

*Status: Point in time view as at 06/01/1997.*

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## SCHEDULES

### SCHEDULE 1

Section 5.

#### THE OCCUPATIONAL PENSIONS BOARD

##### *Introductory*

- 1 The following provisions of this Schedule shall have effect as respects the membership, the remuneration and expenses of members, the procedure and the staff of the Board and other matters relating to them.

##### *Membership*

- 2 Subject to the following provisions, a person shall hold and vacate office as chairman, deputy chairman or other member of the Board in accordance with the terms of the instrument appointing him.
- 3 A person may at any time resign office as chairman, deputy chairman or other member of the Board by giving written notice of his resignation signed by him to the Secretary of State.
- 4 (1) If a member of the Board becomes or ceases to be chairman or deputy chairman, the Secretary of State may vary the terms of the instrument appointing him to be a member so as to alter the date on which he is to vacate office.
- (2) If the chairman or deputy chairman ceases to be a member he shall cease to be chairman or, as the case may be, deputy chairman.
- 5 (1) If the Secretary of State is satisfied that a member of the Board—
- (a) has been absent from meetings of the Board for a period longer than 3 consecutive months without the Board's permission; or
  - (b) has become bankrupt or made an arrangement with his creditors,
- the Secretary of State may remove that member.
- (2) In the application of sub-paragraph (1) to Scotland, for the references to a member's having become bankrupt and to his having made an arrangement with his creditors there shall be substituted respectively references to sequestration of the member's estate having been awarded and to his having made a trust deed for the behoof of his creditors or a composition contract.
- (3) Without prejudice to the previous provisions, the Secretary of State may remove a member of the Board on the ground of incapacity or misbehaviour.

##### *Expenses, remuneration, etc. of members*

- 6 The expenses of the Board, to such an amount as may be approved by the Treasury, shall be paid by the Secretary of State.
- 7 There may be paid as part of the expenses of the Board—

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- (a) to all or any of the members of the Board, such salaries or other remuneration and travelling and other allowances;
- (b) to persons attending their meetings at the request of the Board, such travelling and other allowances (including compensation for loss of remunerative time); and
- (c) to persons from whom the Board may decide to seek advice, as being persons considered by the Board to be specially qualified to advise them on particular matters, such fees,
- as the Secretary of State may with the consent of the Treasury determine.
- 8 The Secretary of State may with the consent of the Treasury provide for the payment of pensions, allowances or gratuities to or in respect of such members of the Board as may be so determined.
- 9 Where—
- (a) a person ceases to be a member of the Board otherwise than on the expiration of his term of office, and
- (b) it appears to the Secretary of State that there are circumstances which make it right for that person to receive compensation,
- the Secretary of State may with the consent of the Treasury make to that person a payment of such amount as the Secretary of State may with the consent of the Treasury determine.

#### *Procedure*

- 10 (1) The Secretary of State may make regulations generally as to the procedure to be followed by the Board in the exercise of their functions and the manner in which their functions are to be exercised.
- (2) Such regulations may in particular make provision—
- (a) as to the procedure to be adopted in connection with the issue, cancellation, variation or surrender of contracting-out certificates and appropriate scheme certificates, and with applications, determinations and the making of orders;
- (b) as to the hearing of parties, the taking of evidence and the circumstances (if any) in which a document of any prescribed description is to be treated, for the purposes of any proceedings before the Board, as evidence, or conclusive evidence, of any prescribed matter;
- (c) as to the time to be allowed for making any application or renewed application to the Board (whether for an order or determination of the Board or for the review of a determination, or otherwise);
- (d) as to the manner in which parties to any proceedings before the Board may or are to be represented for the purposes of the proceedings.
- (3) References in sub-paragraph (2) to contracting-out certificates and appropriate scheme certificates include references to contracting-out certificates and appropriate scheme certificates within the meaning of any provisions in force in Northern Ireland which correspond to provisions of this Act.
- (4) Regulations under sub-paragraph (1) may provide for enabling the Board to summon persons—
- (a) to attend before them and give evidence (including evidence on oath) for any purposes of proceedings in connection with an occupational pension scheme,

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- (b) to produce any documents required by the Board for those purposes, or
  - (c) to furnish any information which the Board may require relating to any such scheme which is the subject matter of proceedings pending before them.
- 11 Subject to regulations made by the Secretary of State under paragraph 10(1) and section 172(4), the procedure of the Board in relation to the discharge of any of their functions shall be such as the Board may determine.

#### *Proceedings*

- 12 The quorum of the Board and the arrangements relating to their meetings shall be such as the Board may determine.
- 13 The validity of the proceedings of the Board shall not be affected by any vacancy among the members or by any defect in the appointment of a member.
- 14 (1) Where the Board give a decision on any matter dealt with by them by means of a formal hearing, or on review, they shall furnish a statement, either written or oral, of the reasons for the decision if they are requested, on or before the giving or notification of the decision, to state their reasons.
- (2) Any statement by the Board of their reasons for a decision, whether the statement is given by them in pursuance of this paragraph or otherwise, shall be taken to form part of the decision and accordingly to be incorporated in the record.

#### *Staff etc.*

- 15 (1) The Secretary of State may make available to the Board the services of such officers and servants of his department as he may consider appropriate for the proper discharge of the functions of the Board.
- (2) The Board may authorise any member, or any officer or servant of the Secretary of State's department, to perform on the Board's behalf such of their functions (including the power to give an authorisation for the purposes of this paragraph) as may be specified in the authorisation.

#### *Fees*

- 16 Regulations made by the Secretary of State may authorise the Board to charge fees for their services in respect of the modification of an occupational pension scheme on an application made under section 136 or under any corresponding provision in force in Northern Ireland, including services in connection with the drawing up of any order of the Board made on application.

#### *Instruments and contracts*

- 17 The fixing of the common seal of the Board shall be authenticated by the signature of the secretary of the Board or some other person authorised by them to act for that purpose.
- 18 A document purporting to be duly executed under the seal of the Board shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

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## SCHEDULE 2

Section 39.

