



Social Security Pensions Act 1975

1975 CHAPTER 60

An Act to provide for relating the rates of social security retirement pensions and certain other benefits to the earnings on which contributions have been paid; to enable employed earners to be contracted-out of full social security contributions and benefits where the requisite benefits are provided by an occupational pension scheme; to make provision for securing that men and women are afforded equal access to occupational pension schemes; and to make other amendments in the law relating to social security (including an amendment of Part II of the Social Security Act 1975 introducing a new non-contributory benefit called “mobility allowance”); and to make other provision about occupational pensions. [7th August 1975]

Extent Information

E1 Act extends to Great Britain subject to provisions in s. 68(3)(4)

Modifications etc. (not altering text)

- C1** Words of enactment omitted under authority of [Statute Law Revision Act 1948 \(c. 62\)](#), [s. 3](#)
- C2** Act excluded (E.W.S.) (1.7.1992) by [Social Security Contributions and Benefits Act 1992 \(c. 4\)](#), [ss. 55\(1\), 177\(4\)](#), [Sch. 5 para. 2\(4\)\(b\)](#) (with [s. 108\(5\)](#)).
- C3** Act modified (7.2.1994) by [1993 c. 48](#), [ss. 188, 189, 190](#), [Sch. 6 Pt. II para. 9](#); S.I. 1994/86, [art. 2](#)
- C4** Act: power to amend conferred (2.12.1999) by [1998 c. 47](#), [ss. 87\(6\)\(d\)](#)(with [s. 95](#)); S.I. 1999/3209, [art. 2](#), [Sch.](#)

PART I

CONTRIBUTIONS

1-5 F1

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

Textual Amendments

F1 Ss. 1–10, 12–16A, 18–21, 23–25, 51A(13), 60(1)(a), words in s. 60A, s. 62(1) and (3), words in s. 64(2), s. 65(4), words in s. 66(2)(a) and (b); Sch. 1; Sch. 4, paras. 35–46, 49, 50, 53–64, 66, 67 repealed (1.7.1992) on consolidation by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#)

PART II

BENEFITS

6–10 **F2**

Textual Amendments

F2 Ss. 1–10, 12–16A, 18–21, 23–25, 51A(13), 60(1)(a), words in s. 60A, s. 62(1) and (3), words in s. 64(2), s. 65(4), words in s. 66(2)(a) and (b); Sch. 1; Sch. 4, paras. 35–46, 49, 50, 53–64, 66, 67 repealed (1.7.1992) on consolidation by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#)

11 **F3**

Textual Amendments

F3 S. 11 repealed (with effect from 1.10.1989) by [Social Security Act 1989 \(c. 24\)](#), [Sch. 9](#)

12–16A **F4**

Textual Amendments

F4 Ss. 1–10, 12–16A, 18–21, 23–25, 51A(13), 60(1)(a), words in s. 60A, s. 62(1) and (3), words in s. 64(2), s. 65(4), words in s. 66(2)(a) and (b); Sch. 1; Sch. 4, paras. 35–46, 49, 50, 53–64, 66, 67 repealed (1.7.1992) on consolidation by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#)

17 **F5**

Textual Amendments

F5 S. 17 repealed by [Social Security Act 1979 \(c. 18\)](#), [Sch. 1 para. 19](#)

18–21 **F6**

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

Textual Amendments

F6 Ss. 1–10, 12–16A, 18–21, 23–25, 51A(13), 60(1)(a), words in s. 60A, s. 62(1) and (3), words in s. 64(2), s. 65(4), words in s. 66(2)(a) and (b); Sch. 1; Sch. 4, paras. 35–46, 49, 50, 53–64, 66, 67 repealed (1.7.1992) on consolidation by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#)

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(1)	F7
(3)	F8
(4)	F7
(5)	F8
(6)	F9

Textual Amendments

F7 S. 22(1)(2)(4) repealed (with effect from 6.4.1992) by [Disability Living Allowance and Disability Working Allowance Act 1991 \(c. 21\)](#), **Sch. 4**

F8 S. 22(3)(5) repealed by [Social Security Act 1968 \(c. 50\)](#) Sch. 11

F9 S. 22(6) repealed by [Social Security Act 1980 \(c. 30\)](#), **Sch. 5, Pt. II**

23–25 F10

Textual Amendments

F10 Ss. 1–10, 12–16A, 18–21, 23–25, 51A(13), 60(1)(a), words in s. 60A, s. 62(1) and (3), words in s. 64(2), s. 65(4), words in s. 66(2)(a) and (b); Sch. 1; Sch. 4, paras. 35–46, 49, 50, 53–64, 66, 67 repealed (1.7.1992) on consolidation by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#)

PART III

CONTRACTING-OUT

Modifications etc. (not altering text)

C5 Parts of Pt. III are modified, on transfers from contracted-out schemes, by reg. 3 of, and Sch. 3 to [S.I. 1985/1323](#).

Preliminary

F11 **26**

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

Textual Amendments

F11 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

Contracted-out rates of contributions and benefits

F12 **27**

Textual Amendments

F12 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

F13 **28**

Textual Amendments

F13 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

F14 **29**

Textual Amendments

F14 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

F15 **29A**

Textual Amendments

F15 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

F16 **29B**

Textual Amendments

F16 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

F17 **29C**

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

Textual Amendments

F17 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

Arrangements for contracting-out

F18 **30**

Textual Amendments

F18 Ss.26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

F19 **31**

Textual Amendments

F19 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

F20 **32**

Textual Amendments

F20 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

Requirements for contracting-out

F21 **33**

Textual Amendments

F21 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

34 **F22**

Textual Amendments

F22 S. 34 repealed by Social Security Act 1986 (c. 50), **Sch. 11**(and expressed to be repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**)

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

F23 **35**

Textual Amendments
F23 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

F24 **36**

Textual Amendments
F24 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

37 F25

Textual Amendments
F25 S. 37 repealed by Social Security Act 1986 (c. 50), **Sch. 11** (and expressed to be repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**)

F26 **37A**

Textual Amendments
F26 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

F27 **38**

Textual Amendments
F27 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

F28 **39**

Textual Amendments
F28 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

F29 **40**

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

Textual Amendments

F29 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

^{F30}**41**

Textual Amendments

F30 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

[^{F31} Protection of pensions]

Textual Amendments

F31 Ss. 41A–41E inserted by Health and Social Security Act 1984 (c. 48), **Sch. 6**

^{F32}**41A**

Textual Amendments

F32 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

^{F33}**41B**

Textual Amendments

F33 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

^{F34}**41C**

Textual Amendments

F34 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

^{F35}**41D**

Textual Amendments

F35 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

F36 **41E**

Textual Amendments

F36 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

State scheme premiums

42

F37 **43**

Textual Amendments

F37 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

F38 **44**

Textual Amendments

F38 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

F39 **44ZA**

Textual Amendments

F39 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

F40 **44A**

Textual Amendments

F40 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

F41 **45**

Textual Amendments

F41 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

46 F42

Textual Amendments

F42 S. 46 repealed by Social Security Act 1986 (c. 50), Sch. 11 (and expressed to be repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt. I; S.I. 1994/86, art. 2)

47

Supplementary

F43 48

Textual Amendments

F43 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt. I; S.I. 1994/86, art. 2

F44 49

Textual Amendments

F44 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt. I; S.I. 1994/86, art. 2

F45 50

Textual Amendments

F45 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt. I; S.I. 1994/86, art. 2

F46 51

Textual Amendments

F46 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt. I; S.I. 1994/86, art. 2

F47 51A

Textual Amendments

F47 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt. I; S.I. 1994/86, art. 2

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

^{F48} 52

Textual Amendments
F48 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt. I; S.I. 1994/86, art. 2

PART IV

OCCUPATIONAL PENSIONS

[^{F49} The revaluation percentage]

Textual Amendments
F49 Ss. 52A-52D inserted by Social Security Act 1985 (c. 53), Sch. 1, para. 2

^{F50} 52A

Textual Amendments
F50 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt. I; S.I. 1994/86, art. 2

^{F51} 52B

Textual Amendments
F51 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I; S.I. 1994/86, art. 2

Extinguishment of liability of scheme for pensions secured by insurance policies or annuity contracts

^{F52} 52C

Textual Amendments
F52 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt. I; S.I. 1994/86, art. 2

^{F53} 52D

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

Textual Amendments

F53 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

Equal access to occupational pension schemes

Modifications etc. (not altering text)

C6 Under para. 11(a) of Sch. 5, and under Sch. 9, to the **Social Security Act 1989 (c. 24)**, **ss. 53-56** are due, *prosp.*, to be repealed.

