



Child Support, Pensions and Social Security Act 2000

2000 CHAPTER 19

PART II

PENSIONS

CHAPTER I

STATE PENSIONS

State second pension

33 Revaluation.

- (1) After section 148 of the ^{M1}Social Security Administration Act 1992 there shall be inserted—

“148A Revaluation of low earnings threshold.

- (1) The Secretary of State shall in the tax year preceding the first appointed year and in each subsequent tax year review the general level of earnings obtaining in Great Britain and any changes in that level which have taken place during the review period.
- (2) In this section, “the review period” means—
- (a) in the case of the first review under this section, the period beginning with 1st October 1998 and ending on 30th September in the tax year preceding the first appointed year; and
 - (b) in the case of each subsequent review under this section, the period since—

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- (i) the end of the last period taken into account in a review under this section; or
 - (ii) such other date (whether earlier or later) as the Secretary of State may determine.
- (3) If on such a review it appears to the Secretary of State that the general level of earnings has increased during the review period, he shall make an order under this section.
- (4) An order under this section shall be an order directing that, for the purposes of the Contributions and Benefits Act—
 - (a) there shall be a new low earnings threshold for the tax years after the tax year in which the review takes place; and
 - (b) the amount of that threshold shall be the amount specified in subsection (5) below—
 - (i) increased by the percentage by which the general level of earnings increased during the review period; and
 - (ii) rounded to the nearest £100 (taking any amount of £50 as nearest to the next whole £100).
- (5) The amount referred to in subsection (4)(b) above is—
 - (a) in the case of the first review under this section, £9,500; and
 - (b) in the case of each subsequent review, the low earnings threshold for the year in which the review takes place.
- (6) This section does not require the Secretary of State to direct any increase where it appears to him that the increase would be inconsiderable.
- (7) If on any review under subsection (1) above the Secretary of State determines that he is not required to make an order under this section, he shall instead lay before each House of Parliament a report explaining his reasons for arriving at that determination.
- (8) For the purposes of any review under subsection (1) above the Secretary of State shall estimate the general level of earnings in such manner as he thinks fit.”
- (2) Section 148 of the ^{M2}Social Security Administration Act 1992 (revaluation of earnings factors) shall have effect as if—
 - (a) the amounts for the first appointed year and any subsequent tax year that are to be reviewed under that section,
 - (b) the amounts for those years to which any directions by an order under subsection (4) of that section are to be applied, and
 - (c) accordingly, the amounts for the purpose of maintaining the value of which that section has effect,
 included the parts of the surplus in an earnings factor referred to in paragraphs 2(2)(a), 5(2)(a) and 7(2)(a) of Schedule 4A to the ^{M3}Social Security Contributions and Benefits Act 1992.
- (3) Nothing in section 148 of the ^{M4}Social Security Administration Act 1992 shall require, or ever have required, the earnings factors used for computing a surplus in an earnings factor for any year under section 44(5A) of the ^{M5}Social Security Contributions and Benefits Act 1992 to be treated as increased in any case in which that surplus, or any

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part of it, is itself reviewed under section 148 of the ^{M6}Social Security Administration Act 1992.

- (4) In section 128(3) of the ^{M7}Pensions Act 1995 (revaluation of surpluses in earnings factors under section 44(5A) of the Social Security Contributions and Benefits Act 1992), after “1992” there shall be inserted “for the purposes of section 45(1) and (2) (a) and (b) of that Act”.

Commencement Information

- I1** [S. 33](#) wholly in force 6.4.2002; [s. 33](#) not in force at Royal Assent see [s. 86\(2\)\(3\)\(a\)](#); [s. 33](#) in force for certain purposes at 8.1.2001 by [S.I. 2000/2950](#), [art. 6](#) (as amended by [S.I. 2000/3166](#), [art. 3](#)); [s. 33\(1\)\(2\)](#) in force for certain purposes at 25.1.2001 and 6.4.2002 for all remaining purposes and [s. 33\(3\)\(4\)](#) in force for all remaining purposes at 25.1.2001 by [S.I. 2001/153](#), [art. 2\(c\)\(d\)](#)
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Marginal Citations

- M1** 1992 c. 5.
M2 1992 c. 5.
M3 1992 c. 4.
M4 1992 c. 5.
M5 1992 c. 4.
M6 1992 c. 5.
M7 1995 c. 26.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 70A inserted by [2012 c. 5 Sch. 3 para. 13](#)
- Sch. 7 para. 1(2)(c) inserted by [2007 c. 5 Sch. 5 para. 13](#)
- Sch. 7 para. 6(5A)(5B) inserted by [2012 c. 5 Sch. 11 para. 13\(3\)](#)
- Sch. 7 para. 6(8)(b) inserted by [2012 c. 5 Sch. 11 para. 13\(4\)\(b\)](#)
- Sch. 7 para. 6(8)(a) words in Sch. 7 para. 6(8) renumbered as Sch. 7 para. 6(8)(a) by [2012 c. 5 Sch. 11 para. 13\(4\)\(a\)](#)

Commencement Orders yet to be applied to the Child Support, Pensions and Social Security Act 2000

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2003/346 art. 2](#) amendment to earlier commencing SI 2003/192 art. 6