### CERTIFICATION REGULATIONS

#### Commencement Information

**II** Schs. 1-4 in force at 7.2.1994 by S.I. 1994/86, art. 2

### PART I

#### OCCUPATIONAL PENSION SCHEMES

##### *General regulations: beginning and ending of employment*

- 1 (1) In relation to employments which are or at any time have been contracted-out employments, and to the operation of schemes by reference to which employments are or have been contracted-out, regulations may make provision generally as to the circumstances in which an earner's employment is or is not to be treated as having begun, or as having come to an end and, in particular, as to the matters mentioned in sub-paragraphs (2) to (4).
- (2) Regulations may make provision for treating an earner's employment which ends before a person succeeds to the business of the earner's employer as having been employment under the employer's successor.
- (3) Regulations may make provision—
  - (a) for changes in an earner's employment due to the death of an employer or another cause, or any cesser of contracted-out employment so due, to be disregarded; or
  - (b) for employment under one employer to be treated as a continuation of that under another and any contracting-out certificate issued to, or election made by, the former employer to be treated as issued to or made by the latter.
- (4) Regulations may also make provision—
  - (a) for temporary interruptions in an earner's employment or contracted-out employment to be disregarded; and
  - (b) for the employment in either case to be treated as continuing during the interruption.
- (5) References in this paragraph to an earner's employment beginning or ending shall include references to his employment becoming or ceasing to be contracted-out employment.
- 2 (1) Subject to sub-paragraph (2), regulations may enable the Board to determine in prescribed circumstances that an earner, or any group of earners whose employment falls within a particular category or description of contracted-out employments, has been in such employment from a date ("the determined date") earlier than would otherwise be the case.
- (2) The determined date for any earner may not be earlier than—
  - (a) the date on which his relevant employment began, or
  - (b) the date on which a contracting-out certificate was issued in respect of it,

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whichever is the later.

- 3 Provision may be made by regulations for requiring an employer to give notice to the Secretary of State—
- (a) when an earner's employment becomes or ceases to be contracted-out employment; and
  - (b) when an earner's employment in contracted-out employment begins or ends.

*Power to modify Part III etc.*

- 4 (1) Regulations may modify the provisions of Part III (other than sections 18, 19 and 66 to 68), Chapter III of Part IV and Chapter II of Part V (except, so far as they relate to personal pension schemes, the members of such schemes or rights in respect of them) in their application to cases in which—
- (a) a person is employed at the same time in two or more employments (whether or not under the same employer); and
  - (b) at least one but not all of those employments is contracted-out employment, with a view to enabling the employments to be treated either separately or together for the purposes of those provisions.
- (2) Regulations may also modify those provisions in their application to cases in which—
- (a) any description of benefit under a scheme is subject to a limit (however imposed) operating so as to prevent service beyond a particular length from qualifying for further benefits; or
  - (b) earners qualify for the benefits of a scheme by reference to both—
    - (i) service in employment which is contracted-out in relation to them by reference to the scheme; and
    - (ii) service in the same employment or another employment (whether or not contracted-out employment) before the scheme was contracted-out in relation to them or their employment.
- (3) Regulations under this paragraph may include provision for securing that in the cases to which they apply an earner's employment [<sup>F1</sup>which, apart from the regulations, would not be contracted-out employment is treated as contracted-out employment where any benefits provided under the scheme are attributable to a period when the scheme was contracted-out].

**Textual Amendments**

- F1** Words in Sch. 2 para. 4(3) substituted (6.4.1996 for specified purposes, 6.4.1997 in so far as not already in force) by [Pensions Act 1995 \(c. 26\)](#), s. 180(1), [Sch. 5 para. 84\(b\)](#); S.I. 1996/778, art. 2(5)(a), [Sch. Pt. 5](#); S.I. 1997/664, art. 2(3), [Sch. Pt. 2](#)

*State scheme premiums*

- 5 (1) Regulations may make provision for requiring persons to furnish the Secretary of State <sup>F2</sup>... with such information as he <sup>F2</sup>... may require for the purposes of sections 37, 38, 50 to [<sup>F3</sup>63], 139(1), 142(5) and (6) and 159(1) to (3), (5) and (6) (except as

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they apply to personal pension schemes, the members of such schemes or rights in respect of them).

(2) Regulations may provide that for the purposes of sections 50, 55 to 60 and 63<sup>F4</sup>... (except as they so apply) the prescribed person shall be treated as the employer—

- (a) of any employed earners who, in any period of service in contracted-out employment—
  - (i) have been paid earnings in any income tax week by more than one person in respect of different employments; or
  - (ii) have worked under the general control or management of a person other than their immediate employer, or
- (b) of any other employed earners in the case of whom it appears to the Secretary of State that such provision is needed.

(3) Regulations may, <sup>F5</sup>..., provide—

- (a) for dispensing with the payment of a premium where its amount would be inconsiderable;
- <sup>F6</sup>(b) .....
- (c) for treating part of a premium payable in prescribed circumstances in respect of a person as having been paid and for modifying the provisions mentioned in paragraph 4(1) in relation to a case in which such a part is so treated;
- (d) for treating a premium wrongly paid or an overpayment in respect of a premium as paid (wholly or in part) in discharge of a liability for another premium or for contributions under Part I of the <sup>M1</sup>Social Security Contributions and Benefits Act 1992;
- (e) for the return of premiums paid in error or, in prescribed circumstances, of premiums which the Secretary of State is satisfied ought to be repaid;
- (f) for the Secretary of State, in prescribed circumstances where a premium has been paid in respect of a person, to direct the payment out of the National Insurance Fund to that person or his estate of an amount equal to a prescribed part of the premium;
- (g) for any other matters incidental to the payment, collection or return of premiums;

[<sup>F7</sup>and in this sub-paragraph and the following provisions of this paragraph “premium” means a contributions equivalent premium].

[<sup>F8</sup>(3A) Sub-paragraph (3B) applies in relation to a member of a contracted-out occupational pension scheme which is being wound up if, in the opinion of the Secretary of State—

- (a) the resources of the scheme are insufficient to meet the whole of the liability for the cash equivalent of the member’s rights under the scheme, and
- (b) if the resources of the scheme are sufficient to meet a part of that liability, that part is less than the amount required for restoring his State scheme rights.

(3B) Where this sub-paragraph applies—

- (a) regulations may provide for treating the member as if sections 46 to 48 or, as the case may be, section 48A(1) did not apply, or applied only to such extent as is determined in accordance with the regulations, and
- (b) the amount required for restoring the member’s State scheme rights, or a prescribed part of that amount, shall be a debt due from the trustees or managers of the scheme to the Secretary of State.

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- (3C) Regulations may make provision—
- (a) for determining the cash equivalent of a member’s rights under a scheme and the extent (if any) to which the resources of the scheme are insufficient to meet the liability for that cash equivalent,
  - (b) for the recovery of any debt due under sub-paragraph (3B)(b), and
  - (c) for determining the amount required for restoring a member’s State scheme rights including provision requiring the Secretary of State to apply whichever prescribed actuarial table in force at the appropriate time is applicable.
- (3D) Section 155 shall apply as if sub-paragraphs (3A) and (3B)(a), and regulations made by virtue of this sub-paragraph and sub-paragraph (3B)(b), were included among the provisions there referred to.
- (3E) In sub-paragraphs (3A) and (3B), “State scheme rights”, in relation to a member of a scheme, are the rights for which, if the scheme had not been a contracted-out scheme, the member would have been eligible by virtue of section 44(6) of the Social Security Contributions and Benefits Act 1992 (earnings factors for additional pension).]
- (4) The Secretary of State may accept payments in connection with a case in which a premium or part of it is treated as having been paid.

