

Status: Point in time view as at 06/04/2008.

Changes to legislation: Pension Schemes Act 1993, SCHEDULE 8 is up to date with all changes known to be in force on or before 22 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)

SCHEDULES

SCHEDULE 8

Section 190.

CONSEQUENTIAL AMENDMENTS

Extent Information

E1 Sch. 8: amending provisions are co-extensive with the enactments they affect, see s. 192(1)

Commencement Information

II Sch. 9 in force at 7.2.1994 by [S.I. 1994/86, art. 2](#)

The Parliamentary Commissioner Act 1967 (c. 13)

- 1 In paragraph 10 of Schedule 1 to the Parliamentary Commissioner Act 1967, in the definition of “judicial pension scheme”, for the words “section 66(1) of the Social Security Pensions Act 1975” there shall be substituted the words “ section 1 of the Pension Schemes Act 1993 ”.

The Administration of Justice Act 1970 (c. 31)

- 2 In paragraph 3 of Schedule 4 to the Administration of Justice Act 1970 for the words “Social Security Pensions Act 1975” there shall be substituted the words “ Pension Schemes Act 1993 ”.

The Equal Pay Act 1970 (c. 41)

- ^{F13}

Textual Amendments

F1 Sch. 8 para. 3 repealed (6.4.1997) by [Pensions Act 1995 \(c. 26\)](#), s. 180(1), [Sch. 7 Pt. I](#); [S.I. 1997/664, art. 2\(3\)](#), [Sch. Pt. 2](#)

The Attachment of Earnings Act 1971 (c. 32)

- 4 In section 24(2) of and paragraph 3 of Schedule 2 to the Attachment of Earnings Act 1971 for the words “Social Security Pensions Act 1975” there shall be substituted the words “ Pension Schemes Act 1993 ”.

The Pensions (Increase) Act 1971 (c. 56)

- 5 In section 17(1) of the Pensions (Increase) Act 1971, in the definition of “money purchase benefits”, for the words “section 84(1) of the Social Security Act 1986”

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there shall be substituted the words “ section 181(1) of the Pension Schemes Act 1993 ”.

The Superannuation Act 1972 (c. 11)

6 In section 1(9) of the Superannuation Act 1972, in the definition of “money purchase scheme”, for the words from “means” onwards there shall be substituted the words “ has the meaning given by section 181(1) of the Pension Schemes Act 1993 ”.

7 In sections 9(6) and 10(6) of that Act, in the definition of “money purchase benefits”, for the words “section 84(1) of the Social Security Act 1986” there shall be substituted the words “ section 181(1) of the Pension Schemes Act 1993 ”.

8 In section 13(15), in the definition of “judicial pension scheme”, for the words “section 66(1) of the Social Security Pensions Act 1975” there shall be substituted the words “ section 1 of the Pension Schemes Act 1993 ”;

The Social Security Pensions Act 1975 (c. 60)

- 9 (1) In section 59 of the Social Security Pensions Act 1975—
 - (a) in subsection (5A), for the words “section 37A(13), (14) or (15) above” there shall be substituted the words “ section 110(2) or (3) of, or paragraph 10 of Schedule 6 to, the Pension Schemes Act 1993 ”; and
 - (b) in subsection (7), after the definition of “beginning date” there shall be inserted—

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

- (2) In section 59A(2A) of that Act—
 - (a) after the words “tax year” there shall be inserted the words “ as defined in section 181(1) of the Pension Schemes Act 1993 ”;
 - (b) for the words “section 37A above” in the first place where they occur there shall be substituted the words “ section 109 of the Pension Schemes Act 1993 ”; and
 - (c) for those words in the second place where they occur there shall be substituted the words “ that section ”.

The Rent Act 1977 (c. 42)

10 In section 653(3) of the Rent Act 1977 for the words “Social Security Pensions Act 1975” there shall be substituted the words “ Pension Schemes Act 1993 ”.