^{F54}**53**

Textual Amendments

F54 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

^{F55}**54**

Textual Amendments

F55 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

^{F56}**55**

Textual Amendments

F56 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

^{F57}**56**

Textual Amendments

F57 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

[^{F58} Information about and registration of occupational pension schemes]

Textual Amendments

F58 Sections 56A, 56E and 56L inserted by **Social Security Act 1985 (c. 53)**, **Sch. 2**

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

^{F59}56A

Textual Amendments
F59 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

~~56B~~ ^{F60}
56D

Textual Amendments
F60 Ss. 56B-56D, 56E(1)(c), 56F-56K(3) repealed (with effect from 18.7.1990) by Social Security Act 1990 (c. 27), **s. 13(2)** and Sch. 7 (and expressed to be repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**)

^{F61}56E

Textual Amendments
F61 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

~~56F~~ ^{F62}
56J

Textual Amendments
F62 Ss. 56B-56D, 56E(1)(c), 56F-56K(3) repealed (with effect from 18.7.1990) by Social Security Act 1990 (c. 27), **s. 13(2)** and Sch. 7 (and expressed to be repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**)

56K
(1) ^{F63}
(4) ^{F64}
(5) ^{F65}

Textual Amendments
F63 Ss. 56B-56D, 56E(1)(c), 56F-56K(3) repealed (with effect from 18.7.1990) by Social Security Act 1990 (c. 27), **s. 13(2)** and Sch. 7 (and expressed to be repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**)
F64 S. 56K(4) repealed (before coming into force) by Social Security Act 1986 (c. 50), **Sch. 11** (and expressed to be repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**)

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Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

F65 Ss. 56K(5)(6), 56L(1)(b), (5)(b) and (9), 56M and 56N repealed (with effect from 18.7.1990) by Social Security Act 1990 (c. 27), s. 13(2) and Sch. 7 (and expressed to be repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt. I; S.I. 1994/86, art. 2)

F66 56L

Textual Amendments

F66 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt. I; S.I. 1994/86, art. 2

56M, **F67**
56N.

Textual Amendments

F67 Ss. 56K(5)(6), 56L(1)(b), (5)(b) and (9), 56M and 56N repealed (with effect from 18.7.1990) by Social Security Act 1990 (c. 27), s. 13(2) and Sch. 7 (and expressed to be repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt. I; S.I. 1994/86, art. 2)

[^{F68} Auditors]

Textual Amendments

F68 S. 56P and crossheading inserted (with effect from 6.4.1987) by Social Security Act 1986 (c. 50), s. 11

F69 56P

Textual Amendments

F69 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt. I; S.I. 1994/86, art. 2

Other provisions

F70 57

Textual Amendments

F70 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt. I; S.I. 1994/86, art. 2 and expressed to be repealed (N.I.) (7.2.1994) by 1993 c. 49, s. 182(1), Sch. 4 Pt. I; S.R. 1994/17, art. 2

F71 57A

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

Textual Amendments

F71 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

F72 **57B**

Textual Amendments

F72 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

F73 **57C**

Textual Amendments

F73 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

F74 **57D**

Textual Amendments

F74 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

F75 **58**

Textual Amendments

F75 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

F76 **58A**

Textual Amendments

F76 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

F77 **58B**

Textual Amendments

F77 Ss. 26-58B repealed (7.2.1994) by 1993 c. 48, s. 193(2), **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

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Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

59 Increase of official pensions.

- (1) Where by virtue of [^{F78}section 151 of the Administration Act a direction is given that the sums mentioned in section 150(1)(c) of that Act] are to be increased by a specified percentage the Minister for the Civil Service shall by order provide that the annual rate of an official pension may, if a qualifying condition is satisfied or the pension is [^{F79}a derivative or substituted pension or a relevant injury pension], be increased in respect of any period beginning on or after the date on which the direction takes effect—
- if the pension began before the beginning of the base period for that direction, by the same percentage as that specified in the direction;
 - if the pension began during the base period, by that percentage multiplied by A/B where A is the number of complete months in the period between the beginning of the pension and the end of the base period and B is the number of complete months in the base period.
- (2) Where an order is made under this section in consequence of any such direction as aforesaid the order shall, in addition to the provision required by subsection (1) above, authorise the payment of an increase in respect of any lump sum that becomes payable during the base period for that direction, being an increase equal to the percentage specified in the direction multiplied by

$$\frac{A}{B}$$

where—

- A is the number of complete months in the period between the beginning date for the lump sum (or, if later, the date from which it was last authorised to be increased by an order under this section) and the date on which it becomes payable; and
 - B is the number of complete months in that base period.
- (3) In the case of the first order made under this section in consequence of any such direction as aforesaid, subsection (1) above shall have effect as if the increase required to be authorised in the case of any pension (whether beginning before or during the base period) were an increase equal to the percentage specified in the direction multiplied by

$$\frac{A}{B}$$

where—

- A is the number of complete months in the period between the beginning of the pension (or, if later, the date from which it was last authorised to be increased

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- by an order under section 2 of the ^{M1}Pensions (Increase) Act 1971) and the end of the base period for that direction; and
- (b) B is the number of complete months in that base period.
- (4) In the case of the first order so made under this section, subsection (2) above shall have effect as if—
- (a) for the reference to any lump sum that becomes payable during the base period there were substituted a reference to any lump sum that becomes or has become payable before the end of the base period but after the date from which official pensions were last increased by an order under section 2 of the ^{M2}Pensions (Increase) Act 1971; and
- (b) the reference in paragraph (a) of the subsection to the date from which the lump sum was last authorised to be increased were a reference to the date specified in paragraph (a) above.
- (5) The increases in the rate of a pension that may be provided for by an order under this section are to be calculated by reference to the basic rate of the pension as authorised to be increased by section 1 of the said Act of 1971 or by any order under section 2 of that Act or this section; but where—
- ^{F80}(a) a person is entitled to a guaranteed minimum pension when an order under this section comes into force; and
- (b) entitlement to that guaranteed minimum pension arises from an employment from which (either directly or by virtue of the payment of a transfer credit ^{F81}...) entitlement to the official pension also arises;
- the amount by reference] to which any increase authorised by that or any subsequent order is to be calculated shall be reduced by an amount equal to the rate of the guaranteed minimum pension.
- ^{F82}(5ZA) In the application of subsection (5) above in relation to a ^{F83}^{F84} surviving spouse's] ^{F85}or surviving civil partner's] pension in a case where the pensioner becomes entitled on the death of the deceased spouse ^{F86}or civil partner] to such a guaranteed minimum pension as is there mentioned.
- (a) the pensioner shall be treated as having been entitled to that guaranteed minimum pension at all times during the period beginning with the date on which the deceased spouse ^{F87}or civil partner] became entitled to a guaranteed minimum pension and ending with the date of the death;
- (b) the rate of the guaranteed minimum pension to which the pensioner is treated as so entitled at any time during that period ^{F88}(“the relevant time”) shall be taken to be ^{F89}the rate provided for in subsection (5ZB);] and
- (c) the amount by reference to which any increase in the ^{F90}^{F91} surviving spouse's] ^{F92}or surviving civil partner's] pension is to be calculated shall, subject to any directions under section 59A below (whether made before or after the coming into force of this subsection), be accordingly reduced under that subsection by an amount equal to the rate, as determined under paragraph (b) above, of the guaranteed minimum pension to which the pensioner is treated as entitled;
- ^{F93} ...]
- ^{F94}(5ZB) The rate referred to in subsection (5ZA)(b) is—
- ^{F95} [in the case of a pension payable to a woman in respect of the services—
- ^{F96}(a) (i) of her deceased male spouse; or
- (ii) of her deceased female spouse in a relevant gender change case;

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one half of the rate of the deceased spouse's guaranteed minimum pension at the relevant time;]

- (b) in the case of ^{F97}^{F98}any other surviving spouse's] pension, one half of so much of the rate of the deceased ^{F99}^{F100}spouse's] guaranteed minimum pension at the relevant time as is attributable to earnings factors for the tax year 1988-89 and subsequent tax years;
- (c) in the case of a surviving civil partner's pension, one half of so much of the rate of the deceased civil partner's guaranteed minimum pension at the relevant time as is attributable to earnings factors for the tax year 1988-89 and subsequent tax years.

(5ZC) Subsection (5ZA)—

- [does not apply to—
- ^{F101}(a) (i) a pension payable to a woman in respect of the services of her deceased male spouse;
 - (ii) a pension payable to a man in respect of the services of his deceased female spouse;
 - (iii) a pension payable to a woman in respect of the services of her deceased female spouse in a relevant gender change case; or
 - (iv) a pension payable to a man in respect of the services of his deceased male spouse in a relevant gender change case,

in respect of any service of the deceased spouse if that deceased spouse's pension in respect of that service became payable before 24th July 1990;]

- [does not apply to a pension payable to the survivor of a couple in respect of any service of the deceased member of the couple if—
- (i) the deceased member's pension in respect of that service became payable before 24 July 1990,
 - (ii) a marriage between the couple is solemnised at a time (whether or not before the deceased member's pension in respect of that service became payable) when one of them is a man and the other is a woman and they are not civil partners, and
 - (iii) at the deceased member's death (and whether or not the couple are still not of the same sex), the couple are parties to that marriage or to the civil partnership resulting from conversion of that marriage;]
- (b) applies to a ^{F103}^{F104}pension due to a surviving spouse who was married to someone of the same sex [^{F105}(other than a pension within paragraph (a)(iii) or (iv))]^{F105}(other than such a pension in respect of the services of the deceased spouse in a relevant gender change case)] and a] surviving civil partner's pension only in respect of amounts payable after the coming into force of this subsection.]