<sup>F9</sup>(5) .....

#### Textual Amendments

- F2** Words in Sch. 2 para. 5(1) repealed (6.4.1996 for specified purposes, 6.4.1997 in so far as not already in force) by Pensions Act 1995 (c. 26), s. 180(1), Sch. 5 para. 84(c)(i), **Sch. 7 Pt. III**; S.I. 1996/778, art. 2(5)(a), **Sch. Pt. 5**; S.I. 1997/664, art. 2(3), **Sch. Pt. 2**
- F3** Word in Sch. 2 para. 5(1) substituted (6.4.1996 for specified purposes, 6.4.1997 in so far as not already in force) by Pensions Act 1995 (c. 26), s. 180(1), **Sch. 5 para. 84(c)(ii)**; S.I. 1996/778, art. 2(5)(a), **Sch. Pt. 5**; S.I. 1997/664, art. 2(3), **Sch. Pt. 2**
- F4** Words in Sch. 2 para. 5(2) repealed (6.4.1996 for specified purposes, 6.4.1997 in so far as not already in force) by Pensions Act 1995 (c. 26), s. 180(1), Sch. 5 para. 84(d), **Sch. 7 Pt. III**; S.I. 1996/778, art. 2(5)(a), **Sch. Pt. 5**; S.I. 1997/664, art. 2(3), **Sch. Pt. 2**
- F5** Words in Sch. 2 para. 5(3) repealed (6.4.1996 for specified purposes, 6.4.1997 in so far as not already in force) by Pensions Act 1995 (c. 26), ss. 141(2)(a)(i), 180(1), **Sch. 7 Pt. III**; S.I. 1996/778, art. 2(5)(a), **Sch. Pt. 5**; S.I. 1997/664, art. 2(3), **Sch. Pt. 2**
- F6** Sch. 2 para. 5(3)(b) repealed (6.4.1996 for specified purposes, 6.4.1997 in so far as not already in force) by Pensions Act 1995 (c. 26), ss. 141(2)(a)(ii), 180(1), **Sch. 7 Pt. III**; S.I. 1996/778, art. 2(5)(a), **Sch. Pt. 5**; S.I. 1997/664, art. 2(3), **Sch. Pt. 2**
- F7** Words in Sch. 2 para. 5(3) added (6.4.1996 for specified purposes, 6.4.1997 in so far as not already in force) by Pensions Act 1995 (c. 26), ss. 141(2)(a)(iii), 180(1); S.I. 1996/778, art. 2(5)(a), **Sch. Pt. 5**; S.I. 1997/664, art. 2(3), **Sch. Pt. 2**
- F8** Sch. 2 para. 5(3A)-(3E) inserted (6.4.1996 for specified purposes, 6.4.1997 in so far as not already in force) by Pensions Act 1995 (c. 26), ss. 141(2)(b), 180(1); S.I. 1996/778, art. 2(5)(a), **Sch. Pt. 5**; S.I. 1997/664, art. 2(3), **Sch. Pt. 2**
- F9** Sch. 2 para. 5(5) repealed (6.4.1996 for specified purposes, 6.4.1997 in so far as not already in force) by Pensions Act 1995 (c. 26), ss. 141(2)(c), 180(1), **Sch. 7 Pt. III**; S.I. 1996/778, art. 2(5)(a), **Sch. Pt. 5**; S.I. 1997/664, art. 2(3), **Sch. Pt. 2**

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### Marginal Citations

**M1** 1992 c. 4.

#### *Schemes covering different employers*

- 6 (1) Regulations may modify Chapters I and III of Part III (other than sections 8, 18, 19, 35 to 39, and 66 to 68), Chapter III of Part IV and Chapter II of Part V (except so far as they relate to personal pension schemes, the members of such schemes or rights in respect of them) in their application to employments in the case of which earners under different employers qualify by virtue of their respective service in those employments for the benefits of the same occupational pension scheme.
- (2) Regulations under this paragraph may provide for the adjustment of rights and liabilities as between employers, earners and the trustees or managers.

#### *Special provisions for certain public service pension schemes*

- 7 (1) This paragraph applies to the following classes of employments, that is to say employments in which an earner's service qualifies him for benefit under—
- (a) section 26 of the <sup>M2</sup>Fire Service Act 1947;
  - (b) the <sup>M3</sup>Police Pensions Act 1976;
  - (c) sections 7 to 10 of the <sup>M4</sup>Superannuation Act 1972.
- (2) Where employment would fall within one of the classes specified in sub-paragraph (1) but for rules having effect under section 2 of the <sup>M5</sup>Superannuation (Miscellaneous Provisions) Act 1948 (persons transferring to and from certain employments), the employment shall be treated as falling within that class and not within any other class to which this paragraph applies.
- (3) Where a local Act contains a provision for the payment of benefits in respect of service which but for the provision would qualify a person for such benefits under the enactments specified in sub-paragraph (1), that provision shall be deemed to be included among the enactments so specified.
- (4) In relation to employments of any class to which this paragraph applies, the Secretary of State may by regulations—
- (a) direct that elections with a view to the issue, variation or surrender of contracting-out certificates shall be made and revoked by him instead of by the employer;
  - (b) make provision for other things which by or under the provisions mentioned in paragraph 4(1) are required or authorised to be done by or to an employer to be done instead by or to the Secretary of State;
  - (c) make provision for treating any employments of the class in question as employments under a single employer different from the employer in any other employment;
  - (d) make provision for the recovery by the Secretary of State of any state scheme premium from any person where it has been paid by the Secretary of State instead of by that person.

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#### Marginal Citations

- M2** 1947 c.41.  
**M3** 1976 c.35.  
**M4** 1972 c.11.  
**M5** 1948 c. 33.

#### *Incidental matters*

- 8 Regulations may make provision—
- (a) for any incidental matters connected with the provisions mentioned in paragraph 4(1) in relation to any employment which is, has been or may become contracted-out employment; and
  - (b) for any incidental matters otherwise connected with those provisions.

## PART II

### PERSONAL PENSION SCHEMES

- 9 (1) Subject to the following provisions, paragraph 5 applies in relation to personal pension schemes as it applies to occupational pension schemes.
- (2) In sub-paragraph (1) the words from “(except” onwards and in sub-paragraph (2) the words “(except as they so apply)” shall be omitted.

[<sup>F10</sup>(2A) Sub-paragraphs (3) and (4) shall be omitted.]

#### Textual Amendments

- F10** Sch. 2 para. 9(2A) substituted for Sch. 2 para. 9(3)-(5) (6.4.1996 for specified purposes, 6.4.1997 in so far as not already in force) by Pensions Act 1995 (c. 26), s. 180(1), **Sch. 5 para. 84(e)**; S.I. 1996/778, art. 2(5)(a), **Sch. Pt. 5**; S.I. 1997/664, art. 2(3), **Sch. Pt. 2**

## SCHEDULE 3

Sections 84 and 102(3).

