) Section 44 of the SSCBA (Category A retirement pension)...
- 2 (1) Section 48A of the SSCBA (Category B retirement pension)...
- 3 (1) Section 48B of the SSCBA (Category B retirement pension)...
- 4 In section 60 of the SSCBA (complete or partial failure...
- 5 After section 60 of the SSCBA insert— Failure to satisfy...

Part 2 — CATEGORY B RETIREMENT PENSION: REMOVAL OF RESTRICTION ON ENTITLEMENT

- 6 In section 54 of the SSCBA (Category A and B...
- 7 In section 55 of the SSCBA (pension increase or lump...
- 8 In Schedule 5 to the SSCBA (pension increase or lump...

Part 3 — CONTRIBUTIONS CREDITS FOR RELEVANT PARENTS AND CARERS

- 9 Social Security Contributions and Benefits Act 1992 (c. 4)
- 10 In section 176 of the SSCBA (parliamentary control) in subsection...
- 11 Welfare Reform Act 2007 (c. 5)

Part 4 — CATEGORY A AND C RETIREMENT PENSIONS: ABOLITION OF ADULT DEPENDENCY INCREASES

- 12 In section 30B of the SSCBA (incapacity benefit: rate) in...
- 13 In section 78 of the SSCBA (Categories C and D...
- 14 In section 88 of the SSCBA (increases to be in...
- 15 In section 89 of the SSCBA (meaning of earnings for...
- 16 In section 114 of the SSCBA (persons maintaining dependants etc.)...
- 17 In section 149 of the SSCBA (pensioners' entitlement to Christmas...
- 18 In Part 4 of Schedule 4 to the SSCBA (rates...

Part 5 — UP-RATING OF BASIC PENSION ETC. AND STANDARD MINIMUM GUARANTEE BY REFERENCE TO EARNINGS

- 19 Social Security Contributions and Benefits Act 1992 (c. 4)
- 20 In each of paragraphs 5A(3)(a), 6(4)(b) and 6A(2)(b) of that...
- 21 Social Security Administration Act 1992 (c. 5)
- 22 In section 152 of that Act (rectification of mistakes in...
- 23 In section 155 of that Act (effect of alteration of...
- 24 In section 155A of that Act (power to anticipate pensions...
- 25 In section 159 of that Act (effect of alteration in...
- 26 In section 159A of that Act (effect of alteration of...
- 27 In section 159B of that Act (effect of alterations affecting...
- 28 In section 159C of that Act as inserted by the...
- 29 In section 189 of that Act (regulations and orders_general) in...
- 30 In section 190 of that Act (parliamentary control of orders...
- 31 In Part 1 of Schedule 7 to that Act (regulations...
- 32 In Part 2 of that Schedule (regulations not requiring prior...

Part 6 — DEEMED EARNINGS FACTORS FOR PURPOSES OF ADDITIONAL PENSION

- 33 In section 22 of the SSCBA (earnings factors) at the...
- 34 (1) Section 44A of the SSCBA (deemed earnings factors) is...

Part 7 — ADDITIONAL PENSION: SIMPLIFIED ACCRUAL RATES

- 35 Social Security Contributions and Benefits Act 1992 (c. 4)
- 36 Pension Schemes Act 1993 (c. 48)
- 37 In section 41 of that Act (reduced rates of Class...
- 38 In section 181(1) of that Act (general interpretation) insert at...
- 39 In Schedule 4 to that Act (priority in bankruptcy etc.)...

Part 8 — INCREASE IN PENSIONABLE AGE FOR MEN AND WOMEN

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

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

- 41 In section 64 of the SSCBA (entitlement to attendance allowance)...
- 42 (1) Section 75 of the SSCBA (disability living allowance: persons...
- 43 In section 149 of the SSCBA (supplementary provisions relating to...
- 44 State Pension Credit Act 2002 (c. 16)