^{F106}(5A) Nothing in [^{F107}section 110(2) or (3) of, or paragraph 10 of Schedule 6 to, the Pension Schemes Act 1993] authorises any deduction from an increase in the rate of an official pension under this section.]

(6) Any order under this section shall be made by statutory instrument and shall be laid before Parliament after being made.

(7) In this section—

“base period”, in relation to any such direction as is mentioned in subsection (1) above, means the period ending with the coming into force of

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that direction and beginning with the coming into force of the last previous such direction or, if there was none, with ^{F108}13th November 1978 (date of the relevant order under section 124 of the principal Act, increasing rates of benefit);]

“beginning date”, in relation to a lump sum, shall be construed in accordance with sections 8(2) and 9(2)(a) of the said Act of 1971;

^{F109}“conversion”, in relation to a marriage, means—

- (a) the conversion of that marriage into a civil partnership under Part 3 of the Marriage and Civil Partnership (Northern Ireland) (No. 2) Regulations 2020, or
- (b) the conversion of that marriage into a civil partnership under Part 4 or 5 of those Regulations;]

^{F110}“employment”, “guaranteed minimum pension” and “transfer credit” have the same meaning as in section 181(1) of the Pension Schemes Act 1993]

“lump sum” includes an instalment of a lump sum;

^{F111}^{F112}“relevant gender change case” means a case where—

- (a) the deceased spouse was a man or a woman by virtue of a full gender recognition certificate having been issued under the Gender Recognition Act 2004; and
- (b) the marriage of the deceased spouse and the surviving spouse (that ends with the deceased spouse’s death) subsisted before the time when the certificate was issued,]

^{F113}^{F114}

and this section ^{F115}and section 59A of this Act] and the said Act of 1971 shall have effect as if this section ^{F115}and section 59A of this Act] were contained in Part I of that Act.

^{F116}(8) Where, for the purposes of this section, it is necessary to calculate the number of complete months in any period an incomplete month shall be treated as a complete month if it consists of at least 16 days.]

Extent Information

- E2** Ss. 59, 59A have the same extent as the Pensions (Increase) Act 1971, in that they extend to E.W.S. only except for specified purposes for which purposes they also extend to N.I., see s. 68(3)(a) and [Pensions \(Increase\) Act 1971 \(c. 56\), s. 19](#)

Textual Amendments

- F78** Words substituted by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\), Sch. 2, para. 34](#)
- F79** Words substituted by the [Pensions \(Miscellaneous Provisions\) Act 1990 \(c. 7\), s. 1\(7\)](#)
- F80** Words substituted by [Social Security Act 1979 \(c. 18\), s. 11\(1\)](#)
- F81** Words repealed by [Social Security Act 1985 \(c. 53\), Sch. 5, para. 33](#) and Sch. 6
- F82** S. 59(5ZA) inserted (with effect from 24.7.1990) by [Pensions \(Miscellaneous Provisions\) Act 1990 \(c. 7\), s. 5\(1\)](#)
- F83** Words in s. 59(5ZA) substituted (S.) (16.12.2014) by [The Marriage and Civil Partnership \(Scotland\) Act 2014 and Civil Partnership Act 2004 \(Consequential Provisions and Modifications\) Order 2014 \(S.I. 2014/3229\), art. 1\(2\), Sch. 4 para. 1\(2\)\(a\)](#)
- F84** Words in s. 59(5ZA) substituted (E.W.) (13.3.2014) by [The Marriage \(Same Sex Couples\) Act 2013 \(Consequential and Contrary Provisions and Scotland\) Order 2014 \(S.I. 2014/560\), art. 1\(2\), Sch. 1 para. 13\(a\)](#)

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- F85** Words in s. 59(5ZA) substituted (13.3.2014) by Pensions Act 2008 (c. 30), **ss. 137(3)(a)**, 149(1); S.I. 2014/463, art. 2
- F86** Words in s. 59(5ZA) inserted (13.3.2014) by Pensions Act 2008 (c. 30), **ss. 137(3)(b)**, 149(1); S.I. 2014/463, art. 2
- F87** Words in s. 59(5ZA)(a) inserted (13.3.2014) by Pensions Act 2008 (c. 30), **ss. 137(4)**, 149(1); S.I. 2014/463, art. 2
- F88** Words in s. 59(5ZA)(b) inserted (13.3.2014) by Pensions Act 2008 (c. 30), **ss. 137(5)(a)**, 149(1); S.I. 2014/463, art. 2
- F89** Words in s. 59(5ZA)(b) substituted (13.3.2014) by Pensions Act 2008 (c. 30), **ss. 137(5)(b)**, 149(1); S.I. 2014/463, art. 2
- F90** Words in s. 59(5ZA)(c) substituted (S.) (16.12.2014) by The Marriage and Civil Partnership (Scotland) Act 2014 and Civil Partnership Act 2004 (Consequential Provisions and Modifications) Order 2014 (S.I. 2014/3229), art. 1(2), **Sch. 4 para. 1(2)(b)**
- F91** Words in s. 59(5ZA)(c) substituted (E.W.) (13.3.2014) by The Marriage (Same Sex Couples) Act 2013 (Consequential and Contrary Provisions and Scotland) Order 2014 (S.I. 2014/560), art. 1(2), **Sch. 1 para. 13(b)**
- F92** Words in s. 59(5ZA)(c) substituted (13.3.2014) by Pensions Act 2008 (c. 30), **ss. 137(6)**, 149(1); S.I. 2014/463, art. 2
- F93** Words in s. 59(5ZA) repealed (13.3.2014) by Pensions Act 2008 (c. 30), ss. 137(7), 149(1), **Sch. 11 Pt. 6**; S.I. 2014/463, art. 2
- F94** S. 59(5ZB)(5ZC) inserted (13.3.2014) by Pensions Act 2008 (c. 30), **ss. 137(8)**, 149(1); S.I. 2014/463, art. 2
- F95** S. 59(5ZB)(a) substituted (S.) (16.12.2014) by The Marriage and Civil Partnership (Scotland) Act 2014 and Civil Partnership Act 2004 (Consequential Provisions and Modifications) Order 2014 (S.I. 2014/3229), art. 1(2), **Sch. 4 para. 1(3)(a)**
- F96** S. 59(5ZB)(a) substituted (E.W.) (10.12.2014) by The Marriage (Same Sex Couples) Act 2013 (Consequential and Contrary Provisions and Scotland) and Marriage and Civil Partnership (Scotland) Act 2014 (Consequential Provisions) Order 2014 (S.I. 2014/3168), art. 1(2)(3), **Sch. para. 8(2)**
- F97** Words in s. 59(5ZB)(b) substituted (S.) (16.12.2014) by The Marriage and Civil Partnership (Scotland) Act 2014 and Civil Partnership Act 2004 (Consequential Provisions and Modifications) Order 2014 (S.I. 2014/3229), art. 1(2), **Sch. 4 para. 1(3)(b)(i)**
- F98** Words in s. 59(5ZB)(b) substituted (E.W.) (13.3.2014) by The Marriage (Same Sex Couples) Act 2013 (Consequential and Contrary Provisions and Scotland) Order 2014 (S.I. 2014/560), art. 1(2), **Sch. 3 para. 2(2)(b)(i)**
- F99** Word in s. 59(5ZB)(b) substituted (S.) (16.12.2014) by The Marriage and Civil Partnership (Scotland) Act 2014 and Civil Partnership Act 2004 (Consequential Provisions and Modifications) Order 2014 (S.I. 2014/3229), art. 1(2), **Sch. 4 para. 1(3)(b)(ii)**
- F100** Word in s. 59(5ZB)(b) substituted (E.W.) (13.3.2014) by The Marriage (Same Sex Couples) Act 2013 (Consequential and Contrary Provisions and Scotland) Order 2014 (S.I. 2014/560), art. 1(2), **Sch. 3 para. 2(2)(b)(ii)**
- F101** S. 59(5ZC)(a) substituted (S.) (16.12.2014) by The Marriage and Civil Partnership (Scotland) Act 2014 and Civil Partnership Act 2004 (Consequential Provisions and Modifications) Order 2014 (S.I. 2014/3229), art. 1(2), **Sch. 4 para. 1(4)(a)**
- F102** S. 59(5ZC)(a) substituted (E.W.) (7.12.2020) by The Marriage and Civil Partnership (Northern Ireland) (No. 2) Regulations 2020 (S.I. 2020/1143), regs. 1(2), **36(2)**
- F103** Words in s. 59(5ZC)(b) inserted (E.W.) (13.3.2014) by The Marriage (Same Sex Couples) Act 2013 (Consequential and Contrary Provisions and Scotland) Order 2014 (S.I. 2014/560), art. 1(2), **Sch. 3 para. 2(3)(b)**; as amended (10.12.2014) by The Marriage (Same Sex Couples) Act 2013 (Consequential and Contrary Provisions and Scotland) and Marriage and Civil Partnership (Scotland) Act 2014 (Consequential Provisions) Order 2014 (S.I. 2014/3168), art. 1(2)(3), **Sch. para. 8(3)(d)**
- F104** Words in s. 59(5ZC)(b) inserted (S.) (16.12.2014) by The Marriage and Civil Partnership (Scotland) Act 2014 and Civil Partnership Act 2004 (Consequential Provisions and Modifications) Order 2014 (S.I. 2014/3229), art. 1(2), **Sch. 4 para. 1(4)(b)**