### METHODS OF REVALUING ACCRUED PENSION BENEFITS

#### *The final salary method*

- 1 (1) The final salary method is to add to the amount that would be payable but for Chapter II of Part IV or regulations made under it—
- (a) in a case where—
    - (i) the termination of pensionable service occurs on or after 1st January 1991; or
    - (ii) the whole of the member’s pensionable service falls on or after 1st January 1985,an amount equal to the appropriate revaluation percentage of the amount of the pension or other benefit which on the termination date has accrued to him

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- or to any other person in respect of him (excluding any part of that amount which consists of the member's or the member's widow's or widower's guaranteed minimum); and
- (b) in any other case, an amount equal to such proportion of the appropriate revaluation percentage of the amount of that pension or other benefit (excluding any such part) as the member's pensionable service falling on or after 1st January 1985 bears to his total pensionable service.
- (2) In sub-paragraph (1) "pensionable service" includes any notional pensionable service which is credited to the member by the scheme.
- (3) For the purposes of sub-paragraph (1)(b), any notional pensionable service which is credited to a member by a scheme shall be taken to have ended immediately before the member's actual pensionable service began.
- (4) Any rule of a scheme the effect of which is that benefit falls to be revalued by reference to any period is to be disregarded in making any calculation required by this method.

*The revaluation percentage and the appropriate revaluation percentage*

- 2 (1) For the purposes of paragraph 1 the Secretary of State shall in each calendar year by order specify a revaluation percentage for each period which is a revaluation period in relation to that order.
- (2) A period is a "revaluation period", in relation to an order under this paragraph, if it is a period which—
- (a) begins with 1st January 1986 or with an anniversary of that date falling before the making of the order; and
- (b) ends with the next day after the making of the order which is 31st December.
- (3) The revaluation percentage which the Secretary of State is to specify in relation to each revaluation period is—
- (a) the percentage which appears to him to be the percentage increase in the general level of prices in Great Britain during the period which is the reference period in relation to that revaluation period; or
- (b) the maximum rate,
- whichever is the less.
- (4) The Secretary of State may estimate the percentage increase mentioned in sub-paragraph (3)(a) in such manner as he thinks fit.
- (5) For the purposes of that sub-paragraph, the reference period in relation to a revaluation period is—
- (a) in the case of the revaluation period beginning on 1st January 1986, the period which begins with 1st October 1985 and ends with the last day before the making of the order which is 30th September; and
- (b) in the case of the revaluation periods with later commencement dates, the period which—
- (i) begins with the last day before the commencement of the revaluation period which is 1st October; and
- (ii) ends with the last day before the making of the order which is 30th September.

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- (6) For the purposes of sub-paragraph (3)(b) “the maximum rate”, in relation to a revaluation period, is—
- (a) in the case of a revaluation period of 12 months, 5 per cent.; and
  - (b) in any other case, the percentage that would be the revaluation percentage had the general level of prices increased at the rate of 5 per cent. compound per annum during the reference period in question.
- (7) In paragraph 1 “the appropriate revaluation percentage” means the revaluation percentage specified in the last calendar year before the date on which the member attains normal pension age as the revaluation percentage for the revaluation period which is of the same length as the number of complete years in the pre-pension period.

*The average salary method*

- 3 (1) The average salary method is to revalue the member’s salaries as respects the pre-pension period in any way in which they would have been revalued during that period if he had remained in the same pensionable service.
- (2) In this paragraph “salaries” means, subject to sub-paragraph (4), the member’s salaries for the period between the date when his pensionable service began and the termination date, or such part of them as was relevant under the scheme to the calculation of the retirement benefits payable under the scheme to him or to any other person in respect of him.
- (3) For the purpose of this paragraph those salaries are to be taken to include—
- (a) any amount which is attributed to them, otherwise than by virtue of this paragraph, as the result of a revaluation for which the rules of the scheme provide; and
  - (b) any amount which is for any reason credited to the member by way of salary notionally earned.
- (4) Where the member’s pensionable service ended before 1st January 1991, sub-paragraph (2) shall have effect with the substitution for the words from “means” to “termination date” of the words “means the member’s salaries for the period between 1st January 1985 and the termination date”.
- (5) For the purposes of the application of this paragraph to a case where a member is credited with an amount by reference to salary notionally earned over a period of time of a particular length, that period shall be taken to have ended immediately before the member’s actual pensionable service began.

*The flat rate method*

- 4 The flat rate method is to revalue the benefits which have accrued to the member as respects the pre-pension period in any way in which they would have been revalued during that period if he had remained in the same pensionable service.

*The money purchase method*

- 5 (1) Subject to sub-paragraphs (2) and (3), the money purchase method is to apply the investment yield and any bonuses arising from payments made by or on behalf of a member towards providing any pension or other retirement benefit which is payable

*Status: Point in time view as at 06/01/1997.*

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under the scheme to him or to any other person in respect of him in the manner in which they would have been applied if his pensionable service had not terminated.

- (2) The Secretary of State may by regulations authorise trustees and managers of occupational pension schemes to deduct from any pension or other retirement benefit provided by virtue of the money purchase method an appropriate amount in respect of the administrative expenses incurred by them in carrying this method into effect.
- (3) The trustees and managers of a personal pension scheme may, when providing a pension or other retirement benefit by virtue of the money purchase method, deduct—
  - (a) the actual administrative expenses of doing so, or
  - (b) the amount of the administrative expenses which would have been incurred in providing a money purchase benefit for the same member if contributions had not ceased to be paid to the scheme in respect of him,

whichever is the less.

#### SCHEDULE 4

Section 128.

#### PRIORITY IN BANKRUPTCY ETC

##### *Earners' contributions to occupational pension scheme*

- 1 This Schedule applies to any sum owed on account of an earner's contributions to an occupational pension scheme being contributions deducted from earnings paid in the period of four months immediately preceding the relevant date or otherwise due in respect of earnings paid or payable in that period.

