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STATUTORY RULES OF NORTHERN IRELAND

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**2018 No. 167**

The Social Security Benefits Up-rating  
(No. 2) Order (Northern Ireland) 2018

PART 2

SOCIAL SECURITY BENEFITS AND PENSIONS

**Rates or amounts of certain benefits under the Contributions and Benefits Act**

3.—(1) The sums specified in paragraph (2) shall be increased so that Schedule 4 to the Contributions and Benefits Act (rates of benefits, etc.), except paragraph 5 of Part III (guardian's allowance) of that Schedule, has effect as set out in Schedule 1 to this Order.

(2) The sums mentioned in paragraph (1) are the sums specified in Parts I, III, IV and V of Schedule 4 to the Contributions and Benefits Act except, in—

- (a) Part III, the sum specified for age addition to a pension of any category, and otherwise under section 79 of that Act;
- (b) Part IV, the sums specified in column (2) (increase for qualifying child); and
- (c) Part V(1), the sums specified for the increase in disablement pension for dependent children and death benefit allowance in respect of children and qualifying young persons.

**Rates or amounts of certain pensions and allowances under the Contributions and Benefits Act**

4.—(1) The sums falling to be calculated under paragraph 13(4) of Schedule 7 to the Contributions and Benefits Act (calculation of weekly rate of a beneficiary's retirement allowance) shall be increased by 3·0 per cent.

(2) In section 44(4) of the Contributions and Benefits Act(2) (basic pension of Category A retirement pension)—

- (a) for “£102·10” substitute “£105·15”; and
  - (b) for “£122·30” substitute “£125·95”.
- (3) It is directed that the sums which are—
- (a) the additional pensions in long-term benefits calculated by reference to any final relevant year earlier than the tax year 2017-18;

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(1) Part V was amended by paragraph 41 of Schedule 1 to the Child Benefit Act 2005 (c. 6) and Article 71 of the Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006 (N.I.1))

(2) Section 44(4) was substituted by Article 64 of the Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10)) and amended by S.R. 2018 Nos. 56 and 58

- (b) the increases in the rates of retirement pensions under Schedule 5 to the Contributions and Benefits Act(3) (pension increase or lump sum where entitlement to retirement pension is deferred);
- (c) lump sums to which surviving spouses or civil partners will become entitled under paragraph 7A of that Schedule on becoming entitled to a Category A or Category B retirement pension (entitlement to lump sum where pensioner's deceased spouse or civil partner has deferred entitlement); and
- (d) payable to a pensioner as part of their Category A or Category B retirement pension by virtue of an order made under section 120 of the Social Security (Northern Ireland) Act 1975(4), Article 64 of the Social Security (Northern Ireland) Order 1986(5) or section 132 of the Administration Act,

shall in each case be increased by 3·0 per cent.

(4) The sums which are shared additional pensions under section 55A and 55AA of the Contributions and Benefits Act(6), and the sums which are increases in the rates of such pensions under paragraph 2 of Schedule 5A to that Act(7), shall in each case be increased by 3·0 per cent.

#### **Rates or amounts of certain benefits under the Pension Schemes Act**

5. It is directed that sums which are payable by virtue of section 11(1) of the Pension Schemes Act (increase of guaranteed minimum where commencement of guaranteed minimum pension postponed) to a person who is also entitled to a Category A or Category B retirement pension (including sums payable by virtue of section 13(2) and (3) of that Act(8)) shall be increased by 3·0 per cent. where the increase under section 11(1) is attributable to earnings factors for the tax year 1987-88 and earlier tax years(9).

#### **Rates or amounts of certain pensions under Part 1 of the Pensions Act**

6.—(1) In regulation 1A of the State Pension Regulations (Northern Ireland) 2015(10) (full rate of state pension) for “£159·55” substitute “£164·35”.

(2) It is directed that the sums which are increases under section 17 of the Pensions Act in the rates of state pensions under Part 1 of that Act shall be increased by 3·0 per cent.

