



Social Security Act 1975

1975 CHAPTER 14

PART II

BENEFIT AND ITS ADMINISTRATION

CHAPTER I

CONTRIBUTORY BENEFITS

Retirement pensions (Categories A and B)

27 Matters affecting entitlement to pension

- (1) In this Act " pensionable age " means—
 - (a) in the case of a man, the age of 65 ; and
 - (b) in the case of a woman, the age of 60.
- (2) For the purposes of this Act a person's working life is the period between (inclusive) the tax year in which he attained the age of 16 and (exclusive) the tax year in which he attained pensionable age or died under that age.
- (3) For those purposes, a person may (subject to the following subsection) be treated as having retired from regular employment at any time after he has attained pensionable age—
 - (a) whether or not he has previously been an earner;
 - (b) notwithstanding that he is, or intends to be, an earner, if—
 - (i) he is or intends to be so only occasionally or to an inconsiderable extent, or otherwise in circumstances not inconsistent with retirement, or
 - (ii) his earnings can be expected not to exceed, or only occasionally to exceed, the amount any excess over which would, under section 30(1)

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below (earnings rule), involve a reduction of the weekly rate of his pension;

and a person so treated under this subsection shall not cease to be so treated except in pursuance of an election under section 30(3) below (return to work after retirement).

- (4) Subject to the following subsection, a person shall not be treated as having retired from regular employment unless he has complied with the prescribed requirements as to the giving of notice of the date of his retirement; and where the date of retirement specified in the notice falls before the date when the notice is given, the person shall not be treated as having so retired earlier than on the date of commencement of the prescribed period before the giving of the notice.
- (5) For the purposes of this Act a person who has not previously retired from regular employment shall be deemed so to retire on the expiration of 5 years from his attaining pensionable age; and references in this Part of this Act to title date of a person's retirement shall be construed in accordance with this section.
- (6) No person shall be entitled for the same period to more than one retirement pension; but where under the following sections in this Part (whether Chapter I or Chapter II) a person would otherwise be entitled to more than one such pension, he shall be entitled (whichever pension he may apply for) to whichever one is from time to time the most favourable to him.