

Status: Point in time view as at 06/04/2016.

Changes to legislation: There are currently no known outstanding effects for the Pensions Act 2014, Cross Heading: Social Security Administration Act 1992 (c. 5). (See end of Document for details)

SCHEDULES

SCHEDULE 12

STATE PENSION: AMENDMENTS

PART 1

AMENDMENTS TO DO WITH NEW STATE PENSION SYSTEM

Social Security Administration Act 1992 (c. 5)

8 The Administration Act is amended as follows.

Commencement Information

- I1** Sch. 12 para. 8 in force at 7.7.2015 for specified purposes by [S.I. 2015/1475, art. 2\(2\)\(a\)](#)
I2 Sch. 12 para. 8 in force at 6.4.2016 so far as not brought into force earlier by an order, see s. 56(1)(4)

9 In section 1 (entitlement to benefit dependent on claim), in subsection (4), after paragraph (za) insert—
“(zb) state pension or a lump sum under Part 1 of the Pensions Act 2014;”.

Commencement Information

- I3** Sch. 12 para. 9 in force at 6.4.2016, see s. 56(1)(4)

10 In section 5 (regulations about claims for and payments of benefits), in subsection (2), after paragraph (za) insert—
“(zb) state pension or a lump sum under Part 1 of the Pensions Act 2014;”.

Commencement Information

- I4** Sch. 12 para. 10 in force at 6.4.2016, see s. 56(1)(4)

11 In section 71 (overpayments - general), in subsection (11), before paragraph (a) insert—
“(za) state pension or a lump sum under Part 1 of the Pensions Act 2014;”.

Commencement Information

- I5** Sch. 12 para. 11 in force at 6.4.2016, see s. 56(1)(4)

12 In section 73 (overlapping benefits - general)—

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- (a) in subsection (1), after “adjusting” insert “ state pension under Part 1 of the Pensions Act 2014 or ”;
- (b) in subsection (4), before paragraph (a) insert—
 “(za) state pension under Part 1 of the Pensions Act 2014;”.

Commencement Information

I6 Sch. 12 para. 12 in force at 6.4.2016, see s. 56(1)(4)

- 13 In section 121DA (interpretation of Part 6), in subsection (1), after paragraph (hk) insert—
 “(hl) Part 1 of the Pensions Act 2014;”.

Commencement Information

I7 Sch. 12 para. 13 in force at 6.4.2016, see s. 56(1)(4)

- 14 In section 122B (supply of other government information for fraud prevention and verification), in subsection (3)(b), after “Part 4 of that Act” insert “ , Part 1 of the Pensions Act 2014 ”.

Commencement Information

I8 Sch. 12 para. 14 in force at 6.4.2016, see s. 56(1)(4)

- 15 In section 124 (age, death and marriage), in subsection (1), after paragraph (ae) insert—
 “(af) of the provisions of Part 1 of the Pensions Act 2014; and”.

Commencement Information

I9 Sch. 12 para. 15 in force at 6.4.2016, see s. 56(1)(4)

- 16 In section 125 (regulations as to notification of deaths), in subsection (1), after “Part 4 of that Act” insert “ , Part 1 of the Pensions Act 2014 ”.

Commencement Information

I10 Sch. 12 para. 16 in force at 6.4.2016, see s. 56(1)(4)

- 17 After section 148AB insert—

“148AC Revaluation for transitional pensions under Pensions Act 2014

- (1) The Secretary of State must, in each tax year, review the general level of prices in Great Britain and any changes which have taken place during the review period.
- (2) In this section “the review period” means the period since the beginning of 6 April 2016.

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- (3) If on a review it appears to the Secretary of State that the general level of prices has increased during the review period, the Secretary of State must make an order specifying the percentage of the increase.
- (4) The percentage specified in the order is the “revaluing percentage” for the purposes of paragraph 6(5) of Schedule 1 to the Pensions Act 2014.
- (5) Subsection (3) does not require the Secretary of State to make an order if it appears to the Secretary of State that the effect of the order on amounts calculated in accordance with paragraph 6 of Schedule 1 to the Pensions Act 2014 would be inconsiderable.
- (6) If on a review the Secretary of State determines that no order under this section is required, the Secretary of State must lay before Parliament a report explaining the reasons for arriving at that determination.
- (7) For the purposes of any review under this section the Secretary of State may estimate the general level of prices in such manner as the Secretary of State thinks fit.”

Commencement Information

I11 Sch. 12 para. 17 in force at 6.4.2016, see s. 56(1)(4)

- 18 In section 150 (annual up-rating of benefits), in subsection (1), after paragraph (o) insert—
- “(p) which are the increases in the rates of state pensions under section 17 of the Pensions Act 2014;”.

Commencement Information

I12 Sch. 12 para. 18 in force at 6.4.2016, see s. 56(1)(4)

- 19 In section 150A (annual up-rating), in subsection (1), before paragraph (a) insert—
- “(za) the amount specified in regulations under section 3(1) of the Pensions Act 2014 (full rate of state pension);”.