(3) The amounts which, under—

- (a) section 9 of the Pensions Act, are survivor's pensions based on inheritance of deferred old state pension;

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- (3) Schedule 5 was amended by paragraph 36 of Schedule 7 to the Pension Schemes (Northern Ireland) Act 1993, paragraphs 6(2) to (4) and 18(12) to (17) of Schedule 2 to the Pensions (Northern Ireland) Order 1995 (S.I. 1995/3213 (N.I. 22)), section 35(1) of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4 (N.I.)), paragraphs 2 to 13 of Schedule 9 to the Pensions (Northern Ireland) Order 2005 (S.I. 2005/255 (N.I. 1)), paragraph 6 of the Schedule to S.R. 2005 No. 434 and paragraph 19 of Schedule 1 to the Pensions Act (Northern Ireland) 2008
  - (4) 1975 c. 15; section 120 was amended by paragraph 9 of Schedule 3 to the Social Security (Northern Ireland) Order 1979 (S.I. 1979/396 (N.I. 5)) and repealed by Schedule 1 to the Social Security (Consequential Provisions) (Northern Ireland) Act 1992 (c. 9)
  - (5) S.I. 1986/1888 (N.I. 18); Article 64 was repealed by Schedule 1 to the Social Security (Consequential Provisions) (Northern Ireland) Act 1992
  - (6) Section 55A was inserted by paragraph 3 of Schedule 6 to the Welfare Reform and Pensions (Northern Ireland) Order 1999 and amended by section 37(3) of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 and paragraph 4 of Schedule 11 to the Pensions Act (Northern Ireland) 2015, and section 55AA was inserted by paragraph 5 of Schedule 11 to that Act
  - (7) Schedule 5A was inserted by paragraph 14 of Schedule 9 to the Pensions (Northern Ireland) Order 2005
  - (8) Section 13(2) was amended by paragraph 5(b) of Schedule 1 to S.R. 2005 No. 433
  - (9) See section 132(4) of the Social Security Administration (Northern Ireland) Act 1992 as amended by paragraph 41(c) of Schedule 7 to the Pension Schemes (Northern Ireland) Act 1993; see also S.R. 2018 No. 42
  - (10) S.R. 2015 No. 315; regulation 1A was inserted by regulation 2 of S.R. 2016 No. 88 and amended by S.R. 2018 Nos. 56 and 58

- (b) paragraph 4(3) of Schedule 2 to the Pensions Act, are the amounts of state pensions under Part 1 of the Pensions Act at the transitional rate which exceed the full rate;
- (c) paragraphs 5(3) and 6 of Schedule 4 to the Pensions Act, are the amounts of survivor's pensions which either alone or in combination with one or more other pensions under Part 1 of that Act exceed the full rate; and
- (d) paragraphs 5(3) and 6 of Schedule 9 to the Pensions Act, are the amounts of shared state pensions under Part 1 of the Pensions Act which either alone or in combination with one or more other pensions under Part 1 of that Act exceed the full rate,

shall in each case be increased by 3·0 per cent.

(4) For the purpose of this Article, “old state pension” has the same meaning as in section 22 of the Pensions Act.

### **Earnings limits**

7. In section 80(4) of the Contributions and Benefits Act(11) (earnings limits in respect of child dependency increases)—

- (a) for “£230·00”, in both places where it occurs, substitute “£235·00”; and
- (b) for “£30·00” substitute “£31·00”.

### **Statutory sick pay**

8. In section 153(1) of the Contributions and Benefits Act(12) (rate of payment) for “£89·35” substitute “£92·05”.

### **Statutory maternity pay**

9. In regulation 6 of the Statutory Maternity Pay (General) Regulations (Northern Ireland) 1987(13) (prescribed rate of statutory maternity pay) for “£140·98” substitute “£145·18”.

### **Statutory paternity pay, statutory adoption pay and statutory shared parental pay**

10.—(1) In the Statutory Paternity Pay and Statutory Adoption Pay (Weekly Rates) Regulations (Northern Ireland) 2002(14)—

- (a) in regulation 2(a) (weekly rate of payment of statutory paternity pay) for “£140·98” substitute “£145·18”; and
- (b) in regulation 3(a) (weekly rate of payment of statutory adoption pay) for “£140·98” substitute “£145·18”.

(2) In regulation 40(1)(a) of the Statutory Shared Parental Pay (General) Regulations (Northern Ireland) 2015(15) (weekly rate of payment of statutory shared parental pay) for “£140·98” substitute “£145·18”.