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- F105** Words in s. 59(5ZC)(b) substituted (E.W.) (7.12.2020) by The Marriage and Civil Partnership (Northern Ireland) (No. 2) Regulations 2020 (S.I. 2020/1143), regs. 1(2), **36(3)**
- F106** S. 59(5A) inserted (with effect from 6.4.1988) by Social Security Act 1986 (c. 50), s. **9(8)**
- F107** Words in s. 59(5A) substituted (7.2.1994) by 1993 c. 48, s. 190, **Sch. 8 para. 9(1)(a)**; S.I. 1994/86, **art. 2**
- F108** Words substituted by Social Security Act 1979 (c. 18), s. **11(2)**
- F109** Words in s. 59(7) inserted (E.W.) (7.12.2020) by The Marriage and Civil Partnership (Northern Ireland) (No. 2) Regulations 2020 (S.I. 2020/1143), regs. 1(2), **36(4)**
- F110** Definitions of “employment”, “guaranteed minimum pension” and “transfer credit” in s. 59(7) inserted (7.2.1994) by 1993 c. 48, s. 190, **Sch. 8 para. 9(1)(b)**; S.I. 1994/86, **art. 2**
- F111** Words in s. 59(7) inserted (S.) (16.12.2014) by The Marriage and Civil Partnership (Scotland) Act 2014 and Civil Partnership Act 2004 (Consequential Provisions and Modifications) Order 2014 (S.I. 2014/3229), art. 1(2), **Sch. 4 para. 1(5)(a)**
- F112** Words in s. 59(7) inserted (E.W.) (10.12.2014) by The Marriage (Same Sex Couples) Act 2013 (Consequential and Contrary Provisions and Scotland) and Marriage and Civil Partnership (Scotland) Act 2014 (Consequential Provisions) Order 2014 (S.I. 2014/3168), art. 1(2)(3), **Sch. para. 8(4)**
- F113** Words in s. 59(7) omitted (S.) (16.12.2014) by virtue of The Marriage and Civil Partnership (Scotland) Act 2014 and Civil Partnership Act 2004 (Consequential Provisions and Modifications) Order 2014 (S.I. 2014/3229), art. 1(2), **Sch. 4 para. 1(5)(b)**
- F114** Words in s. 59(7) omitted (E.W.) (13.3.2014) by virtue of The Marriage (Same Sex Couples) Act 2013 (Consequential and Contrary Provisions and Scotland) Order 2014 (S.I. 2014/560), art. 1(2), **Sch. 3 para. 2(4)**
- F115** Words inserted by Social Security Act 1979 (c. 18), **Sch. 3 para. 20**
- F116** S. 59(8) inserted by Social Security Act 1979 (c. 18), s. **11(3)**

Modifications etc. (not altering text)

- C7** S. 59 applied (with modifications) (E.W.S.) (10.4.2011) by The Pensions Increase (Modification) Regulations 2011 (S.I. 2011/826), **regs. 3-5**
- C8** S. 59 applied (with modifications) (9.4.2017) by The Pensions Increase (Modification) Regulations 2017 (S.I. 2017/418), **regs. 1(1), 2(1)**
- C9** S. 59(5ZA) applied (7.4.1997) by S.I. 1997/634, **art. 6**

Marginal Citations

- M1** 1971 c. 56.
- M2** 1971 c. 56.

[^{F117}59A Modification of effect of section 59(5).

- (1) This section applies where the amount by reference to which an increase in an official pension is to be calculated would, but for the provisions of this section, be reduced under section 59(5) of this Act by an amount equal to the rate of a guaranteed minimum pension.
- (2) The Minister for the Civil Service may direct that in such cases or classes of case as may be specified in the direction—
 - (a) no such reduction shall be made; or
 - (b) the reduction shall be of an amount less than the rate of the guaranteed minimum pension;

and in any case to which such a direction applies the increase shall, in respect of such period or periods as may be specified in the direction, be calculated in accordance with the direction, notwithstanding section 59(5).

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[Where in any tax year [^{F119}as defined in section 181(1) of the Pension Schemes Act ^{F118}(2A) 1993]—

- (a) an increase is calculated in accordance with a direction under this section; and
- (b) the amount by reference to which the increase is calculated, or any part of it, is increased in that tax year under [^{F120}section 109 of the Pension Schemes Act 1993],

the increase calculated in accordance with the direction shall be reduced by the amount of the increase under [^{F121}that section].]

- (3) A direction under this section may provide that where it has applied in any case and ceases to apply in that case, the rate of the official pension for any period following the date on which the direction ceases to apply shall, in such circumstances as may be specified in the direction, be calculated as if the direction had never applied.
- (4) A direction under this section may provide that the rate of an official pension shall, in such circumstances as may be specified in the direction, be calculated as if the direction had been in force at all times during such period as may be so specified.
- (5) A direction made under subsection (2) above may be varied or revoked by a subsequent direction.]

Extent Information

- E3** Ss. 59, 59A have the same extent as the Pensions (Increase) Act 1971, in that they extend to E.W.S. only except for specified purposes for which purposes they also extend to N.I., see s. 68(3)(a) and [Pensions \(Increase\) Act 1971 \(c. 56\), s. 19](#)

Textual Amendments

- F117** [S. 59A](#) inserted by [Social Security Act 1979 \(c. 18\), s. 11\(4\)](#)
- F118** [S. 59A\(2A\)](#) inserted (with effect from 6.4.1988) by [Social Security Act 1986 \(c. 50\), s. 9\(9\)](#)
- F119** Words in [s. 59A\(2A\)](#) inserted (7.2.1994) by [1993 c. 48, s. 190, Sch. 8 para. 9\(2\)\(a\)](#); [S.I. 1994/86, art. 2](#)
- F120** Words in [s. 59A\(2A\)](#) substituted (7.2.1994) by [1993 c. 48, s. 190, Sch. 8 para. 9\(2\)\(b\)](#); [S.I. 1994/86, art. 2](#)
- F121** Words in [s. 59A\(2A\)](#) substituted (7.2.1994) by [1993 c. 48, s. 190, Sch. 8 para. 9\(2\)\(c\)](#); [S.I. 1994/86, art. 2](#)

[^{F122}PART IVA

THE PENSIONS OMBUDSMAN

Textual Amendments

- F122** [Ss. 59B to 59J](#) inserted (with effect from 18.7.1990 for making regulations, 1.10.1990 for other purposes) by [Social Security Act 1990 \(c. 27\), Sch. 3](#)

Modifications etc. (not altering text)

- C10** Part IVA (ss. 59B-59J) extended by [S.I. 1991/588, reg. 2\(2\)](#)

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F123 **59B**

.....
Textual Amendments
F123 Ss. 59B-60B repealed (7.2.1994) by 1993 c. 48, s. 188(1), **Sch. 5 Pt. I**; S.I. 1994/86, art. 2

F124 **59C**

.....
Textual Amendments
F124 Ss. 59B-60B repealed (7.2.1994) by 1993 c. 48, s. 188(1), **Sch. 5 Pt.I**; S.I. 1994/86, art. 2

F125 **59D**

.....
Textual Amendments
F125 Ss. 59B-60B repealed (7.2.1994) by 1993 c. 48, s. 188(1), **Sch. 5 Pt.I**; S.I. 1994/86, art. 2

F126 **59E**

.....
Textual Amendments
F126 Ss. 59B-60B repealed (7.2.1994) by 1993 c. 48, s. 188(1), **Sch. 5 Pt.I**; S.I. 1994/86, art. 2

F127 **59F**

.....
Textual Amendments
F127 Ss. 59B-60B repealed (7.2.1994) by 1993 c. 48, s. 188(1), **Sch. 5 Pt.I**; S.I. 1994/86, art. 2

F128 **59G**

.....
Textual Amendments
F128 Ss. 59B-60B repealed (7.2.1994) by 1993 c. 48, s. 188(1), **Sch. 5 Pt.I**; S.I. 1994/86, art. 2

F129 **59H**

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

Textual Amendments

F129 Ss. 59B-60B repealed (7.2.1994) by 1993 c. 48, s. 188(1), **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

^{F130}**59J**

Textual Amendments

F130 Ss. 59B-60B repealed (7.2.1994) by 1993 c. 48, s. 188(1), **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