SCHEDULE 2 — Additional pension: simplified accrual rates

Part 1 — NEW SCHEDULE 4B TO THE SSCBA

- 1 After Schedule 4A to the SSCBA (additional pension) insert the...
- Part 2 — REVALUATION OF FLAT RATE ACCRUAL AMOUNT
- 2 After section 148A of the Administration Act insert— Revaluation of...
- Part 3 — CONSEQUENTIAL AND RELATED AMENDMENTS
- 3 Social Security Contributions and Benefits Act 1992 (c. 4)
- 4 (1) Section 39C of the SSCBA (rate of widowed parent's...
- 5 (1) Section 44 of the SSCBA (Category A retirement pension)...
- 6 In section 46 of the SSCBA (modification of section 45...
- 7 In section 48A of the SSCBA (rate of Category B...
- 8 In section 48B of the SSCBA (Category B retirement pension...
- 9 In section 48BB of the SSCBA (Category B retirement pension:...
- 10 In section 48C of the SSCBA (Category B retirement pension:...
- 11 In Schedule 4A to the SSCBA (additional pension) in paragraph...
- 12 Pension Schemes Act 1993 (c. 48)

SCHEDULE 3 — Increase in pensionable age for men and women

- 1 In the sidenote to section 126 of the Pensions Act...
- 2 In section 126 of that Act (equalisation of pensionable age)...
- 3 For the heading for Schedule 4 to that Act substitute...
- 4 (1) Paragraph 1 of Part 1 of Schedule 4 to...

SCHEDULE 4 — Abolition of contracting-out for defined contribution pension schemes

Part 1 — AMENDMENTS HAVING EFFECT AS FROM ABOLITION DATE

- 1 Pension Schemes Act 1993 (c. 48)
- 2 (1) Section 7 (issue of contracting-out and appropriate scheme certificates)...
- 3 (1) Section 8 (definitions of certain terms) is amended as...
- 4 (1) Section 9 (general requirements for certification of schemes) is...
- 5 In section 10 (protected rights and money purchase benefits) in...
- 6 Omit section 12 (determination of basis on which scheme is...
- 7 In section 20 (transfer of accrued rights) in subsection (3)...
- 8 For the heading before section 26, substitute “Requirements for schemes...
- 9 Before section 26 (persons who may establish scheme) insert— Requirements...
- 10 After section 27 insert— Requirements in relation to giving effect...
- 11 Omit sections 28 to 29 (ways of giving effect to...
- 12 For section 32A substitute— Discharge of protected rights on winding...
- 13 (1) Section 33 (tax requirements to prevail over certification requirements)...
- 14 (1) Section 33A (appropriate schemes: “blowing the whistle”) is amended...
- 15 (1) Section 34 (cancellation, variation, surrender and refusal of certificates)...
- 16 (1) Section 38 (alteration of rules of appropriate schemes) is...

- 17 In section 42A (reduced rates of Class 1 contributions, and...
- 18 Omit section 42B (determination and alteration of rates of contributions,...
- 19 In section 43 (payment of minimum contributions to personal pension...
- 20 Omit section 44 (earner's chosen scheme).
- 21 In section 45 (amount of minimum contributions) at the end...
- 22 Omit section 45A (determination and alteration of rates of minimum...
- 23 (1) Section 48A (additional pension and other benefits) is amended...
- 24 (1) Section 50 (powers of HMRC to approve arrangements for...
- 25 (1) Section 52 (supervision of schemes which have ceased to...
- 26 In section 55 (payment of state scheme premiums on termination...
- 27 In section 68A (safeguarded rights) in subsection (5) (interpretation) for...
- 28 In section 87 (general protection principle) in subsection (1) (when...
- 29 In section 96 (further provisions concerning exercise of option to...
- 30 (1) Section 156 (information for the purposes of contracting-out) is...
- 31 In section 163 (exemption of certain schemes from rule against...
- 32 In section 164 (Crown employment) for subsection (2) substitute—
- 33 In section 177 (general financial arrangements) in subsection (3) (amounts...
- 34 (1) Section 181 (general interpretation) is amended as follows.
- 35 After section 181 insert— Interpretation of references to money purchase...
- 36 Pensions Act 1995 (c. 26)
- 37 Welfare Reform and Pensions Act 1999 (c. 30)
- 38 In section 2 of that Act (registration of stakeholder pension...
- 39 Omit section 7 of that Act (reduced rates of contributions...
- 40 In Schedule 5 to that Act (pension credits: mode of...
- 41 Pensions Act 2004 (c. 35)
- Part 2 — FURTHER AMENDMENTS
- 42 Social Security Contributions and Benefits Act 1992 (c. 4)
- 43 In section 8 of the SSCBA (calculation of primary Class...
- 44 In section 9 of the SSCBA (calculation of secondary Class...
- 45 (1) In Schedule 1 to the SSCBA (supplementary provisions relating...
- 46 Pension Schemes Act 1993 (c. 48)
- 47 In section 8 (meaning of, among other things, “minimum payment”)...
- 48 In section 20 (transfer of accrued rights) in subsection (3)...
- 49 Omit section 31 (investment and resources of scheme).
- 50 In section 40 (scope of Chapter 2 of Part 3)...
- 51 Omit section 42A (reduced rates of contributions, and rebates, for...
- 52 Omit section 43 (payment of minimum contributions to personal pension...
- 53 Omit section 45 (amount of minimum contributions).
- 54 Omit section 45B (money purchase and personal pension schemes: verification...
- 55 In section 50 (powers of HMRC to approve arrangements for...
- 56 In section 164 (Crown employment) in subsection (2) (employees of...
- 57 (1) Section 177 (general financial arrangements) is amended as follows....
- 58 (1) Section 181 (interpretation) is amended as follows.
- 59 (1) Schedule 2 (certification regulations) is amended as follows.
- 60 (1) Paragraph 2 of Schedule 4 (priority in bankruptcy etc.