Commencement Information

I13 Sch. 12 para. 19 in force at 6.4.2016, see s. 56(1)(4)

- 20 In section 151 (up-rating: supplementary), in subsection (2)—
- (a) for “(dza) or (e)” substitute “ (dza), (e) or (p) ”;
 - (b) after “order and” insert “—
(a)”;
 - (c) at the end insert “, and
(b) in the case of the sums mentioned in subsection (1)(p) of that section, shall apply only in relation to sums calculated under section 17 of the Pensions Act 2014 by reference to periods which have ended before the coming into force of the order.”

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I14 Sch. 12 para. 20 in force at 6.4.2016, see s. 56(1)(4)

21 After section 151 insert—

“151A Up-rating of transitional state pensions under Pensions Act 2014

- (1) The Secretary of State must, in each tax year, review the general level of prices in Great Britain and any changes which have taken place.
- (2) If on a review it appears to the Secretary of State that the general level of prices has increased during the review period, the Secretary of State must make an order specifying a percentage by which the amounts mentioned in the following provisions of the Pensions Act 2014 are to be increased—
 - (a) section 9;
 - (b) paragraph 4(3) of Schedule 2;
 - (c) paragraphs 5(3) and 6 of Schedule 4;
 - (d) paragraphs 5(3) and 6 of Schedule 9.
- (3) The percentage specified in the order must not be less than the percentage by which the general level of prices has increased during the review period.
- (4) This section does not require the Secretary of State to make an order if it appears to the Secretary of State that the effect of the order on the amounts referred to in subsection (2) would be inconsiderable.
- (5) An order under this section must be framed so as to bring the increase in question into force in the week beginning with the first Monday in the tax year following that in which the order is made.
- (6) The Secretary of State must lay with a draft order under this section a copy of a report by the Government Actuary or the Deputy Government Actuary giving that Actuary's opinion on the likely effect on the National Insurance Fund.
- (7) If a draft order under this section is combined with a draft up-rating order under section 150 or 150A, the report required by virtue of subsection (6) may be combined with that required by virtue of section 150(8) or 150A(5).
- (8) For the purposes of any review under this section the Secretary of State may estimate the general level of prices in such manner as the Secretary of State thinks fit.”

Commencement Information

I15 Sch. 12 para. 21 in force at 6.4.2016, see s. 56(1)(4)

22 (1) Section 155A (power to anticipate pensions up-rating order) is amended as follows.

(2) In subsection (1)(a)—

- (a) for “150 or 150A” substitute “ 150, 150A or 151A ”;

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(b) in sub-paragraph (i), after “by way of” insert “ state pension under the Pensions Act 2014,”.

(3) In subsection (2), after “an award is made of” insert “ a state pension,”.

Commencement Information

I16 Sch. 12 para. 22 in force at 6.4.2016, see s. 56(1)(4)

23 (1) Section 163 (general financial arrangements) is amended as follows.

(2) In subsection (1), before paragraph (a) insert—

“(za) state pension and lump sums under Part 1 of the Pensions Act 2014;”.

(3) In subsection (2)(a), after “Contributions and Benefits Act” insert “ , Part 1 of the Pensions Act 2014 ”.

(4) In subsection (3)(b), after “that Act” insert “ or Part 1 of the Pensions Act 2014 ”.

Commencement Information

I17 Sch. 12 para. 23 in force at 6.4.2016, see s. 56(1)(4)

24 In section 170 (Social Security Advisory Committee), in subsection (5)—

(a) in the definition of “the relevant enactments”, after paragraph (al) insert—

“(am) the provisions of Part 1 of the Pensions Act 2014;”;

(b) in the definition of “the relevant Northern Ireland enactments”, after paragraph (al) insert—

“(am) any provisions in Northern Ireland which correspond to the provisions of Part 1 of the Pensions Act 2014;”.

Commencement Information

I18 Sch. 12 para. 24 in force at 6.4.2016, see s. 56(1)(4)

25 (1) Section 179 (reciprocal agreements) is amended as follows.

(2) In subsection (3)(a), after “Part 4 of that Act” insert “ , Part 1 of the Pensions Act 2014 ”.

(3) In subsection (4), after paragraph (ah) insert—

“(ai) to Part 1 of the Pensions Act 2014;”.

(4) In subsection (5)—

(a) after “Act 2007” insert “ or Part 1 of the Pensions Act 2014 ”;

(b) after paragraph (ac) insert—

“(ad) state pension under Part 1 of the Pensions Act 2014;”.

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Commencement Information

I19 Sch. 12 para. 25 in force at 7.7.2015 by S.I. 2015/1475, art. 2(2)(c)

- 26 In section 187 (inalienability), in subsection (1), after paragraph (za) insert—
“(zb) state pension under Part 1 of the Pensions Act 2014;”.

Commencement Information

I20 Sch. 12 para. 26 in force at 6.4.2016, see s. 56(1)(4)

- 27 In section 190 (parliamentary control of orders and regulations), in subsection (1) (a) after “150A,” insert “ 151A, ”.

Commencement Information

I21 Sch. 12 para. 27 in force at 6.4.2016, see s. 56(1)(4)

- 28 In section 191 (interpretation), in the definition of “benefit”, after “universal credit,” insert “ state pension under Part 1 of the Pensions Act 2014, ”.

Commencement Information

I22 Sch. 12 para. 28 in force at 6.4.2016, see s. 56(1)(4)

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