PART V

GENERAL

^{F131}**59K**

Textual Amendments

F131 Ss. 59B-60B repealed (7.2.1994) by 1993 c. 48, s. 188(1), **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

^{F132}**60**

Textual Amendments

F132 Ss. 59B-60B repealed (7.2.1994) by 1993 c. 48, s. 188(1), **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

^{F133}**60ZA**

Textual Amendments

F133 Ss. 59B-60B repealed (7.2.1994) by 1993 c. 48, s. 188(1), **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

^{F134}**60ZB**

Textual Amendments

F134 Ss. 59B-60B repealed (7.2.1994) by 1993 c. 48, s. 188(1), **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

^{F135}**60ZC**

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

Textual Amendments

F135 Ss. 59B-60B repealed (7.2.1994) by 1993 c. 48, s. 188(1), **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

F136 **60ZD**

Textual Amendments

F136 Ss. 59B-60B repealed (7.2.1994) by 1993 c. 48, s. 188(1), **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

F137 **60ZE**

Textual Amendments

F137 Ss. 59B-60B repealed (7.2.1994) by 1993 c. 48, s. 188(1), **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

F138 **60ZE**

Textual Amendments

F138 Ss. 59B-60B repealed (7.2.1994) by 1993 c. 48, s. 188(1), **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

F139 **60A**

Textual Amendments

F139 Ss. 59B-60B repealed (7.2.1994) by 1993 c. 48, s. 188(1), **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

F140 **60B**

Textual Amendments

F140 Ss. 59B-60B repealed (7.2.1994) by 1993 c. 48, s. 188(1), **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

61 Consultation about regulations.

F141

Textual Amendments

F141 S. 61 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), **Sch. 1 Pt. 11**

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

^{F142}61A

Textual Amendments

F142 S. 61A repealed (7.2.1994) by 1993 c. 48, s. 188(1), **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

61B Orders and regulations (general provisions).

- (1) Powers under this Act to make regulations or orders, ^{F143} . . . , are exercisable by statutory instrument.
- (2) Except in so far as this Act otherwise provides any power conferred thereby to make regulations or an order may be exercised—
 - (a) either in relation to all cases to which the power extends, or in relation to those cases subject to specified exceptions, or in relation to any specified exemptions, or in relation to any specified cases or classes of case;
 - (b) so as to make, as respects the cases in relation to which it is exercised—
 - (i) the full provision to which the power extends or any less provision (whether by way of exception or otherwise),
 - (ii) the same provision for all cases in relation to which the power is exercised, or different provision for different cases or different classes of case or different provision as respects the same case or class of case for different purposes of this Act,
 - (iii) any such provision either unconditionally or subject to any specified condition;

and where such a power is expressed to be exercisable for alternative purposes it may be exercised in relation to the same case for any or all of those purposes; and powers to make regulations or an order for the purposes of any one provision of this Act are without prejudice to powers to make regulations or an order for the purposes of any other provision.

- (3) Without prejudice to any specific provision in this Act, a power conferred by this Act to make regulations or an order includes power to make thereby such incidental, supplementary, consequential or transitional provision as appears to the authority making the regulations or order to be expedient for the purposes of the regulations or order.
- (4) Without prejudice to any specific provisions in this Act, a power conferred by this Act to make regulations or an order includes power to provide for a person to exercise a discretion in dealing with any matter.
- (5) A power conferred on the Secretary of State to make any regulations or order, where the power is not expressed to be exercisable with the consent of the Treasury, shall if the Treasury so direct be exercisable only in conjunction with them.

Textual Amendments

F143 Words in s. 61B(1) repealed (6.4.1997) by 1995 c. 26, ss. 151, 177, **Sch. 5 para. 6(2)**, **Sch. 7 Pt. III**; S.I. 1997/664, **art. 2(3)**, **Sch. Pt. II**

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

62 Other provisions about regulations and orders.

(1) ^{F144}

[^{F145}(2) A statutory instrument—

(a) which contains (whether alone or with other provisions) any order or regulations made under this Act by the Secretary of State, other than an order which, under any provision of this Act, is required to be laid before Parliament after being made; and

(b) which is not subject to any requirement that a draft of the instrument shall be laid before and approved by a resolution of each house of Parliament,

shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

(3) ^{F144}

^{F146}(4)

Textual Amendments

F144 Ss. 1–10, 12–16A, 18–21, 23–25, 51A(13), 60(1)(a), words in s. 60A, s. 62(1) and (3), words in s. 64(2), s. 65(4), words in s. 66(2)(a) and (b); Sch. 1; Sch. 4, paras. 35–46, 49, 50, 53–64, 66, 67 repealed (1.7.1992) on consolidation by Social Security (Consequential Provisions) Act 1992 (c. 8)

F145 S. 62(2) substituted (with effect from 1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), Sch. 2, para. 38

F146 S. 62(4) repealed (7.2.1994) by 1993 c. 48, s. 188(1), Sch. 5 Pt. I; S.I. 1994/86, art. 2

63 Transitional provisions.

(1) Regulations may make provision for any transitional matter connected with the coming into force of this Act.

(2) Without prejudice to the generality of subsection (1) above, regulations may in particular—

(a) make provision whereby a contribution paid or credited before (or in respect of a period before) commencement is treated, for the purposes of entitlement to or the calculation of any benefit, as having been paid or credited at a specified time or in respect of earnings of a specified amount;

(b) make provision whereby a person who has satisfied any contribution condition before commencement is treated as having satisfied any contribution condition having effect by virtue of this Act;

(c) modify any contribution condition in cases where the period in relation to which it is to be satisfied begins before and ends after commencement;

(d) modify any provision of this Act in relation to persons who have attained the age of 16 before commencement;

(e) make provision with respect to the operation of Schedule 1 to this Act in relation to persons who have attained pensionable age before commencement but have not then retired from regular employment;

(f) make provision for effecting orderly transition between Part III of the ^{M3}National Insurance Act 1965 and Part III of this Act, including provision modifying for that purpose any provision of those Parts;

^{F147}(g)

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

- (h) make provision for the preservation of rights under any provision repealed or modified by this Act or otherwise for securing continuity between any such provision and any provision of this Act.
- (3) In subsection (2) above “commencement” means the time of the coming into force of any provision of this Act specified in the regulations in question.

Textual Amendments

F147 S. 63(2)(g) repealed (7.2.1994) by 1993 c. 48, s. 188(1), **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

Marginal Citations

M3 1965 c. 51.

64 Expenses and receipts.

- (1) There shall be paid out of moneys provided by Parliament—
- (a) any expenses of the Secretary of State or any other government department under this Act;
- (b) any increase attributable to this Act in the sums falling to be paid out of moneys so provided under any other Act.
- (2) [^{F148}Section 165(5) of the Administration Act] (reimbursement of expenses out of the National Insurance Fund) shall have effect in relation to the expenses mentioned in paragraph (a) of subsection (1) above as it has effect in relation to the expenses mentioned in [^{F148}section 163(2)(a) of that Act]; . . . ^{F149}
- (3) Any [^{F150}contributions equivalent premium] received by the Secretary of State under this Act shall be paid by him into the National Insurance Fund.

Textual Amendments

F148 Words substituted (with effect from 1.7.1992) by **Social Security (Consequential Provisions) Act 1992** (c. 6), **Sch. 2, para. 39**

F149 Ss. 1–10, 12–16A, 18–21, 23–25, 51A(13), 60(1)(a), words in s. 60A, s. 62(1) and (3), words in s. 64(2), s. 65(4), words in s. 66(2)(a) and (b); **Sch. 1**; **Sch. 4, paras. 35–46, 49, 50, 53–64, 66, 67** repealed (1.7.1992) on consolidation by **Social Security (Consequential Provisions) Act 1992** (c. 6)

F150 Words in s. 64(3) substituted (6.4.1997) by 1995 c. 26, s. 151, **Sch. 6 para. 6(3)**; S.I. 1997/664, **art. 2(3), Sch. Pt. II**

65 Amendments of enactments; repeals.

- (1) The enactments mentioned in Part I of Schedule 4 to this Act shall have effect with the amendments there specified, being amendments consequential on the provisions of this Act and otherwise required in connection with those provisions.
- (2) The enactments mentioned in Part II of Schedule 4 to this Act shall have effect, and be deemed always to have had effect, with the amendments there specified, being amendments required for the correction in certain minor respects of the ^{M4}social security consolidation Acts passed in March 1975; and paragraph 1 of Schedule 5 to the Social Security Benefits Act 1975 (commencement orders) shall be deemed not to have been repealed.

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

(3) The enactments mentioned in Schedule 5 to this Act are hereby repealed to the extent specified in the third column of that Schedule.

(4) ^{F151}

(5) The Secretary of State may, with the consent of the Minister for the Civil Service, make payments to the chairman and members of the Reserve Pension Board in consequence of its abolition by this Act.