##### *Employer's contributions to occupational pension scheme*

- 2 (1) This Schedule applies to any sum owed on account of an employer's contributions to a contracted-out scheme, being contributions payable—
  - (a) in the period of 12 months immediately preceding the relevant date; and
  - (b) in respect of earners in employment which is contracted-out by reference to the scheme towards the provision for those earners of guaranteed minimum pensions under the scheme.
- (2) This Schedule applies to any sum owed on account of an employer's minimum payments to a contracted-out scheme falling to be made in the period of 12 months immediately preceding the relevant date.
- (3) In so far as contributions or payments cannot from the terms of the scheme be identified as falling within sub-paragraph (1) or (2), the amount of the debt having priority by virtue of that sub-paragraph shall be deemed to be an amount equal to—
  - (a) 4.8 per cent. of the total reckonable earnings paid or payable, in the period of 12 months referred to in that sub-paragraph, to or for the benefit of non-contributing earners; and
  - (b) 3 per cent. of the total reckonable earnings paid or payable in that period to or for the benefit of contributing earners.
- (4) For the purposes of sub-paragraph (3)—

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- (a) the earnings to be taken into account as reckonable earnings are those paid or payable to or for the benefit of earners in employment which is contracted-out by reference to the scheme in the whole or any part of the period of 12 months there mentioned; and
- (b) earners are to be identified as contributing or non-contributing in relation to service of theirs in employment which is contracted-out by reference to the scheme according to whether or not in the period in question they were liable under the terms of the scheme to contribute in respect of that service towards the provision of pensions under the scheme.

(5) In this paragraph—

[<sup>F11</sup>“appropriate flat-rate percentage” has the same meaning as in section 42A]

“employer” shall be construed in accordance with regulations made under section 181(2); and

[<sup>F12</sup>“the percentage for contributing earners” means—

- (a) in relation to a salary related contracted-out scheme, 3 per cent, and
- (b) in relation to a money purchase contracted-out scheme, the percentage which is the appropriate flat-rate percentage for secondary Class 1 contributions.]

[<sup>F12</sup>“the percentage for non-contributing earners” means—

- (a) in relation to a salary related contracted-out scheme, 4.8 per cent, and
- (b) in relation to a money purchase contracted-out scheme, a percentage equal to the sum of the appropriate flat-rate percentages for primary and secondary Class 1 contributions]

“reckonable earnings”, in relation to any employment, means the earner’s earnings from that employment so far as those earnings—

- (a) were comprised in any payment of earnings made to him or for his benefit at a time when the employment was contracted-out employment; and
- (b) exceeded the current lower earnings limit but not the current upper earnings limit.

#### Textual Amendments

**F11** Words in Sch. 4 para. 2(5) inserted (6.4.1996 for specified purposes, 6.4.1997 in so far as not already in force) by [Pensions Act 1995 \(c. 26\)](#), [ss. 137\(7\)\(a\)](#), 180(1); [S.I. 1996/778](#), [art. 2\(5\)\(a\)](#), [Sch. Pt. 5](#); [S.I. 1997/664](#), [art. 2\(3\)](#), [Sch. Pt. 2](#)

**F12** Words in Sch. 4 para. 2(5) inserted (6.4.1996 for specified purposes, 6.4.1997 in so far as not already in force) by [Pensions Act 1995 \(c. 26\)](#), [ss. 137\(7\)\(b\)](#), 180(1); [S.I. 1996/778](#), [art. 2\(5\)\(a\)](#), [Sch. Pt. 5](#); [S.I. 1997/664](#), [art. 2\(3\)](#), [Sch. Pt. 2](#)

#### *State scheme premiums*

- 3 (1) This Schedule applies to any sum owed on account of a state scheme premium payable at any time before, or in consequence of, a person going into liquidation or being adjudged bankrupt, or in Scotland, the sequestration of a debtor’s estate, or (in the case of a company not in liquidation)—

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- (a) the appointment of a receiver as mentioned in section 40 of the <sup>M6</sup>Insolvency Act 1986 (debenture-holders secured by floating charge), or
  - (b) the appointment of a receiver under section 53(6) or 54(5) of that Act (Scottish company with property subject to floating charge), or
  - (c) the taking of possession by debenture-holders (so secured) as mentioned in section 196 of the <sup>M7</sup>Companies Act 1985.
- (2) Where any such premium is payable in respect of a period of service of more than 12 months (taking into account any previous linked qualifying service), the amount to be paid in priority by virtue of this paragraph shall be limited to the amount of the premium that would have been payable if the service had been confined to the last 12 months taken into account in fixing the actual amount of the premium.
- (3) Where—
- (a) by virtue of this paragraph the whole or part of a premium is required to be paid in priority to other debts of the debtor or his estate; and
  - (b) the person liable for the payment would be entitled to recover the whole or part of any sum paid on account of it from another person either under section 61 or under any provision made by the relevant scheme for the purposes of that section or otherwise,
- then, subject to sub-paragraph (4), that other person shall be liable for any part of the premium for the time being unpaid.
- (4) No person shall be liable by virtue of sub-paragraph (3) for an amount in excess of the sum which might be so recovered from him if the premium had been paid in full by the person liable for it, after deducting from that sum any amount which has been or may be recovered from him in respect of any part of that payment paid otherwise than under that sub-paragraph.
- (5) The payment under sub-paragraph (3) of any amount in respect of a premium shall have the same effect on the rights and liabilities of the person making it (other than his liabilities under that sub-paragraph) as if it had been a payment of that amount on account of the sum recoverable from him in respect of a premium as mentioned in sub-paragraph (3)(b).

#### Marginal Citations

**M6** 1986 c. 45.

**M7** 1985 c. 6.

#### Interpretation

- 4 (1) In this Schedule—
- (a) in its application in England and Wales, section 196(3) of the Companies Act 1985 and section 387 of the Insolvency Act 1986 apply as regards the meaning of the expression “the relevant date”; and
  - (b) in its application in Scotland, that expression has the same meaning as in Part I of Schedule 3 to the <sup>M8</sup>Bankruptcy (Scotland) Act 1985.
- (2) In this Schedule references to a contracted-out scheme, contracted-out employment and a state scheme premium include references to a contracted-out scheme, contracted-out employment and a state scheme premium (other than a personal

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pension protected rights premium) within the meaning of any provisions in force in Northern Ireland and corresponding to the provisions of this Act.

#### Marginal Citations

**M8** 1985 c. 66.

## SCHEDULE 5

Section 188.

### REPEALS

#### Extent Information

**E1** Sch. 5: repealing provisions are co-extensive with the enactments they affect (except Pt. III which does not extend to N.I.), see s. 192(1)

## PART I

### GENERAL

#### Commencement Information

**I2** Sch. 5 Pt. I in force at 7.2.1994 by S.I. 1994/86, art. 2

Chapter	Short title	Extent of repeal
1973 c. 38.	The Social Security Act 1973.	Section 51(3)(b), (5) and (10). Section 52(8). Section 58(1) to (2B). Section 59(1). Sections 63 to 68. In section 69, subsections (1) to (6). Sections 71 and 72. Section 86. In section 96(1), the words from “(except” to “Part II)”. In section 99, subsection (5) and in subsection (17) the word “68” and the words “or regulations” in both places where they occur. Schedules 16 and 17.
1974 c. 14.	The National Insurance Act 1974.	Section 6(4).