The Employment Protection (Consolidation) Act 1978 (c. 44)

F211

Textual Amendments

F2 Sch. 8 para. 11(1) repealed (22.8.1996) by [Employment Rights Act 1996 \(c. 18\)](#), s. 243, [Sch. 3 Pt. I](#) (with ss. 191-201)

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The Justices of the Peace Act 1979 (c. 55)

- 12 In sections 55(2)(b)(ii) and 58(2)(ii) of the Justices of the Peace Act 1979 for the words “Part III of the Social Security Pensions Act 1975” there shall be substituted the words “ Chapter III of Part III of the Pension Schemes Act 1993 ”.

The Judicial Pensions Act 1981 (c. 20)

- 13 In section 33A(9) of the Judicial Pensions Act 1981—
- (a) in the definition of “employment” for the words “Social Security Pensions Act 1975” and “that Act” there shall be substituted respectively the words “ Pension Schemes Act 1993 ” and “section 2 of the Social Security Contributions and Benefits Act 1992”; and
 - (b) in the definition of “occupational pension scheme” for the words “section 66(1) of the Social Security Pensions Act 1975” there shall be substituted the words “ section 1 of the Pension Schemes Act 1993 ”;
 - (c) in the definition of “personal pension scheme” for the words “section 84(1) of the Social Security Act 1986” there shall be substituted the words “ section 1 of the Pension Schemes Act 1993 ”;
 - (d) in the definitions of “tax exemption” and “tax approval” for the words “section 84(1) of the Social Security Act 1986” there shall be substituted the words “ section 181(1) of the Pension Schemes Act 1993 ”.

- 14 In Schedule 1A to that Act—
- (a) in paragraph 1 in the definition of “protected rights” for the words “the Social Security Pensions Act 1975” there shall be substituted the words “ the Pension Schemes Act 1993 ”;
 - (b) in paragraph 3 for the words “Part II of Schedule 1A to the Social Security Pensions Act 1975” there shall be substituted the words “ Chapter IV of Part IV of the Pension Schemes Act 1993 ”;
 - (c) in paragraph 6(6)(a)(ii) for the words “section 2 of the Social Security Act 1986” there shall be substituted the words “ section 7 of the Pension Schemes Act 1993 ”.

The Forfeiture Act 1982 (c. 34)

- 15 In the definition of “relevant enactment” in section 4(5) of the Forfeiture Act 1982 there shall be inserted at the appropriate place the words— “ the Pension Schemes Act 1993 ”.

The Companies Act 1985 (c. 6)

- 16 In Schedule 2 to the Companies Act 1985—
- (a) in paragraph 3(2)(b) for the words “section 47 of the Social Security Pensions Act 1975 (deduction of premium from refund of contributions)” there shall be substituted the words “ section 61 of the Pension Schemes Act 1993 (deduction of contributions equivalent premium from refund of scheme contributions) ”;

^{F3}(b)

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Textual Amendments

- F3** Sch. 8 para. 16(b) repealed (6.4.2008) by [The Companies Act 2006 \(Consequential Amendments etc\) Order 2008 \(S.I. 2008/948\)](#), art. 2(2), [Sch. 2](#) (with arts. 6, 11, 12)

The Bankruptcy (Scotland) Act 1985 (c. 66)

- 17 In paragraph 4 of Schedule 3 to the Bankruptcy (Scotland) Act 1985 for the words “Schedule 3 to the Social Security Pensions Act 1975” there shall be substituted the words “ Schedule 4 to the Pension Schemes Act 1993 ”.

The Insolvency Act 1986 (c. 45)

- 18 In section 386(3) of and paragraph 8 of Schedule 6 to the Insolvency Act 1986 for the words “Schedule 3 to the Social Security Pensions Act 1975” there shall be substituted the words “ Schedule 4 to the Pension Schemes Act 1993 ”.