Textual Amendments

F151 Ss. 1–10, 12–16A, 18–21, 23–25, 51A(13), 60(1)(a), words in s. 60A, s. 62(1) and (3), words in s. 64(2), s. 65(4), words in s. 66(2)(a) and (b); Sch. 1; Sch. 4, paras. 35–46, 49, 50, 53–64, 66, 67 repealed (1.7.1992) on consolidation by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#)

Modifications etc. (not altering text)

C11 The text of s. 65(1)(3) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M4 1975 c. 11.

^{F152} **66**

Textual Amendments

F152 S. 66 repealed (7.2.1994) by 1993 c. 48, s. 188(1), [Sch. 5 Pt. I](#); S.I. 1994/86, [art. 2](#)

67 Commencement.

^{F153}

Textual Amendments

F153 S. 67 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), s. 1(1), [Sch. 1 Pt. 11](#)

Modifications etc. (not altering text)

C12 Power under s. 67 exercised by [S.I. 1975/1318](#), 1975/1572, 1975/1689, 1975/2079, 1976/141, 1976/1173, 1976/2129, 1977/778, 1977/1403, 1977/1485, 1977/1617, 1977/2038, 1978/367, 1979/171, 1979/367, 1979/394, 1979/1030

68 Short title, citation and extent.

(1) This Act may be cited as the Social Security Pensions Act 1975.

(2) The ^{M5} Social Security Act 1975 and this Act may be cited together as the Social Security Acts 1975.

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

- (3) The following provisions of this Act have the same extent as the ^{M6}Pensions (Increase) Act 1971—
- (a) [^{F154}sections 59 and 59A];
 - (b) paragraph 18 of Schedule 4;
 - (c) Schedule 5, so far as it repeals provisions of that Act.
- (4) ^{F155} . . . this Act extends to Northern Ireland so far as it—
- ^{F156}(a)
 - ^{F156}(b)
 - (c) repeals Part III and section 89(3)(c) and (4) of that Act, and Schedules 18 to 20 to that Act;
 - (d) by section 65(2) and Part II of Schedule 4 amends the ^{M7}Social Security (Northern Ireland) Act 1975 and the ^{M8}Social Security (Consequential Provisions) Act 1975 and reinstates paragraph 1 of Schedule 5 to the ^{M9}Social Security Benefits Act 1975;
 - (e) repeals paragraphs 47 and (in part) 58 of Schedule 2 to the Social Security (Consequential Provisions) Act 1975;
 - (f) ^{F157}
 - (g) ^{F157}
 - (h) repeals provisions of the ^{M10}Public Records Act 1958, the ^{M11}Superannuation Act 1972, the ^{M12}Parliamentary and other Pensions Act 1972, the ^{M13}Pensions (Increase) Act 1974 and the ^{M14}House of Commons Disqualification Act 1975;
- but subject to the foregoing provisions of this subsection and to subsection (3) above, this Act does not extend to Northern Ireland.

Textual Amendments

- F154** Words substituted by [Social Security Act 1979 \(c. 18\), Sch. 3 para. 22](#)
- F155** Words in s. 68(4) repealed (7.2.1994) by 1993 c. 48, s. 188(1), [Sch. 5 Pt. I](#); S.I. 1994/86, [art. 2](#)
- F156** S. 68(4)(a)(b) repealed (7.2.1994) by 1993 c. 48, s. 188(1), [Sch. 5 Pt. I](#); S.I. 1994/86, [art. 2](#)
- F157** S. 68(4)(f)(g) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), [Sch. 1 Pt. 11](#)

Marginal Citations

- M5** 1975 c. 14.
- M6** 1971 c. 56.
- M7** 1975 c. 15.
- M8** 1975 c. 18.
- M9** 1975 c. 11.
- M10** 1958 c. 51.
- M11** 1972 c. 11.
- M12** 1972 c. 48.
- M13** 1974 c. 9.
- M14** 1975 c. 24.

Status: Point in time view as at 07/12/2020.
*Changes to legislation: There are currently no known outstanding effects
for the Social Security Pensions Act 1975. (See end of Document for details)*

SCHEDULES

SCHEDULE

1.
F158

.....
Textual Amendments

F158 Ss. 1–10, 12–16A, 18–21, 23–25, 51A(13), 60(1)(a), words in s. 60A, s. 62(1) and (3), words in s. 64(2), s. 65(4), words in s. 66(2)(a) and (b); Sch. 1; Sch. 4, paras. 35–46, 49, 50, 53–64, 66, 67 repealed (1.7.1992) on consolidation by Social Security (Consequential Provisions) Act 1992 (c. 6)

F159 SCHEDULE 1A

.....
Textual Amendments

F159 Sch. 1A repealed (7.2.1994) by 1993 c. 48, s. 188(1), Sch. 5 Pt. I; S.I. 1994/86, art. 2

F197 SCHEDULE 2

.....
Textual Amendments

F197 Sch. 2 repealed (7.2.1994) by 1993 c. 48, s. 188(1), Sch. 5 Pt. I; S.I. 1994/86, art. 2

F206 SCHEDULE 3

.....
Textual Amendments

F206 Sch. 3 repealed (7.2.1994) by 1993 c. 48, s. 188(1), Sch. 5 Pt. I; S.I. 1994/86, art. 2

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

[^{F222F223}SCHEDULE 3A

Textual Amendments

- F222** Sch. 3A repealed (7.2.1994) by 1993 c. 48, s. 188(1), **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**
F223 Sch. 3A inserted (*prosp.*) by Sch. 2 to Social Security Act 1990 (c. 27)

SCHEDULE 4

section 65(1),(2).

AMENDMENTS OF ENACTMENTS

Modifications etc. (not altering text)

- C33** The text of Schedules 4 and 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

PART I

CONSEQUENTIAL AND OTHER AMENDMENTS

The Bankruptcy (Scotland) Act^{M19} 1913

Marginal Citations

- M19** 1913 c. 20.

- 1 In section 118(1) of the Bankruptcy (Scotland) Act 1913 for paragraphs (f) and (g) there shall be substituted—
“(f) all the debts specified in section 153(2) of the Social Security Act 1975, Schedule 3 to the Social Security Pensions Act 1975 and any corresponding provisions in force in Northern Ireland”

The Bankruptcy Act^{M20} 1914

Marginal Citations

- M20** 1914 c. 59

F224₂

Status: Point in time view as at 07/12/2020.

*Changes to legislation: There are currently no known outstanding effects
 for the Social Security Pensions Act 1975. (See end of Document for details)*

Textual Amendments

F224 Sch. 4 para. 2 repealed (7.2.1994) by 1993 c. 48, s. 188(1), **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

The Companies Act^{M21} 1948

Marginal Citations

M21 1948 c. 38.

- 3 In section 319(1)(e) of the Companies Act 1948 for the words from “all the debts” onwards, there shall be substituted the words “all the debts specified in section 153(2) of the Social Security Act 1975, Schedule 3 to the Social Security Pensions Act 1975 and any corresponding provisions in force in Northern Ireland”.

The Law Reform (Personal Injuries) Act^{M22} 1948

Marginal Citations

M22 1948 c. 41

- 4 **F225**

Textual Amendments

F225 Sch. 4 para. 4 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), **Sch. 1 Pt. 11**

The Administration of Justice Act^{M23} 1964

Marginal Citations

M23 1964 c. 42

- 5 In section 17(2)(b) of the Administration of Justice Act 1964 for the words from “together” onwards there shall be substituted the words “together with—
- (i) secondary class 1 contributions payable in respect of those officers under Part I of the Social Security Act 1975; and
 - (ii) state scheme premiums so payable under Part III of the Social Security Pensions Act 1975”

The Family Allowances Act^{M24} 1965

Marginal Citations

M24 1965 c. 53.

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

- 6 In section 8(3) of the Family Allowances Act 1965 after the words “the Social Security Act 1975” there shall be inserted the words “, the Social Security Pensions Act 1975”.

The Supplementary Benefit Act^{M25} 1966

(The Ministry of Social Security Act 1966)

Marginal Citations

M25 1966 c. 20

- 7 In section 16(1)(a) of the Supplementary Benefit Act 1966 after the words “the Social Security Act 1975” there shall be inserted the words “or Part II of the Social Security Pensions Act 1975”.
- 8 In section 26(4) of that Act after the words “Part II of the Social Security Act 1975” there shall be inserted the words “or Part II of the Social Security Pensions Act 1975”.
- 9 In paragraph 24 of Schedule 2 to that Act—
- (a) after sub-paragraph (2)(d) there shall be inserted—
 - “(e) any guaranteed minimum pension within the meaning of the Social Security Pensions Act 1975”
 - (b) in sub-paragraph (3) after the words “the Social Security Act 1973” there shall be inserted the words “or Part II of the Social Security Pensions Act 1975”;
 - (c) In sub-paragraphs (4) and (5) for the words “the rate specified in Part I of Schedule 4 to the Social Security Act 1975 for a widow’s pension under that Act” there shall be substituted the words “the sum specified in section 6(1) (a) of the Social Security Pensions Act 1975”.

The Agriculture Act^{M26} 1967

Marginal Citations

M26 1967 c. 22.