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1975 c. 18.	The Social Security (Consequential Provisions) Act 1975.	In Schedule 2, paragraph 52.
1975 c. 60.	The Social Security Pensions Act 1975.	Sections 26 to 58B. Sections 59B to 60B. In section 61(2), paragraphs (a) and (b) and the words from “regulations under” to “or”. Section 61A. Section 62(4). Section 63(2)(g). Section 66. In section 68(4), the words from the beginning to “Ireland; and” and paragraphs (a) and (b). Schedules 1A, 2, 3 and 3A. In Schedule 4, paragraphs 2 and 23 to 29 and 31 to 33.
1976 c. 35.	The Police Pensions Act 1976.	In Schedule 2, paragraph 11.
1977 c. 5.	The Social Security (Miscellaneous Provisions) Act 1977.	Section 3(2). Section 21. Section 22(7), (8), (13), (14).
1978 c. 44.	The Employment Protection (Consolidation) Act 1978.	Section 123. In section 124, subsection (2) and in subsection (3) the words “or 123”. Section 125(3) to (3B). In section 126(1), the words “or 123” and “or contributions to an occupational pension scheme falling to be made”. In section 127(3), the definition of “occupational pension scheme” and the words following it. In section 144(4), the words “and 123”.
1979 c. 18.	The Social Security Act 1979.	Section 18. In Schedule 3, paragraphs 3 and 18.
1980 c. 30.	The Social Security Act 1980.	Section 3(4), (7) to (10) and (12).
1981 c. 33.	The Social Security Act 1981.	In Schedule 2, paragraph 1.

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1982 c. 24.	The Social Security and Housing Benefits Act 1982.	Section 40. In Schedule 4, paragraphs 20 and 21.
1984 c. 48.	The Health and Social Security Act 1984.	Sections 19 and 20.  Schedule 6. In Schedule 7, paragraphs 4 and 5.
1985 c. 53.	The Social Security Act 1985.	Sections 1 to 6. Section 26. Section 28(2). Schedules 1 to 3. In Schedule 5, paragraphs 1, 3, 4, 17, 18, 20, 21, 23 to 27, 29 to 32, 34 and 36.
1985 c. 65.	The Insolvency Act 1985.	In Schedule 8, paragraphs 26 and 31(3).
1985 c. 66.	The Bankruptcy (Scotland) Act 1985.	In Schedule 7, paragraph 13.
1986 c. 45.	The Insolvency Act 1986.	In Schedule 14, the entries relating to the Social Security Pensions Act 1975.
1986 c. 50.	The Social Security Act 1986.	Sections 1 to 8. Section 9(1) to (7). Sections 10 to 17A. Section 52(1) and (2). Sections 59 to 61. Section 75. Sections 78 to 80. Section 83(3). In section 84; in subsection (1), the definitions of “average salary benefits”, “contract of service”, “employed earner”, “employer”, “employee”, “insurance company”, “minimum contributions”, “money purchase benefits”, “occupational pension scheme”, “personal pension scheme”, “protected rights”, “tax exemption”, “tax approval” and “tax year” and subsection (2). Section 85(3), (8) and (8A). Section 87(1)(a). Schedules 1 and 2.

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		In Schedule 5, in Part I, paragraph 1 and in Part II, paragraph (a). In Schedule 8, paragraphs 4 and 8 to 11. In Schedule 10, paragraphs 2 to 9, 12 to 31 and 82.
1988 c.7.	The Social Security Act 1988.	Section 9. In Schedule 2, paragraphs 1(2), (3), 2 and 3. In Schedule 4, paragraph 22.
1989 c. 6.	The Official Secrets Act 1989.	In Schedule 1, paragraph 1(d).
1989 c. 24.	The Social Security Act 1989.	Section 7(6). Section 20. In Schedule 1, paragraph 11. In Schedule 5, paragraphs 11 and 13. In Schedule 6, paragraphs 1 to 5 and 8 to 20. In Schedule 7, paragraphs 1 and 21. In Schedule 8, paragraph 12(1)(a) and (b). In Schedule 9, the entries relating to section 64(3)(dd) of the Social Security Act 1973 and sections 53 to 56 of the Social Security Pensions Act 1975.
1989 c. 38.	The Employment Act 1989.	Section 19(2).
1990 c. 27.	The Social Security Act 1990.	Sections 11 and 12(1). Sections 13 and 14. Section 22(2), (3). In section 23(5), paragraph (a), in paragraph (b) the words “section 22 above and” and paragraph (d). Schedules 2, 3 and 4.
1990 c. 41.	The Courts and Legal Services Act 1990.	Section 82(2).
1992 c. 6.	The Social Security (Consequential Provisions) Act 1992.	In Schedule 2, paragraphs 20 to 33, 35, 36, 40 to 42, 44, 49, 67 and 76 to 83.
1992 c. 52.	The Trade Union and Labour Relations (Consolidation) Act 1992.	In Schedule 2, paragraph 5.

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1993 c. 3.	The Social Security Act 1993.	Section 1. In section 5, in subsection (2) the words “section 1(1) and (2) and” and subsection (3).
1993 c. 8.	The Judicial Pensions and Retirement Act 1993.	In Schedule 8, paragraphs 12 and 18.

PROSPECTIVE

## PART II

### PROVISIONS RELATING TO EQUAL ACCESS

Chapter	Short title	Extent of repeal
1993 c. 48.	The Pension Schemes Act 1993.	Section 118. In section 132, the words “the equal access requirements”. In section 133(1), the words “the equal access requirements”. In section 134, in subsection (3), the words “the equal access requirements” and in subsection (4) the words “or the equal access requirements” and the words from “or as the case may be” onwards. In section 136(2)(e)(iv), the words “or the equal access requirements”. In section 139(2), the words “the equal access requirements”. In section 140(4), paragraph (c) and the word “and” immediately preceding it. Section 153(3) and (4). Section 170(5) and (6). In section 181(1), the definition of “equal access requirements”.

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### PART III

#### PROVISIONS REPEALED AS RESPECTS GREAT BRITAIN ONLY

##### Commencement Information

**I3** Sch. 5 Pts. III, IV in force at 7.2.1994 by [S.I. 1994/86, art. 2](#)

Chapter	Short title	Extent of Repeal
1973 c. 38.	The Social Security Act 1973.	Section 51(3). In section 69(7), the words from “but” onwards. Section 89. In section 96, in subsections (1), (2), (3) and (6) the words “regulations or”. In section 97, in subsection (3) the words “regulations and” and subsection (4). In section 99, subsections (1) and (3).
1975 c. 18.	The Social Security (Consequential Provisions) Act 1975.	In Schedule 2, paragraph 58.
1975 c. 60.	The Social Security Pensions Act 1975.	In Schedule 4, paragraph 30.
1985 c. 53.	The Social Security Act 1985.	In Schedule 5, paragraph 2.

