

## SCHEDULES

### SCHEDULE 2

#### CONSEQUENTIAL AMENDMENTS

##### *Social Security Pensions Act 1975*

24 The following sections shall be inserted after that section—

#### **“29A Contracting-out and invalidity allowance**

(1) Where for any period—

- (a) a person is entitled to one or more guaranteed minimum pensions; and
- (b) he is also entitled to an invalidity pension under section 33 of the Contributions and Benefits Act; and
- (c) the weekly rate of his invalidity pension includes an additional pension such as is mentioned in section 44(3)(b) of that Act,

for that period section 34 of that Act shall have effect as if the following subsection were substituted for subsection (5)—

“(5) In this section “the relevant amount” means an amount equal to the aggregate of—

- (a) an amount equal to the additional pension; and
- (b) an amount equal to the weekly rate or aggregate weekly rates of the guaranteed minimum pension or pensions,

reduced by the amount of any reduction in the weekly rate of the invalidity pension made by virtue of section 29 of the Pensions Act.”.

(2) Where for any period—

- (a) a person is entitled to one or more guaranteed minimum pensions; and
- (b) he is also entitled to an invalidity pension under section 33 of the Contributions and Benefits Act; and
- (c) the weekly rate of his invalidity pension does not include an additional pension such as is mentioned in section 44(3)(b) of that Act,

for that period the relevant amount shall be deducted from the appropriate weekly rate of invalidity allowance and he shall be entitled to invalidity allowance only if there is a balance after the deduction and, if there is such a balance, at a weekly rate equal to it.

(3) In subsection (2) above “the relevant amount” means an amount equal to the weekly rate or aggregate weekly rates of the guaranteed minimum pension or pensions reduced by the amount of any reduction in the weekly rate of the invalidity pension made by virtue of section 29 above.

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*Status: This is the original version (as it was originally enacted).*

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- (4) Where subsection (2) above applies, section 34(7) of the Contributions and Benefits Act shall have effect as if for the words “subsection (4) above” there were substituted the words “section 29A(2) of the Pensions Act”.

**29B Contracting-out and increases of Category A retirement pension for invalidity**

- (1) Where for any period—
- (a) a person is entitled to one or more guaranteed minimum pensions; and
  - (b) he is also entitled to a Category A retirement pension under section 44 of the Contributions and Benefits Act; and
  - (c) the weekly rate of his pension includes an additional pension such as is mentioned in section 44(3)(b) of that Act,
- for that period section 47 of that Act shall have effect as if the following subsection were substituted for subsection (3)—

- “(3) In subsection (2) above “the relevant amount” means an amount equal to the aggregate of—
- (a) an amount equal to the additional pension; and
  - (b) an amount equal to the weekly rate or aggregate weekly rates of the guaranteed minimum pension or pensions,
- reduced by the amount of any reduction in the weekly rate of the Category A retirement pension made by virtue of section 29 of the Pensions Act.”.

- (2) Where for any period—
- (a) a person is entitled to one or more guaranteed minimum pensions; and
  - (b) he is also entitled to a Category A retirement pension under section 44 of the Contributions and Benefits Act; and
  - (c) the weekly rate of his Category A retirement pension does not include an additional pension such as is mentioned in section 44(3)(b) of that Act,

for that period the relevant amount shall be deducted from the amount that would otherwise be the increase under section 47(1) of that Act and the pensioner shall be entitled to an increase under that subsection only if there is a balance remaining after that deduction and, if there is such a balance, of an amount equal to it.

- (3) In subsection (2) above “the relevant amount” means an amount equal to the weekly rate or aggregate weekly rates of the guaranteed minimum pension or pensions reduced by the amount of any reduction in the weekly rate of the Category A retirement pension made by virtue of section 29 above.

**29C Contracting-out and increases of unemployment supplement**

- (1) Where for any period—
- (a) a person is entitled to one or more guaranteed minimum pensions; and
  - (b) he is also entitled-

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- (i) to an invalidity pension under section 33 of the Contributions and Benefits Act;
  - (ii) to a Category A retirement pension under section 44; or
  - (iii) to a Category B retirement pension under section 49; and
  - (c) the weekly rate of the pension includes an additional pension such as is mentioned in section 44(3)(b) of that Act,
- for that period paragraph 3 of Schedule 7 to that Act shall have effect as if the following sub-paragraph were substituted for sub-paragraph (3)—
- “(3) In this paragraph “the relevant amount” means an amount equal to the aggregate of—
- (a) an amount equal to the additional pension; and
  - (b) an amount equal to the weekly rate or aggregate weekly rates of the guaranteed minimum pension or pensions,
- reduced by the amount of any reduction in the weekly rate of the pension made by virtue of section 29 of the Pensions Act.”.
- (2) Where for any period—
- (a) a person is entitled to one or more guaranteed minimum pensions; and
  - (b) he is also entitled to any of the pensions under the Contributions and Benefits Act mentioned in subsection (1)(b) above; and
  - (c) the weekly rate of the pension does not include an additional pension such as is mentioned in section 44(3)(b) of that Act,
- for that period the relevant amount shall be deducted from the amount that would otherwise be the increase under that paragraph and the beneficiary shall be entitled to an increase only if there is a balance after that deduction and, if there is such a balance, only to an amount equal to it.
- (3) In subsection (2) above “the relevant amount” means an amount equal to the weekly rate or aggregate weekly rates of the guaranteed minimum pension or pensions.”.