



Social Security Administration (Northern Ireland) Act 1992

1992 CHAPTER 8

PART IX

ALTERATION OF CONTRIBUTIONS AND BENEFITS

Alteration of contributions, etc.

129 Amendments following alterations in Great Britain.

Whenever the Secretary of State makes an order under section 141, 143, 145 or 146 of the Great Britain Administration Act (alteration of contributions), the Department may make a corresponding order for Northern Ireland.

130 Revaluation of earnings factors.

Whenever the Secretary of State makes an order under section 148 of the Great Britain Administration Act [^{F1}(revaluation of earnings factors), the Department may make a corresponding order for Northern Ireland].

Textual Amendments

- F1** Words in s. 130 substituted (16.12.1995 subject to Sch. 2 of the amending S.I.) by S.I. 1995/3213 (N.I. 22), arts. 1, 125(3) (with art. 125(4)-(6))

Modifications etc. (not altering text)

- C1** S. 130 extended (1.7.1992) by Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7), ss. 44(8), 173(4) (with s. 108(5))

Status: Point in time view as at 05/02/1996. This version of this part contains provisions that are not valid for this point in time.

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VALID FROM 08/01/2001

[^{F2}130A Revaluation of low earnings threshold

Whenever the Secretary of State makes an order under section 148A of the Great Britain Administration Act (revaluation of low earnings threshold), the Department may make a corresponding order for Northern Ireland.]

Textual Amendments

- F2** S. 130A inserted (8.1.2001 for certain purposes, otherwise 1.2.2001) by 2000 c. 4 (N.I.), s. 32, (with s. 66(6)); S.R. 2000/358, art. 2(e), Sch. Pt. IV (as amended by S.R. 2000/374, art. 3); S.R. 2001/34, art. 2(c)

[^{F3}131 Statutory sick pay - power to alter limit for small employers' relief.

Whenever the Secretary of State makes regulations prescribing an amount which an employer's contributions payments must not exceed if he is to be a small employer for the purposes of section 154 of the Great Britain Contributions and Benefits Act, the Department shall make corresponding regulations for Northern Ireland.]

Textual Amendments

- F3** S. 131 ceased to have effect (6.4.1995) by virtue of S.R. 1995/96, art. 6(2)(b)

Review and alteration of benefits

132 Annual up-rating of benefits.

- (1) Whenever the Secretary of State makes an order under section 150 of the Great Britain Administration Act the Department may make a corresponding order for Northern Ireland.
- (2) An increase in a sum such as is specified in subsection (3)(b) below shall form part of the Category A or Category B retirement pension of the person to whom it is paid and an increase in a sum such as is specified in subsection (3)(a) below shall be added to and form part of that pension but shall not form part of the sum increased.
- (3) The sums referred to in subsection (2) above are those which are—
 - (a) payable by virtue of [^{F4}section 11(1) of the Pensions Act] to a person who is also entitled to a Category A or Category B retirement pension (including any sum payable by virtue of [^{F4}section 13(2) of that Act]); or
 - (b) payable to such a person as part of his Category A or Category B retirement pension by virtue of—
 - (i) an order made under this section corresponding to an order made under section 150 of the Great Britain Administration Act by virtue of paragraph (e)(ii) of subsection (1) of that section;

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- (ii) an order made under section 120 of the ^{M1}1975 Act corresponding to an order made under section 126A of the Social Security Act 1975; or
- (iii) an order made under Article 64 of the ^{M2}1986 Order corresponding to an order made under section 63(1)(d) of the Social Security Act 1986.

[^{F5}(3A) Where a member of an appropriate personal pension scheme or a money purchase contracted-out scheme continues in employment after attaining pensionable age and the commencement of his pension under the scheme is postponed, the preceding provisions of this section shall have effect as if—

- (a) the guaranteed minimum pension to which he is treated as entitled by virtue of section 44(2)(a) of the Pensions Act were subject to increases in accordance with the provisions of section 11(1) of that Act; and
- (b) the amounts of any notional increases referred to in paragraph (a) above were subject to annual up-rating in the same way as if they were sums to which subsection (3)(a) above applied.]

(4) Where any increment under [^{F6}section 11(1) of the Pensions Act]—

- (a) is increased in any tax year by an order under [^{F6}section 105 of that Act]; and
- (b) in that tax year also falls to be increased by an order under this section,

the increase under this section shall be the amount that would have been specified in the order, but for this subsection, less the amount of the increase under Article 39A of the Pensions Order.

(5) Where sums are payable to a person by virtue of [^{F7}section 11(1) of the Pensions Act] (including such sums payable by virtue of [^{F7}section 13(2) of that Act]) during a period ending with the date on which he became entitled to a Category A or Category B retirement pension, then, for the purpose of determining the amount of his Category A or Category B retirement pension, orders made under this section during that period shall be deemed to have come into force (consecutively in the order in which they were made) on the date on which he became entitled to that pension.

(6) The reference in subsection (1) above to an order made under section 150 of the Great Britain Administration Act includes a reference to an order made in exercise of the powers conferred by regulations made under subsection (11) of that section.

Textual Amendments

- F4** Words in s. 132(3)(a) substituted (7.2.1994) by 1993 c. 49, s. 184, **Sch. 7 para. 41(a)**; S.R. 1994/17, **art. 2**
- F5** S. 132(3A) inserted (7.2.1994) by 1993 c. 49, s. 184, **Sch. 7 para. 41(b)**; S.R. 1994/17, **art. 2**
- F6** Words in s. 132(4) substituted (7.2.1994) by 1993 c. 49, s. 184, **Sch. 7 para. 41(c)**; S.R. 1994/17, **art. 2**
- F7** Words in s. 132(5) substituted (7.2.1994) by 1993 c. 49, s. 184, 186(2), **Sch. 7 para. 41(d)**

Modifications etc. (not altering text)

- C2** S. 132: certain functions of the Secretary of State or the Department of Health and Social Services for Northern Ireland transferred (5.10.1999) to the Treasury by 1999 c. 10, ss. 2, 20(2), **Sch. 2 Pt. I para. 4**
- C3** S. 132(2) modified (5.10.1999) by 1999 c. 10, ss. 2, 20(2), **Sch. 2 Pt. V para. 20(f)**

Marginal Citations

- M1** 1975 c. 14.

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M2 1986 c. 50.

133 Rectification of mistakes in up-rating orders.

Whenever the Secretary of State makes an order under section 152 of the Great Britain Administration Act, the Department may make a corresponding order for Northern Ireland.

134 Social security benefits in respect of children.

- (1) Regulations may, with effect from any day on or after that on which there is an increase in the rate or any of the rates of child benefit, reduce any sum specified in any of the provisions mentioned in subsection (2) below to such extent as the Department thinks appropriate having regard to that increase.
- (2) The provisions referred to in subsection (1) above are the following provisions of Schedule 4 to the Contributions and Benefits Act—
 - (a) paragraph 6 of Part I (child’s special allowance);
 - (b) paragraph 5 of Part III (guardian’s allowance);
 - (c) column (2) of Part IV (increase for child dependants);
 - (d) paragraph 7 of Part V (increase of weekly rate of disablement pension in respect of child dependants);
 - (e) paragraph 12 of Part V (allowance in respect of deceased’s children).

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