### PART IV

#### SUBORDINATE LEGISLATION REVOKED

Number	Short title	Extent of revocation
S.I. 1987/1116.	The Personal and Occupational Pension Schemes (Modification of Enactments) Regulations 1987.	All the Regulations.
S.I. 1988/474.	The Personal and Occupational Pension Schemes (Tax Approval and Miscellaneous Provisions) Regulations 1988.	Regulation 8.
S.I. 1988/1016.	The Personal and Occupational Pension	Regulation 4(2).

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	Schemes (Transfer to Self-employed Pension Arrangements) Regulations 1988.	
S.I. 1989/500.	The Personal and Occupational Pension Schemes (Miscellaneous Amendments) Regulations 1989.	Regulation 3.
S.I. 1990/1141.	The Personal and Occupational Pension Schemes (Miscellaneous Amendments) Regulations 1990.	Regulation 7.
S.I. 1992/795.	The Social Security (Class 1 Contributions - Contracted-out Percentages) Order 1992.	The whole order.

## SCHEDULE 6

Sections 188, 189 and 190.

### TRANSITIONAL PROVISIONS AND SAVINGS

#### Commencement Information

**I4** Sch. 6 in force at 7.2.1994 by S.I. 1994/86, art. 2

## PART I

### GENERAL PROVISIONS

- 1 In this Schedule “the repealed enactments” means the enactments repealed or revoked by this Act.
- 2 (1) The substitution of this Act for the repealed enactments does not affect the continuity of the law.  
(2) Anything done or having effect as if done under or for the purposes of a provision of the repealed enactments has effect, if it could have been done under or for the purposes of the corresponding provision of this Act, as if done under or for the purposes of that corresponding provision.  
(3) Any reference, whether express or implied, in this Act or any other enactment, instrument or document to a provision of this Act shall, so far as the context permits, be construed as including, in relation to the times, circumstances and purposes in relation to which the corresponding provision of the repealed enactments has effect, a reference to that corresponding provision.  
(4) Any reference, whether express or implied, in any enactment, instrument or document to a provision of the repealed enactments shall be construed, so far as

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is required for continuing its effect, as including a reference to the corresponding provision of this Act.

- 3       Where—
- (a) this Act repeals an enactment relating to the coming into force of another provision, including—
- (i) an enactment deeming a provision always to have had effect, or to have had effect from a date earlier than that which would otherwise apply, or enabling regulations or an order made under a provision to be framed so as to have such an effect, and
- (ii) an enactment conferring power by regulations to provide or make savings in preparation for or in connection with the coming into force of a provision, and
- (b) the effect of that provision is reproduced in this Act, the repeal does not affect the operation of that enactment, in so far as it is not specifically reproduced in this Act but remains capable of having effect, in relation to the corresponding provision of this Act.
- 4       (1) The repeal or revocation by this Act of an enactment previously repealed or revoked subject to savings does not affect the continued operation of those savings.
- (2) The repeal or revocation by this Act of a saving to which a previous repeal or revocation of an enactment is subject does not affect the operation of the saving in so far as it is not specifically reproduced in this Act but remains capable of having effect.
- 5       The repeal or revocation by this Act of an enactment which has effect as respects any provision of the repealed enactments (being a provision which is not reproduced in this Act but continues in effect by virtue of this Schedule or the <sup>M9</sup>Interpretation Act 1978) does not affect its operation as respects that provision.

**Marginal Citations**

**M9** 1978 c. 30.

- 6       Any document made, served or issued after this Act comes into force which contains a reference to any of the repealed enactments shall be construed, except so far as a contrary intention appears, as referring or, as the context may require, including a reference to the corresponding provision of this Act.

**PART II**

SPECIFIC PROVISIONS

*Contracting-out requirements for schemes providing guaranteed minimum pensions*

- 7       An occupational pension scheme which—
- (a) at any time before the coming into operation of the first regulations made under—
- (i) paragraph (a) of subsection (2) of section 32 of the <sup>M10</sup>Social Security Pensions Act 1975 (which made corresponding provision to that made by section 9(2)(a) of this Act), or

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(ii) subsection (8) of section 35 of the Social Security Pensions Act 1975 (which made corresponding provision to that made by section 16(4) of this Act),

did not satisfy that paragraph or, as the case may be, that subsection; but  
(b) would have satisfied it if those regulations had then been in operation, shall, for the purpose of determining whether the scheme satisfied that paragraph or, as the case may be, that subsection, be treated as if those regulations had been in operation at that time.

**Marginal Citations**

**M10** 1975 c. 60.

- 8 Any document the contents of which are in terms corresponding to those of section 35(7) of the Social Security Pensions Act 1975, as that subsection stood immediately before the passing of the <sup>M10</sup>Social Security Act 1985 (which corresponded to subsection (2) of section 16 of this Act, but with the substitution for the words from “is terminated before” onwards of the words “is terminated before he attains the scheme’s normal pension age shall be determined for the purposes of section 14(2) without reference to any order that comes into force under section 21 of the Social Security Pensions Act 1975 after the relevant year in which his service ends”) shall be construed as if its contents were and always had been in terms corresponding to those of section 16(2) of this Act.

**Marginal Citations**

**M11** 1985 c. 53.

- 9 The requirement of the Social Security Pensions Act 1975 that for an occupational pension scheme to be contracted-out in relation to an earner’s employment it must provide requisite benefits shall, except so far as it relates to guaranteed minimum pensions, be treated for the purposes of section 37 of that Act as if it had never existed.
- 10 (1) Where in the tax year 1989-90 the trustees or managers of an occupational pension scheme made an increase in the rate of pensions currently payable to the members of the scheme who had attained pensionable age or to the widows or widowers of members, they may deduct the amount of the increase from any increase which, but for this sub-paragraph, they would be required to make under section 109 in the tax year 1990-91.
- (2) Subsections (1) and (4) of section 110 shall apply to sub-paragraph (1) as they apply to subsections (2) and (3) of that section.

*Overriding effect of certain requirements for existing contracted-out and appropriate schemes*

- 11 (1) Subject to sub-paragraph (2), if immediately before paragraph 7 of Schedule 4 to the <sup>M12</sup>Social Security Act 1990 came into force a contracting-out certificate was in force in relation to an occupational pension scheme then, to the extent that the rules of the scheme are inconsistent with the inclusion in section 13(2)(a) of this Act of the words “and does not have a guaranteed minimum under sections 14 to 16” and

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the inclusion in section 14 of this Act of subsection (3) of that section, they shall be overridden by them.

- (2) If paragraph 4(3) of Schedule 9 has or ever had effect in respect of this paragraph, sub-paragraph (1) above shall have effect with the substitution for the words “paragraph 7 of Schedule 4 to the Social Security Act 1990” of the words “this paragraph”.

