



Social Security Pensions Act 1975

1975 CHAPTER 60

PART III

CONTRACTING-OUT

Contracted-out rates of contributions and benefits

28 Review and alteration of contracted-out rates of Class 1 contributions.

- (1) The Secretary of State may from time to time, and shall when required by subsection (3) below, lay before each House of Parliament—
 - (a) a report by the Government Actuary [^{F1}or the deputy Government Actuary] on the contracted-out percentages for the time being applying under section 27 above and any changes in the factors affecting the cost to occupational pension schemes of providing guaranteed minimum pensions; and
 - (b) a report by the Secretary of State stating whether he considers that, in view of the [^{F2}report of the Government Actuary or Deputy Government Actuary,] there should be an alteration in either or both of those percentages and, if so, what alteration is in his opinion required.
- (2) The changes referred to in paragraph (a) of subsection (1) above are, in the case of the first report under that paragraph, changes since the passing of this Act and, in the case of a subsequent report, changes since the preparation of the last report.
- (3) The Secretary of State shall lay such reports as aforesaid as soon as may be after the third anniversary of the coming into force of this section and thereafter at intervals of not more than five years.
- (4) If in a report under subsection (1)(b) above the Secretary of State states that he considers that there should be an alteration in either or both of the contracted-out percentages, he shall prepare and lay before each House of Parliament with the report the draft of an order making that alteration; and if the draft is approved by resolution of each House the Secretary of State shall make the order in the form of the draft.

Status: Point in time view as at 01/07/1992. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975, Section 28. (See end of Document for details)

- (5) An order under subsection (4) above shall have effect from the beginning of such tax year as may be specified in the order, but not a tax year earlier than the second after that in which the order is made.
- (6) No alteration of the contracted-out percentages shall introduce any distinction on grounds of age or sex.
- [^{F3}(7) A draft of an order making alterations in either or both of the contracted-out percentages may contain consequential provisions altering any percentage for the time being specified in paragraph 2(2) of Schedule 3 to this Act as that percentage applies in relation to earnings paid or payable on or after the day as from which the order is to have effect.]

Textual Amendments

- F1** Words inserted by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#), **Sch. 2**, para. 22(a)
- F2** Words substituted (with effect from 1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#), **Sch. 2**, para. 22(b)
- F3** S. 28(7) inserted by [Social Security Act 1985 \(c. 53\)](#), **Sch. 5**, para. 18

Status:

Point in time view as at 01/07/1992. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Social Security Pensions Act 1975, Section 28.