



Social Security Administration (Northern Ireland) Act 1992

1992 CHAPTER 8

PART IX **N.I.**

ALTERATION OF CONTRIBUTIONS AND BENEFITS

Review and alteration of benefits

132 Annual up-rating of benefits. **N.I.**

- (1) Whenever the Secretary of State [^{F1}or the Treasury] 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 [^{F2}section 11(1) of the Pensions Act] to a [^{F3}relevant person] (including any sum payable by virtue of [^{F2}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;
 - (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.

Status: Point in time view as at 12/10/2015. This version of this provision has been superseded.

Changes to legislation: Social Security Administration (Northern Ireland) Act 1992, Section 132 is up to date with all changes known to be in force on or before 16 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

[^{F4}(3ZA) In subsection (3)(a) “relevant person” means a person—

- (a) who became entitled to a Category A or Category B retirement pension before the day on which section 3(1) of the Pensions Act (Northern Ireland) 2012 comes into operation, and
- (b) to whom sums became payable by virtue of section 11(1) of the Pensions Act (including sums payable by virtue of section 13(2) of that Act) before that day.

(3ZB) In subsection (3ZA)—

- (a) a reference to becoming entitled to a pension before a day includes a reference to becoming entitled on or after that day to the payment of a pension in respect of a period before that day;
- (b) a reference to sums becoming payable before a day includes a reference to sums becoming payable on or after that day in respect of a period before that day.]

[^{F5}(3A) Where a member of [^{F6}a scheme which was at a time before the abolition date (as defined in section 176(1) of the Pensions Act)] 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.]

[^{F7}(3B) Subsection (3A) does not have effect unless—

- (a) the member became entitled to a Category A or Category B retirement pension before the day on which section 3(2) of the Pensions Act (Northern Ireland) 2012 comes into operation, and
- (b) the member's postponed pension under the scheme became payable before that day.

(3C) In subsection (3B)—

- (a) a reference to becoming entitled to a pension before a day includes a reference to becoming entitled on or after that day to the payment of a pension in respect of a period before that day;
- (b) a reference to a pension becoming payable before a day includes a reference to a pension becoming payable on or after that day in respect of a period before that day.]

(4) Where any increment under [^{F8}section 11(1) of the Pensions Act]—

- (a) is increased in any tax year by an order under [^{F8}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.

^{F9}(5)

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- (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

- F1** Words in s. 132(1) inserted (26.2.2003 for specified purposes, 1.4.2003 for specified purposes, 7.4.2003 in so far as not already in force) by [Tax Credits Act 2002 \(c. 21\)](#), s. 61, [Sch. 4 para. 9](#); S.I. 2003/392, [art. 2](#) (subject to savings in art. 3)
- F2** 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](#)
- F3** Words in s. 132(3)(a) substituted (7.6.2012) by [Pensions Act \(Northern Ireland\) 2012 \(c. 3\)](#), [ss. 3\(1\)\(a\)](#), [34\(3\)](#); S.R. 2012/233, [art. 2\(2\)\(b\)](#)
- F4** S. 132(3ZA)-(3ZB) inserted (7.6.2012) by [Pensions Act \(Northern Ireland\) 2012 \(c. 3\)](#), [ss. 3\(1\)\(b\)](#), [34\(3\)](#); S.R. 2012/233, [art. 2\(2\)\(b\)](#)
- 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(3A) inserted (6.4.2012) by [The Pensions \(2008 Act\) \(Abolition of Contracting-out for Defined Contribution Pension Schemes\) \(Consequential Provisions\) Regulations \(Northern Ireland\) 2012 \(S.R. 2012/120\)](#), [regs. 1\(a\)](#), [2\(2\)](#)
- F7** S. 132(3B)-(3C) inserted (7.6.2012) by [Pensions Act \(Northern Ireland\) 2012 \(c. 3\)](#), [ss. 3\(2\)](#), [34\(3\)](#); S.R. 2012/233, [art. 2\(2\)\(b\)](#)
- F8** 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](#)
- F9** S. 132(5) omitted (7.6.2012) by virtue of [Pensions Act \(Northern Ireland\) 2012 \(c. 3\)](#), [ss. 3\(3\)](#), [34\(3\)](#) (with s. 3(4)); S.R. 2012/233, [art. 2\(2\)\(b\)](#)

Modifications etc. (not altering text)

- C1** 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](#)
- C2** Ss. 132-134: transfer of functions (1.4.2003 for specified purposes, 7.4.2003 in so far as not already in force) by [Tax Credits Act 2002 \(c. 21\)](#), [ss. 49\(4\)](#), [61](#) (with s. 54(1)(3)(4)(6)(8)); S.I. 2003/392, [art. 2](#) (subject to savings in art. 3)
- 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](#).
- M2** [1986 c. 50](#).

Status:

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