Part 3 — SAVINGS

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

- 61 Issue and cancellation etc. of certificates for periods before the abolition date
- 62 (1) Nothing in the relevant amendments and repeals affects the...
- 63 Nothing in the relevant amendments and repeals affects the continued...
- 64 Nothing in the relevant amendments and repeals affects the continued...
- 65 Determination of question whether scheme was appropriate scheme
- 66 Preservation of earner's chosen scheme
- 67 Interpretation etc.

SCHEDULE 5 — Removal of Secretary of State's role in approving actuarial guidance

- 1 Bankruptcy (Scotland) Act 1985 (c. 66)
- 2 In section 36F of that Act (recovery orders: supplementary) in...
- 3 Insolvency Act 1986 (c. 45)
- 4 In section 342F of that Act (orders in relation to...
- 5 Pension Schemes Act 1993 (c. 48)
- 6 In section 113 of that Act (disclosure of information about...
- 7 Pensions Act 1995 (c. 26)
- 8 In section 119 of that Act (regulations may provide for...
- 9 Pensions Act 2004 (c. 35)

SCHEDULE 6 — The Personal Accounts Delivery Authority

Part 1 — MEMBERS AND EMPLOYEES ETC.

- 1 Members
 - 2 Qualifications for non-executive members
 - 3 Tenure of office of non-executive members
 - 4 Remuneration etc. of non-executive members
 - 5 Deputy chairman
 - 6 Executive members and other employees
 - 7 Terms and conditions of executive members
 - 8 Terms and conditions of other employees
- ##### Part 2 — PROCEEDINGS ETC.
- 9 Committees and advisory committees
 - 10 (1) A committee of the Authority may establish a sub-committee....
 - 11 Proceedings of the Authority, committees and sub-committees
 - 12 The Authority must make arrangements for the keeping of proper...
 - 13 Disqualification for acting in relation to certain matters
 - 14 Delegation
 - 15 Validity of proceedings
 - 16 Authentication of the Authority's seal
 - 17 Annual report
- ##### Part 3 — MONEY
- 18 Grants
 - 19 Accounts
- ##### Part 4 — SUPPLEMENTARY
- 20 Disqualification
 - 21 In Part 2 of Schedule 1 to the Northern Ireland...
 - 22 Records and freedom of information
 - 23 In Part 6 of Schedule 1 to the Freedom of...
 - 24 Interpretation

SCHEDULE 7 — Repeals and revocations

- Part 1 — CATEGORY B RETIREMENT PENSION: REMOVAL OF RESTRICTION ON ENTITLEMENT
- Part 2 — CATEGORY A AND C RETIREMENT PENSIONS: ABOLITION OF ADULT DEPENDENCY INCREASES
- Part 3 — UP-RATING
- Part 4 — REMOVAL OF LINK BETWEEN LOWER EARNINGS LIMIT AND BASIC PENSION
- Part 5 — ADDITIONAL PENSION: SIMPLIFIED ACCRUAL RATES
- Part 6 — ABOLITION OF CONTRACTING-OUT FOR DEFINED CONTRIBUTION PENSION SCHEMES: REPEALS AND REVOCATIONS HAVING EFFECT ON ABOLITION DATE
- Part 7 — ABOLITION OF CONTRACTING-OUT FOR DEFINED CONTRIBUTION PENSION SCHEMES: FURTHER REPEALS
- Part 8 — REMOVAL OF SECRETARY OF STATE'S ROLE IN APPROVING ACTUARIAL GUIDANCE