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(11) Section 80 was repealed by Schedule 6 to the Tax Credits Act 2002; *see* also Article 2 of S.R. 2003 No. 212 which saves the repealed provision in certain circumstances. Section 80(4) was amended by Article 7 of S.R. 2018 No. 56 and by Article 8 of S.R. 2018 No. 58

(12) Section 153(1) was amended by Article 10(1) of the Social Security (Incapacity for Work) (Northern Ireland) Order 1994, Article 8 of S.R. 2018 No. 56 and Article 9 of S.R. 2018 No. 58

(13) S.R. 1987 No. 30; relevant amending Rules are S.R. 2002 No. 354 and S.R. 2018 Nos. 56 and 58

(14) S.R. 2002 No. 380; relevant amending Rules are S.R. 2004 No. 111 and S.R. 2018 Nos. 56 and 58

(15) S.R. 2015 No. 94; relevant amending Rules are S.R. 2018 Nos. 56 and 58

**Graduated retirement benefit**

**11.**—(1) In section 35(1) of the National Insurance Act (Northern Ireland) 1966(16) (graduated retirement benefit)—

- (a) the sum of 13·43 pence shall be increased by 3·0 per cent.; and
- (b) the reference in that provision to that sum shall have effect as a reference to 13·83 pence.

(2) The sums which are the increases of graduated retirement benefit under Schedule 2 to the Social Security (Graduated Retirement Benefit) (No. 2) Regulations (Northern Ireland) 1978(17) (increases for deferred entitlement to a Category A or Category B retirement pension) shall be increased by 3·0 per cent.

(3) The sums which are lump sums to which surviving spouses or civil partners will become entitled under Schedule 1 to the Social Security (Graduated Retirement Benefit) Regulations (Northern Ireland) 2005(18) (increases of graduated retirement benefit and lump sums) shall be increased by 3·0 per cent.

(4) The sums which are the additions under section 36(1) of the National Insurance Act (Northern Ireland) 1966 (special provision as to graduated retirement benefit for widows and widowers) shall be increased by 3·0 per cent.

**Amount of Category C retirement pension under the Social Security (Widow's Benefit and Retirement Pensions) Regulations (Northern Ireland) 1979**

**12.** In regulation 11(3) of the Social Security (Widow's Benefit and Retirement Pensions) Regulations (Northern Ireland) 1979(19) (Category C retirement pension for widows of men over pensionable age on 5<sup>th</sup> July 1948) for “£73·30” substitute “£75·50”.

**Maximum additional pension**

**13.** In regulation 2A of the Social Security (Maximum Additional Pension) Regulations (Northern Ireland) 2010(20) (prescribed maximum additional pension for survivors who become entitled on or after 6<sup>th</sup> April 2016) for “£167·26” substitute “£172·28”.

**Disability living allowance**

**14.** In regulation 4 of the Social Security (Disability Living Allowance) Regulations (Northern Ireland) 1992(21) (rate of benefit)—

- (a) in paragraph (1)(a) for “£83·10” substitute “£85·60”;
- (b) in paragraph (1)(b) for “£55·65” substitute “£57·30”;
- (c) in paragraph (1)(c) for “£22·00” substitute “£22·65”;
- (d) in paragraph (2)(a) for “£58·00” substitute “£59·75”;
- (e) in paragraph (2)(b) for “£22·00” substitute “£22·65”.

(16) 1966 c. 6 (N.I.); sections 35 and 36 were repealed by the Social Security Act 1973 (c. 38) but are continued in force by regulation 2 of S.R. 1978 No. 105

(17) S.R. 1978 No. 105; relevant amending Rules are S.R. 1989 No. 373, S.R. 2005 No. 121 and S.R. 2018 Nos. 56 and 58

(18) S.R. 2005 No. 121; relevant amending Rules are S.R. 2005 No. 541, S.R. 2006 No. 104 and S.R. 2018 Nos. 56 and 58

(19) S.R. 1979 No. 243; regulation 11(3) was amended by regulation 2(4) of S.R. 1987 No. 404, regulation 8(7) of S.R. 1989 No. 373, Article 5(5) of S.R. 2015 No. 411, Article 12 of S.R. 2018 No. 56 and Article 13 of S.R. 2018 No. 58

(20) S.R. 2010 No. 62; regulation 2A was inserted by Article 26(4) of S.R. 2015 No. 411 and amended by Article 13 of S.R. 2018 No. 56 and by Article 14 of S.R. 2018 No. 58