The Coal Industry Act 1987 (c. 3)

- ^{F4}19

Textual Amendments

- F4** Sch. 8 para. 19 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 5](#) Group 12

The Income and Corporation Taxes Act 1988 (c. 1)

- ^{F5}20

Textual Amendments

- F5** Sch. 8 para. 20 repealed (6.4.2006) by [Finance Act 2004 \(c. 12\)](#), [Sch. 42 Pt. 3](#) (with Sch. 36)

The Official Secrets Act 1989 (c. 6)

- 21 In paragraph 4 of Schedule 1 to the Official Secrets Act 1989 for the words “Social Security Act 1973” there shall be substituted the words “ Pension Schemes Act 1993 ”.

The Finance Act 1989 (c. 26)

- 22 In paragraph 11(2)(b) of Schedule 7 to the Finance Act 1989 for the words “Social Security Act 1986” there shall be substituted the words “ Pension Schemes Act 1993 ”.

The Electricity Act 1989 (c. 29)

- 23 In paragraph 5(1) of Schedule 14 and in paragraph 5(1) of Schedule 15 to the Electricity Act 1989 for the words “Social Security Pensions Act 1975 (contracted-out pension schemes)” there shall be substituted the words “ Pension Schemes Act

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1993 (so far as relating to occupational pension schemes within the meaning of that Act) ”.

The Social Security Administration Act 1992 (c. 5)

F⁶24

Textual Amendments

F6 Sch. 8 para. 24 repealed (6.4.2002) by Welfare Reform and Pensions Act 1999 (c. 30), s. 89(1), **Sch. 13 Pt. V**; S.I. 2001/4049, art. 2(3)(d)(i)

25 [F⁷At the end of section 70(3) of that Act there shall be inserted the words
(k) the Pensions Act”.]

Textual Amendments

F7 Sch. 8 para. 25 repealed (29.11.1999 for specified purposes) by Social Security Act 1998 (c. 14), s. 87(2), **Sch. 8**; S.I. 1999/3178, art. 2(1)(a), Sch. 1 (with art. 4, Schs. 21-23)

F⁸26

Textual Amendments

F8 Sch. 8 para. 26 repealed (2.4.2001) by Child Support, Pensions and Social Security Act 2000 (c. 19), s. 86(1)(e)(2), **Sch. 9 Pt. VI** (with s. 83(6)); S.I. 2001/1252, art. 2(1)(e)

27 In section 148(7) of that Act for the words “section 21 of the Pensions Act” there shall be substituted the words “ section 21 of the Social Security Pensions Act 1975 ”.

28 In section 150 of that Act—

- (a) in subsection (1)(e), for the words “section 35(6)” and “section 36(3)” there shall be substituted respectively the words “ section 15(1) ” and “ section 17(2) ”;
- (b) after subsection (10) there shall be inserted—

“(10A) 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 48(2)(a) of the Pensions Act were subject to increases in accordance with the provisions of section 15(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 (1)(e) (i) above applied.”; and

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- (c) in subsection (11), for the words “the Pensions Act” there shall be substituted the words “ the Social Security Pensions Act 1975 ”.
- 29 In section 151 of that Act—
- (a) in subsection (4), for the words “section 35(6)” and the words “section 37A” in both places where they occur there shall be substituted respectively the words “ section 15(1) ” and “ section 109 ”; and
- (b) in subsection (5), for the words “section 35(6)” and “section 36(3)” there shall be substituted respectively the words “ section 15(1) ” and “ section 17(2) ”.
- 30 In section 155(7) of that Act, for the words “the Pensions Act” there shall be substituted the words “ the Social Security Pensions Act 1975 ”.
- 31 In section 191 of that Act—
- (a) the following definitions shall be inserted at the appropriate places—
- ““money purchase contracted-out scheme” has the same meaning as in section 8(1)(a)(ii) of the Pensions Act;” and
- ““pensionable age” has the same meaning as in section 122 of the Contributions and Benefits Act”;
- (b) in the definition of “occupational pension scheme”, for the words “section 66(1)” there shall be substituted the words “ section 1 ”;
- (c) in the definition of “the Pensions Act”, for the words “Social Security Pensions Act 1975” there shall be substituted the words “ Pension Schemes Act 1993 ”;
- (d) in the definition of “personal pension scheme”, for the words “section 84(1) of the 1986 Act” there shall be substituted the words “ section 1 of the Pensions Act ” and at the end of that definition there shall be added the words “ and “appropriate”, in relation to such a scheme, shall be construed in accordance with section 7(4) of that Act. ”.