- 10 ^[F226]In section 67(3)(e) of the Agriculture Act 1967 after the words “Part II of the Social Security Act 1975” there shall be inserted the words “or Part II of the Social Security Pensions Act 1975”]

Textual Amendments

F226 Words in [Sch. 4 para. 10](#) repealed (E.W.) (25.6.2013) by [Enterprise and Regulatory Reform Act 2013](#) (c. 24), s. 103(3), [Sch. 20 para. 2](#); S.I. 2013/1455, art. 2(c), Sch. 1 (with art. 4(2))

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

The Rent Act ^{M27}1968

Marginal Citations

M27 1968 c. 23.

- 11 In section 40(3)(a) of the Rent Act 1968 for the words “Part III of the Social Security Act 1973” there shall be substituted the words “Part III of the Social Security Pensions Act 1975”

The Income and Corporation Taxes Act ^{M28}1970

Marginal Citations

M28 1970 c. 10.

- 12 In section 8(2)(b) of the Income and Corporation Taxes Act 1970 after the words “those Acts” there shall be inserted the words “or the Social Security Pensions Act 1975 or under any provisions in force in Northern Ireland and corresponding to the last-mentioned Act.”

The Administration of Justice Act ^{M29}1970

Marginal Citations

M29 1970 c. 31.

- 13 In Schedule 4 to the Administration of Justice Act 1970 for paragraph 3 there shall be substituted—
- “3 State scheme premiums under Part III of the Social Security Pensions Act 1975.”

The Family Income Supplements Act ^{M30}1970

Marginal Citations

M30 1970 c. 55.

- 14 In section 8(4) of the Family Income Supplements Act 1970 for the words “the Social Security Act 1975” there shall be substituted the words “the Social Security Acts 1975”.

The Attachment of Earnings Act ^{M31}1971

Marginal Citations

M31 1971 c. 32.

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

- 15 In section 24(2) of the Attachment of Earnings Act 1971 after paragraph (e) there shall be inserted—
“(f) guaranteed minimum pension within the meaning of the Social Security Pensions Act 1975.”
- 16 In Schedule 2 to that Act for paragraph 3 there shall be substituted—
“3 State scheme premiums under Part III of the Social Security Pensions Act 1975.”
- 17 In Schedule 4 to that Act for the words “The Social Security Act 1975 (c. 14)” there shall be substituted the words “The Social Security Acts 1975 (cc. 14 and 60)”.

The Pensions (Increase) Act^{M32} 1971

Marginal Citations

M32 1971 c. 56.

- 18 In section 5(3) of the Pensions (Increase) Act 1971 for the words “in relation to a particular review under section 2 above” there shall be substituted the words “for any particular purpose”.
- 19 In section 15(4) of that Act for the words “section 1 or 2 above” there shall be substituted the words “section 1 above or section 59 of the Social Security Pensions Act 1975”.

The Finance Act^{M33} 1971

Marginal Citations

M33 1971 c. 68.

- 20 In paragraph 1(b) of Schedule 4 to the Finance Act 1971 for the words following “benefit under” there shall be substituted—
“(i) the Social Security Act 1975,
(ii) the Social Security Pensions Act 1975,
(iii) the Social Security (Northern Ireland) Act 1975, or
(iv) any provisions in force in Northern Ireland and corresponding to provisions of the Social Security Pensions Act 1975,

which is payable to the wife otherwise than by virtue (wholly or partly) of her own contributions.”

The Housing (Financial Provisions) (Scotland) Act^{M34} 1972

Marginal Citations

M34 1972 c. 46.

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

21 F227

Textual Amendments
F227 Sch. 4 para. 21 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), Sch. 1 Pt. 11

The Housing Finance Act^{M35}

Marginal Citations
M35 1972 c. 47.

22 In Schedule 3 to the Housing Finance Act 1972, in paragraph 9(2)(j) for the words “the rate specified in Schedule 4 to the Social Security Act 1975 for a widow’s pension under that Act” there shall be substituted the words “the sum specified in section 6(1)(a) of the Social Security Pensions Act 1975.”

The Social Security Act^{M36}

Marginal Citations
M36 1973 c. 38.

F228²³

Textual Amendments
F228 Sch. 4 para. 23 repealed (7.2.1994) by 1993 c. 48, s. 188(1), Sch. 5 Pt.I; S.I. 1994/86, art. 2

F229²⁴

Textual Amendments
F229 Sch. 4 para. 24 repealed (7.2.1994) by 1993 c. 48, s. 188(1), Sch. 5 Pt.I; S.I. 1994/86, art. 2

F230²⁵

Textual Amendments
F230 Sch. 4 para. 25 repealed (7.2.1994) by 1993 c. 48, s. 188(1), Sch. 5 Pt.I; S.I. 1994/86, art. 2

F231²⁶

Textual Amendments
F231 Sch. 4 para. 26 repealed (7.2.1994) by 1993 c. 48, s. 188(1), Sch. 5 Pt. I; S.I. 1994/86, art. 2

F232²⁷

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

Textual Amendments

F232 Sch. 4 para. 27 repealed (7.2.1994) by 1993 c. 48, s. 188(1), **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

F233 28

Textual Amendments

F233 Sch. 4 para. 28 repealed (7.2.1994) by 1993 c. 48, s. 188(1), **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

F234 29

Textual Amendments

F234 Sch. 4 para. 29 repealed (7.2.1994) by 1993 c. 48, s. 188(1), **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

F235 30

Textual Amendments

F235 Sch. 4 para. 30 repealed (7.2.1994) by 1993 c. 48, s. 188(1), **Sch. 5 Pt.III**; S.I. 1994/86, **art. 2** and expressed to be repealed (N.I.) (7.2.1994) by 1993 c. 49, s. 182(1), **Sch. 4 Pt.I**; S.R. 1994/17, **art. 2**

F236 31

Textual Amendments

F236 Sch. 4 paras. 31-33 repealed (7.2.1994) by 1993 c. 48, s. 188(1), **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

F237 32

Textual Amendments

F237 Sch. 4 paras. 31-33 repealed (7.2.1994) by 1993 c. 48, s. 188(1), **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

F238 33

Textual Amendments

F238 Sch. 4 paras. 31-33 repealed (7.2.1994) by 1993 c. 48, s. 188(1), **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

The Employment and Training Act^{M37} 1973

Marginal Citations

M37 1973 c. 50.

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

34 F239

Textual Amendments
F239 Sch. 4 para. 34 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), **Sch. 1 Pt. 11**

The National Insurance Act^{M38} 1974

Marginal Citations
M38 1974 c. 14.

F240³⁵

Textual Amendments
F240 Sch. 4 paras. 35-46 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1**

The Social Security Act^{M39} 1975

Marginal Citations
M39 1975 c. 14

F241³⁶

Textual Amendments
F241 Sch. 4 paras. 35-46 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1**

F242³⁷

Textual Amendments
F242 Sch. 4 paras. 35-46 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1**

F243³⁸

Textual Amendments
F243 Sch. 4 paras. 35-46 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1**

F244³⁹

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

Textual Amendments

F244 Sch. 4 paras. 35-46 repealed (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#), ss. 3, 7(2), [Sch.1](#)

F245 40

Textual Amendments

F245 Sch. 4 paras. 35-46 repealed (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#), ss. 3, 7(2), [Sch.1](#)

F246 41

Textual Amendments

F246 Sch. 4 paras. 35-46 repealed (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#), ss. 3, 7(2), [Sch.1](#)

F247 42

Textual Amendments

F247 Sch. 4 paras. 35-46 repealed (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#), ss. 3, 7(2), [Sch.1](#)

F248 43

Textual Amendments

F248 Sch. 4 paras. 35-46 repealed (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#), ss. 3, 7(2), [Sch.1](#)

F249 44 In section 29(7) of that Act in paragraph (a)(i) the word “lower” shall be omitted and in paragraphs (a)(ii) and (b) for the words “at the higher rate so specified” there shall be substituted the words “at the rate specified in section 7 of the Pensions Act”.

Textual Amendments

F249 Sch. 4 paras. 35-46 repealed (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#), ss. 3, 7(2), [Sch.1](#)

F250 45

Textual Amendments

F250 Sch. 4 paras. 35-46 repealed (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#), ss. 3, 7(2), [Sch.1](#)

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

F251⁴⁶

Textual Amendments

F251 Sch. 4 paras. 35-46 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1**

F252⁴⁷

Textual Amendments

F252 Sch. 4, para. 47 repealed (6.4.1992) by Disability Living Allowance and Disability Working Allowance Act 1991 (c. 21, SIF 113:1), s. 10, **Sch.4**; S.I. 1991/2617, **art. 2(f)**

48 In section 42(3) of that Act after the words “Category A” there shall be inserted “, B”.

F253⁴⁹

Textual Amendments

F253 Sch. 4 para. 49 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1**.

F254⁵⁰

Textual Amendments

F254 Sch. 4 para. 50 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1**.

