



# Pensions Act 2011

## 2011 CHAPTER 19

### PART 1

#### STATE PENSION

#### **2 Abolition of certain additions to the state pension**

(1) In section 150 of the Social Security Administration Act 1992 (annual up-rating of benefits)—

- (a) in subsection (1)(e)(i) for “person who is also entitled to a Category A or Category B retirement pension” substitute “relevant person”;
- (b) after subsection (1) insert—

“(1A) In subsection (1)(e)(i) “relevant person” means a person—

- (a) who became entitled to a Category A or Category B retirement pension before the day on which section 2(1) of the Pensions Act 2011 comes into force, and
- (b) to whom sums became payable by virtue of section 15(1) of the Pension Schemes Act 1993 (including sums payable by virtue of section 17(2)) before that day.

(1B) In subsection (1A)—

- (a) a reference to becoming entitled to a pension before a day includes a reference to becoming entitled on or after that day to the payment of a pension in respect of a period before that day;
- (b) a reference to sums becoming payable before a day includes a reference to sums becoming payable on or after that day in respect of a period before that day.”

(2) In that section after subsection (10A) insert—

“(10B) Subsection (10A) does not have effect unless—

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*Status: This is the original version (as it was originally enacted).*

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- (a) the member became entitled to a Category A or Category B retirement pension before the day on which section 2(2) of the Pensions Act 2011 comes into force, and
  - (b) the member’s postponed pension under the scheme became payable before that day.
- (10C) In subsection (10B)—
- (a) a reference to becoming entitled to a pension before a day includes a reference to becoming entitled on or after that day to the payment of a pension in respect of a period before that day;
  - (b) a reference to a pension becoming payable before a day includes a reference to a pension becoming payable on or after that day in respect of a period before that day.”
- (3) In section 151 of that Act (up-rating - supplementary) omit subsection (5).
- (4) The repeal made by subsection (3) does not affect the application of section 151(5) of that Act in relation to a person who became entitled to a Category A or Category B retirement pension before the day on which subsection (3) comes into force.
- (5) In Schedule 5 to the Social Security Contributions and Benefits Act 1992 (pension increase or lump sum where entitlement to retirement pension is deferred) omit paragraphs 5, 5A, 6, 6A and 7.
- (6) Schedule 2 (repeals and amendments consequential on subsection (5)) has effect.
- (7) The repeals made by subsection (5) do not affect the application of paragraphs 5 to 6A of Schedule 5 to the Social Security Contributions and Benefits Act 1992 in a case where—
- (a) W became entitled to a Category A or Category B retirement pension before the day on which subsection (5) comes into force, and
  - (b) S died before that day;
- (and section 150(1)(d) of the Social Security Administration Act 1992 continues to apply accordingly).
- (8) The enactments amended by Schedule 2 have effect in relation to such a case as if the repeals and amendments made by that Schedule (apart from the amendments made by paragraph 3(7) and (8)) had not been made.
- (9) In subsection (7) “W” and “S” have the same meaning as in paragraph 5 of Schedule 5 to the Social Security Contributions and Benefits Act 1992.
- (10) In this section a reference to becoming entitled to a pension before a day includes a reference to becoming entitled on or after that day to the payment of a pension in respect of a period before that day.