The Social Security Contributions and Benefits Act 1992 (c. 4)

- 32 In section 1(3) of the Social Security Contributions and Benefits Act 1992 for the words from “Part III” to “contributions)” there shall be substituted the words “ Chapter II of Part III of the Pensions Act (reduction in state scheme contributions and benefits for members of certified schemes) ”.
- 33 [F⁹In section 8(1) of that Act for the words “section 27 of the Pensions Act (contracted-out rates)” there shall be substituted the words“ section 41 of the Pensions Act (reduced rates of Class 1 contributions for earners in contracted-out employment) ”.]

Textual Amendments

- F9** Sch. 8 para. 33 repealed (29.11.1999 for specified purposes) by [Social Security Act 1998 \(c. 14\), s. 87\(2\), Sch. 8](#); [S.I. 1999/3178, art. 2\(1\)\(a\)\(2\), Sch. 1](#) (with [art. 4, Schs. 21-23](#))

- 34 [F¹⁰In section 9(4) of that Act for the words “section 27” there shall be substituted the words“ section 41 ”.]

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Textual Amendments

F10 Sch. 8 para. 34 repealed (29.11.1999 for specified purposes) by Social Security Act 1998 (c. 14), s. 87(2), Sch. 8; S.I. 1999/3178, art. 2(1)(a), Sch. 1 (with art. 4, Schs. 21-23)

- 35 In section 20(3) of that Act for the words from “Part III” to “benefit” there shall be substituted the words “ Chapter II of Part III of the Pensions Act (reduction in state scheme contributions and benefits for members of certified schemes) ”.
- 36 In section 23(2) of that Act after the words “the Pensions Act” there shall be inserted the words “ or the Social Security Pensions Act 1975 ”.
- 37 In section 34(5) of that Act for the words “section 29” there shall be substituted the words “ section 46 ”.
- 38 In section 44(8) of that Act for the words “section 21 of the Pensions Act” there shall be substituted the words “ section 21 of the Social Security Pensions Act 1975 ”.
- 39 In section 47(3) of that Act for the words “section 29” there shall be substituted the words “ section 46 ”.
- 40 In section 50(2) of that Act for the words “section 29B(2)” there shall be substituted the words “ section 46(5) ”.
- 41 In section 174 of that Act, in the definition of “the Pensions Act” for the words “Social Security Pensions Act 1975” there shall be substituted the words “ Pension Schemes Act 1993 ”.
- 42 In Schedule 5 to that Act—
- (a) in paragraph 2(6) for the words “section 29B(2)” there shall be substituted the words “ section 46(5) ”; and
 - (b) in paragraphs 5(1) and 6(1)(c)(i) for the words “section 35(6)” there shall be substituted the words “ section 15(1) ”; and
 - (c) in paragraphs 5(3) and 6(3)(c) and (4)(b) for the words “section 37A” there shall be substituted the words “ section 109 ”.
- 43 In paragraph 3 of Schedule 7 to that Act—
- (a) in sub-paragraph (3) for the words “section 29” there shall be substituted the words “ section 46 ”; and
 - (b) in sub-paragraph (11) for the words from “section 29C” to “supplement” there shall be substituted the words “ section 46(6) and (7) (entitlement to guaranteed minimum pensions and increases of unemployability supplement) ”.