51 In section 125(1) of that Act, for paragraph (a) there shall be substituted—
“(a) Parts I, IV and V of Schedule 4 to this Act and paragraphs 1 to 3, 4 and 5 of Part III; and”

F255⁵²

Textual Amendments

F255 Sch. 4, para. 52 repealed (6.4.1992) by Disability Living Allowance and Disability Working Allowance Act 1991 (c. 21, SIF 113:1), s. 10, **Sch.4**; S.I. 1991/2617, **art. 2(f)**

F256⁵³

Textual Amendments

F256 Sch. 4 paras. 53-64 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1**.

F257⁵⁴

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

Textual Amendments

F257 Sch. 4 paras. 53-64 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1**.

F258 55

Textual Amendments

F258 Sch. 4 paras. 53-64 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1**.

F259 56

Textual Amendments

F259 Sch. 4 paras. 53-64 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1**.

F260 57

Textual Amendments

F260 Sch. 4 paras. 53-64 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1**.

F261 58

Textual Amendments

F261 Sch. 4 paras. 53-64 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1**.

F262 59

Textual Amendments

F262 Sch. 4 paras. 53-64 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1**.

F263 60

Textual Amendments

F263 Sch. 4 paras. 53-64 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1**.

F264 61

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

Textual Amendments

F264 Sch. 4 paras. 53-64 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1**.

F265 62

Textual Amendments

F265 Sch. 4 paras. 53-64 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1**.

F266 63

Textual Amendments

F266 Sch. 4 paras. 53-64 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1**.

F267 64

Textual Amendments

F267 Sch. 4 paras. 53-64 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1**.

The Social Security (Consequential Provisions) Act^{M40} 1975

Marginal Citations

M40 1975 c. 18.

65 **F268**

Textual Amendments

F268 Sch. 4 para. 65 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), **Sch. 1 Pt. 11**

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

PART II

MINOR CORRECTIONS OF 1975 CONSOLIDATION ACTS

The Social Security Act^{M41} 1975

Marginal Citations

M41 1975 c. 14.

F269⁶⁶

Textual Amendments

F269 Sch. 4 para. 66 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1**.

F270⁶⁷

Textual Amendments

F270 Sch. 4 para. 67 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1**.

The Social Security (Northern Ireland) Act^{M42} 1975

Marginal Citations

M42 1975 c. 15.

F271⁶⁸

Textual Amendments

F271 Sch. 4 para. 68 repealed (1.7.1992) by Social Security (Consequential Provisions) (Northern Ireland) Act 1992 (c. 9), ss. 3, 7(2), **Sch.1**.

F272⁶⁹

Textual Amendments

F272 Sch. 4 para. 69 repealed (1.7.1992) by Social Security (Consequential Provisions) (Northern Ireland) Act 1992 (c. 9), ss. 3, 7(2), **Sch.1**.

F273⁷⁰

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

Textual Amendments

F273 Sch. 4 para. 70 repealed (1.7.1992) by [Social Security \(Consequential Provisions\) \(Northern Ireland\) Act 1992 \(c. 9\)](#), ss. 3, 7(2), **Sch.1**.

The Social Security (Consequential Provisions) Act^{M43}

Marginal Citations

M43 1975 c. 18.

- 71 In Schedule 3 to the Social Security (Consequential Provisions) Act 1975—
- ^{F274}(a)
 - ^{F274}(b)
 - (c) in paragraph 31, there shall be inserted at the end of the Table—

“ The words from “by statutory instrument” onwards (in paragraph 30(2)). ”

“ The words “by statutory rule for the purposes of the Statutory Rules Act (Northern Ireland) 1958; and any statutory rule containing any such regulations shall be laid before the Northern Ireland Assembly after being made.”

Textual Amendments

F274 Sch. 4 para. 71(a)(b) repealed (1.7.1992) by [Social Security \(Consequential Provisions\) \(Northern Ireland\) Act 1992 \(c. 9\)](#), ss. 3, 7(2), **Sch.1** (with Sch 3 para. 2).

SCHEDULE 5

Section 65(3).

REPEALS

Modifications etc. (not altering text)

C34 The text of Schedules 4 and 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Chapter	Short Title	Extent of Repeal
6 & 7 Eliz. 2. c. 51.	The Public Records Act 1958.	In Schedule 1, in Part I, in the second column of the Table, the words “Reserve Pension Board”.

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

1970 c. 10.	The Income and Corporation Taxes Act 1970.	In section 219(3), paragraph (a) the words “or any secondary reserve scheme contribution within the meaning of the said Act of 1973”; and the words “in either case”.
1971 c. 32.	The Attachment of Earnings Act 1971.	In Schedule 3, paragraph 3(b).
1971 c. 56.	The Pensions (Increase) Act 1971.	Section 2 but without prejudice to any existing order under that section. Section 9(3), (4) and (4A).
1972 c. 11.	The Superannuation Act 1972.	Section 25.
1972 c. 48.	The Parliamentary and other Pensions Act 1972.	Section 34(2).
1972 c. 53.	The Contracts of Employment Act 1972.	In section 6, paragraph (d) together with the word “and” immediately preceding it.
1973 c. 38.	The Social Security Act 1973.	Section 1(7), (8) and (9). Section 23(1). In section 51, subsections (1), (2) and (4), in subsection (5) the words “in subsection (4) (a) above and” and subsections (6), (8) and (9). In section 52, subsections (1) to (7), in subsection (8) the words “for the purposes of recognition, and” and “other” and subsection (9). Sections 53 to 57. Section 58(1)(c), (3), (4) and (5). In section 59, in subsection (1) the words in brackets, and subsections (2) to (9). Sections 60 to 62. Part III. Section 85.

Status: Point in time view as at 07/12/2020.

Changes to legislation: *There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)*

In Section 86, in subsections (1), (4), (5) and (8) the word “concerned”, in subsection (4), paragraph (b) together with the word “or” immediately preceding it and subsection (9).

Section 88.

In section 89, in subsection (3), paragraph (c); and subsection (4).

Section 91.

In section 92, subsections (1) and (2); in subsection (4) the words from “the recovery” onwards; and subsections (5) to (7).

Section 93.

In section 98, in subsection (1)(a) the words from “including” onwards, and subsection (2).

In section 99, in subsection (1) all the definitions except those of “earnings”, “employment”, “Inland Revenue”, “linked qualifying service”, “the Northern Ireland Ministry”, “occupational pension scheme”, “prescribed”, “public service pension scheme”, “resources” and “transfer credits”, and subsections (6), (7), (10), (13) and (14).

Schedule 15.

Schedules 18, 19 and 20.

Schedule 22.

In Schedule 23, paragraph 5, and from paragraph 7 to the end.

Schedule 24.

1974 c. 9.

The Pensions (Increase) Act 1974.

In section 3, subsection (1) and in subsection (3)(a) the figure “2(1)”.

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

1974 c. 14.	The National Insurance Act 1974.	In Schedule 4, paragraphs 33 to 35.
1975 c. 14.	The Social Security Act 1975	<p>In section 4(6)(a) the words “or 2 per cent. according to whether the earner is liable to contribute at the standard rate or the reduced rate”.</p> <p>Sections 5 and 6.</p> <p>Section 7(2) and (3).</p> <p>In section 8, in subsection (2), paragraph (b) together with the word “and” immediately preceding it, and subsection (3).</p> <p>In section 9(8)(b) the words following “pensionable age”.</p> <p>In section 27(6), the words from “but where” onwards.</p> <p>Section 28(2) to (6) and (8)(a).</p> <p>In section 29, in subsection (7)(a)(i) the word “lower” and subsections (10) to (12).</p> <p>In section 42(4)(a) the words in brackets.</p> <p>Section 120(5)(a).</p> <p>Section 130(2) and (3).</p> <p>In section 133(6), in paragraph (a) the words “the Reserve Pension Fund or” and in paragraph (b) the words “out of the Reserve Pension Fund or”.</p> <p>In section 167(1)(a) the entry relating to section 5(3) and (4).</p> <p>In Schedule 4, in Part I, paragraphs 2, 6, 7 and 8.</p> <p>Schedule 7.</p> <p>In Schedule 20 the definitions of “Reserve Pension Fund”, “Reserve scheme</p>

Status: Point in time view as at 07/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975. (See end of Document for details)

1975 c. 18.	The Social Security (Consequential Provisions) Act 1975.	<p>contributions” and “Reserve scheme premiums”.</p> <p>In Schedule 2, paragraphs 1(b), 2(b), 7(a), 47, 51, 53, to 57, 58 (except so much as substitutes “Ministry” for “Minister” in section 89(1) of the 1973 Act), 59 and 62 to 65.</p> <p>In Schedule 3, in paragraph 9(1)(a) the word “(respectively)” and paragraph (ii) together with the word “and” immediately preceding it.</p>
1975 c. 24.	The House of Commons Disqualification Act 1975.	In Part II of Schedule 1 the words “The Reserve Pension Board”.

Status:

Point in time view as at 07/12/2020.

Changes to legislation:

There are currently no known outstanding effects for the Social Security Pensions Act 1975.