
EXPLANATORY NOTE

(This note is not part of the Regulations)

This Order, which corresponds to an Order (S.I. 2018/1217) made by the Secretary of State for Work and Pensions under sections 148AC(3) and 189(1) and (4) of the Social Security Administration Act 1992 (c. 5) (“the 1992 Act”), specifies the “revaluing percentage” as 6.5 per cent.

The Pensions Act (Northern Ireland) 2015 (c. 5 (N.I.)) (“the 2015 Act”) created a new state pension for people reaching pensionable age on or after 6th April 2016 (see Part 1 of that Act). Pensionable age has the meaning given by the rules in paragraph 1 of Schedule 2 to the Pensions (Northern Ireland) Order 1995 (S.I. 1995/3213 (N.I. 22)). The part of a person’s new state pension based on their pre-April 2016 contribution record that exceeds the full rate of the new state pension as at 6th April 2016 is commonly referred to as a “protected payment”. Paragraph 6(5) of Schedule 1 to the 2015 Act provides for the revaluing of protected payments by increasing these payments by the “revaluing percentage” specified in the last Order under section 130AC of the 1992 Act to come into operation before the person reached pensionable age.

Article 1(1) ensures that the revaluation of protected payments will apply to persons reaching pensionable age on or after 9th April 2019 including those who make an advance claim for a state pension under regulation 15(1) of the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987.

Article 2 of this Order specifies the revaluing percentage as 6.5 per cent.