The Tribunals and Inquiries Act 1992 (c. 53)

- 44 In the Tribunals and Inquiries Act 1992—
- ^{F11}(a)
 - (b) in paragraph 35 of Schedule 1—
 - ^{F11}(i)
 - (ii) in paragraph (e) for the words “Part IVA of the Social Security Pensions Act 1975 (c. 60)” and “section 59C(2)” there shall be substituted respectively the words “ Part X of the Pension Schemes Act 1993 ” and “ section 146(2) ”.

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Textual Amendments

- F11** Sch. 8 para. 44(a)(b)(i) repealed (6.4.1997) by Pensions Act 1995 (c. 26), s. 180(1), **Sch. 7 Pt. III**; S.I. 1997/664, art. 2(3), Sch. Pt. 2

The Social Security Act 1993 (c.3)

45 In section 2(4)(b) of the Social Security Act 1993—

^{F12}(a)

(b) at the end there shall be inserted the words—

“and

(c) under section 124(1) of the Pension Schemes Act 1993”.

Textual Amendments

- F12** Sch. 8 para. 45(a) repealed (22.8.1996) by Employment Rights Act 1996 (c. 18), s. 243, **Sch. 3 Pt. I** (with ss. 191-201)

The Judicial Pensions and Retirement Act 1993 (c.8)

46 (1) In section 10(8) of the Judicial Pensions and Retirement Act 1993—

(a) in the definition of “employment” for the words “Social Security Pensions Act 1975” and “that Act” there shall be substituted respectively the words “ Pension Schemes Act 1993 ” and “ section 2 of the Social Security Contributions and Benefits Act 1992 ”; and

(b) in the definition of “occupational pension scheme” for the words “section 66(1) of the Social Security Pensions Act 1975” there shall be substituted the words “ section 1 of the Pension Schemes Act 1993 ”;

(c) in the definition of “personal pension scheme” for the words “section 84(1) of the Social Security Act 1986” there shall be substituted the words “ section 1 of the Pension Schemes Act 1993 ”;

(d) in the definitions of “tax exemption” and “tax approval” for the words “section 84(1) of the Social Security Act 1986” there shall be substituted the words “ section 181(1) of the Pension Schemes Act 1993 ”.

(2) In section 13(9) of that Act, in the definition of “personal pension scheme”, for the words “section 2 of the Social Security Act 1986” there shall be substituted the words “ section 7 of the Pension Schemes Act 1993 ”.

(3) In section 16 of that Act, for paragraph (a) there shall be substituted—

“(a) section 141 of the Pension Schemes Act 1993 (modification of public service schemes) or section 143 of that Act (winding up of public service schemes);”.

(4) In section 30(1) of that Act, in the definition of “judicial pension scheme” for the words “section 66(1) of the Social Security Pensions Act 1975” there shall be substituted the words “ section 1 of the Pension Schemes Act 1993 ”.

(5) In Schedule 2 to that Act—

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- (a) in paragraph 1—
 - (i) for the words “the Social Security Pensions Act 1975”, in each place where they occur, there shall be substituted the words “ the Pension Schemes Act 1993 ”;
 - (ii) in the definition of “occupational pension scheme” for the words “section 66(1)” there shall be substituted the words “ section 1 ”;
 - (iii) in the definition of “personal pension scheme” for the words “section 84(1) of the Social Security Act 1986” there shall be substituted the words “ section 1 of the Pension Schemes Act 1993 ”;
- (b) in paragraph 3 for the words “Part II of Schedule 1A to the Social Security Pensions Act 1975” there shall be substituted the words “ Chapter IV of Part IV of the Pension Schemes Act 1993 ”;
- (c) in paragraph 6(6)(a)(ii) for the words “section 2 of the Social Security Act 1986” there shall be substituted the words “ section 7 of the Pension Schemes Act 1993 ”.

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