(21) S.R. 1992 No. 32; regulation 4 was amended by regulation 2(5) of S.R. 1993 No. 340, Article 14 of S.R. 2018 No. 56 and Article 15 of S.R. 2018 No. 58

### **Personal independence payment**

**15.** In regulation 24 of the Personal Independence Payment Regulations (Northern Ireland) 2016(**22**) (rate of personal independence payment)—

- (a) in paragraph (1)(a) for “£55·65” substitute “£57·30”;
- (b) in paragraph (1)(b) for “£83·10” substitute “£85·60”;
- (c) in paragraph (2)(a) for “£22·00” substitute “£22·65”; and
- (d) in paragraph (2)(b) for “£58·00” substitute “£59·75”.

### **Age addition to long-term incapacity benefit**

**16.**—(1) Subject to paragraph (2), in regulation 9(2) of the Social Security (Incapacity Benefit) Regulations (Northern Ireland) 1994(**23**) (increase in rate of incapacity benefit where beneficiary is under prescribed age on the qualifying date)—

- (a) in sub-paragraph (a) for “£21·70” substitute “£22·35”; and
- (b) in sub-paragraph (b) for “£10·90” substitute “£11·25”.

(2) In so far as a claimant entitled to long-term incapacity benefit corresponds to a claimant under Article 17(2) of the Great Britain Up-rating Order, the sums specified in regulation 9(2)(a) and (b) of the Social Security (Incapacity Benefit) Regulations (Northern Ireland) 1994 shall be increased to £11·60 and £6·45 respectively.

### **Transitional invalidity allowance in long-term incapacity benefit cases**

**17.**—(1) Subject to paragraph (2), in regulation 18(2) of the Social Security (Incapacity Benefit) (Transitional) Regulations (Northern Ireland) 1995(**24**) (rate of long-term incapacity benefit in transitional cases)—

- (a) in sub-paragraph (a) for “£21·70” substitute “£22·35”;
- (b) in sub-paragraph (b) for “£14·00” substitute “£14·40”; and
- (c) in sub-paragraph (c) for “£7·00” substitute “£7·20”.

(2) In so far as a claimant entitled to long-term incapacity benefit corresponds to a claimant under Article 18(2) of the Great Britain Up-rating Order, the sums specified in regulation 18(2)(a), (b) and (c) of the Social Security (Incapacity Benefit) (Transitional) Regulations (Northern Ireland) 1995 shall be increased to £11·60, £6·45 and £6·45 respectively.

### **Bereavement benefits**

**18.** In the Rate of Bereavement Benefits Regulations (Northern Ireland) 2010(**25**)—

- (a) in regulation 2 (rate of widowed mother’s allowance and widow’s pension) for “£113·70” substitute “£117·10”; and
- (b) in regulation 3 (rate of widowed parent’s allowance) for “£113·70” substitute “£117·10”.

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(22) [S.R. 2016 No. 217](#); regulation 24 was amended by Article 15 of [S.R. 2018 No. 56](#) and Article 16 of [S.R. 2018 No. 58](#)

(23) [S.R. 1994 No. 461](#); regulation 9(2) was amended by Article 16 of [S.R. 2018 No. 56](#) and Article 17 of [S.R. 2018 No. 58](#)

(24) [S.R. 1995 No. 35](#); regulation 18(2) was amended by Article 17 of [S.R. 2018 No. 56](#) and Article 18 of [S.R. 2018 No. 58](#)

(25) [S.R. 2010 No. 407](#); regulation 3 was amended by Article 23 of [S.R. 2017 No. 66](#) and regulations 2 and 3 were amended by Article 18 of [S.R. 2018 No. 56](#) and by Article 19 of [S.R. 2018 No. 58](#)

### **Bereavement support payments**

**19.** In regulation 3 of the Bereavement Support Payment Regulations (Northern Ireland) 2018<sup>(26)</sup> (rate of bereavement support payment)—

- (a) in paragraph (1) the sum of £350 remains the same;
- (b) in paragraph (2) the sum of £3,500 remains the same;
- (c) in paragraph (4) the sum of £100 remains the same; and
- (d) in paragraph (5) the sum of £2,500 remains the same.