#### Marginal Citations

**M12** 1990 c. 27

- 12 If immediately before 13th July 1990—
- (a) there was in force in relation to an occupational pension scheme a contracting-out certificate which stated that the scheme was contracted-out by virtue of section 32(2A) of the <sup>M13</sup>Social Security Pensions Act 1975, or
  - (b) there was in force in relation to a personal pension scheme an appropriate scheme certificate,
- then, to the extent that the rules of the scheme are inconsistent with any provision of this Act derived from provision made by paragraph 19(1) or (2) or 20(1) to (3) of Schedule 6 to the <sup>M14</sup>Social Security Act 1989 (by virtue of which—
- (i) section 27(3) applies to all protected rights and not only such rights as are mentioned in section 10(2) or (3);
  - (ii) section 28 includes subsection (1) and, in subsection (3), the words “Subject to subsections (5) and (7)”, the words from “except” to “subsection (4)” and the word “shall”; and
  - (iii) section 29 includes subsection (2))
- they shall be overridden by that provision.

#### Marginal Citations

**M13** 1975 c. 60.

**M14** 1989 c. 24.

#### *Transactions discharging trustees*

- 13 Without prejudice to section 16 of the <sup>M15</sup>Interpretation Act 1978—
- (a) as respects a transaction which took place before 1st January 1986, sections 19(1) and 81 have effect with the omission of paragraph (c), and
  - (b) as respects a transaction which took place before 1st November 1986, section 19 has effect with the substitution for the references to guaranteed minimum pensions of references to requisite benefits.

#### Marginal Citations

**M15** 1978 c. 30.

*Status: Point in time view as at 06/01/1997.*

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*Contributions equivalent premiums: earnings before 1987-88*

- 14 (1) Where an earner's earnings paid in any period before the tax year 1987-88—
- (a) exceeded the lower earnings limit; but
  - (b) were not such that primary Class 1 contributions within Bracket 3 fell to be paid in respect of them,
- it shall be assumed for the purposes of sections 58(4) and 61(2) that his earnings paid in that period were such that, taking the rate specified in Bracket 3 as the appropriate rate, the same amount of primary Class 1 contributions fell to be paid in respect of them as in fact fell to be paid in respect of them; and in this paragraph “Bracket 3” has the meaning given in section 9(3) of the <sup>M16</sup>Social Security Contributions and Benefits Act 1992.
- (2) Section 63(3) applies for the purposes of sub-paragraph (1), in so far as it applies as respects section 58(4), as if the reference in paragraph (b) of section 63(3) to earnings included a reference to earnings relevant for any purpose of that sub-paragraph.
- (3) Where the Secretary of State has acted in pursuance of section 63(3) as applied by sub-paragraph (2) and he subsequently ascertains the amount of those earnings—
- (a) if it appears to him that the amount of the contributions equivalent premium would have been less if he had not made the calculation on the basis described in sub-paragraph (1), he shall refund the difference to the prescribed person, and
  - (b) if it appears to the Secretary of State that that premium would have been greater if he had not done so, the prescribed person shall pay the difference to him.

**Marginal Citations**

**M16** 1992 c. 4.

*Preservation*

- 15 Without prejudice to paragraph 3, in any case where—
- (a) the pensionable service of a member of a scheme terminated during the period beginning with 6th April 1988 and ending with 27th February 1991, otherwise than on the termination of his service in relevant employment, and
  - (b) during that period no payments in discharge of his rights under the scheme were made in consequence of that termination,
- paragraph 6(1) of Schedule 16 to the <sup>M17</sup>Social Security Act 1973 (which corresponded to section 71(1) of this Act) shall be taken at all times on and after 6th April 1988 to have had effect in relation to the member and his rights under the scheme with the amendment made by paragraph 5(1) of Schedule 4 to the <sup>M18</sup>Social Security Act 1990 (which substituted the words “pensionable service” for the words “service in relevant employment”).

**Marginal Citations**

**M17** 1973 c. 38.

*Status: Point in time view as at 06/01/1997.*

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**M18** 1990 c. 27.

*Anti-franking*

- 16 (1) If before 21st July 1989 an earner ceased to be in contracted-out employment by reference to an occupational pension scheme other than a money purchase contracted-out scheme, Chapter III of Part IV shall apply in relation to him with the modifications set out in sub-paragraphs (2) and (3).
- (2) In section 87—
- (a) in subsection (3) for the words “at any time” there shall be substituted the words “on the relevant date and at any time thereafter”;
- (b) after that subsection there shall be inserted—
- “(3A) In subsection (3) “relevant date”—
- (a) in the application of that subsection to a case where a scheme provides for any part of the pension in excess of the earner’s guaranteed minimum to commence from a date not more than 3 months after that on which he attains pensionable age or to be postponed for any period for which he continues in employment (whether or not employment to which the scheme relates) after attaining that age, is to be construed in relation to the part of the pension as to which such provision is made as a reference to the date on which by virtue of it that part of the pension begins to be paid; and
- (b) in any other case means the commencement of payment date.”;
- (c) in subsection (4) of that section paragraph (d) shall be omitted.
- (3) Section 90 shall be omitted.

*Modifications in consequence of enactment of Part I of the Social Security Act 1986*

- 17 (1) Regulations may provide that any provision of this Act to which section 154 applies shall have effect subject to such modifications (other than those which may be made by virtue of that section) as the Secretary of State may consider necessary or expedient in consequence of Part I of the <sup>M19</sup>Social Security Act 1986 or any provision of this Act deriving from that Part.
- (2) Regulations may provide that any provision contained in an Act to which this sub-paragraph applies shall have effect subject to such modifications as the Secretary of State may consider necessary or expedient in consequence of the provisions mentioned in sub-paragraph (1) or in consequence of any corresponding enactment extending to Northern Ireland.
- (3) The Acts to which sub-paragraph (2) applies are—
- (a) the <sup>M20</sup>Fire Services Act 1947;
- (b) the <sup>M21</sup>Sheriffs’ Pensions (Scotland) Act 1961;
- (c) the <sup>M22</sup>Superannuation Act 1972;
- (d) the <sup>M23</sup>Parliamentary and other Pensions Act 1972;
- (e) the <sup>M24</sup>Water Act 1973;

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- (f) the <sup>M25</sup>Police Pensions Act 1976;
- (g) the <sup>M26</sup>Parliamentary Pensions Act 1978;
- (h) the <sup>M27</sup>Judicial Pensions Act 1981;
- (i) any Act which relates to the employment of persons by a harbour authority (within the meaning of section 57(1) of the <sup>M28</sup>Harbours Act 1964);
- (j) the <sup>M29</sup>Judicial Pensions and Retirement Act 1993.

**Marginal Citations**

- M19** 1986 c. 50.
- M20** 1947 c. 41.
- M21** 1961 c. 42.
- M22** 1972 c. 11.
- M23** 1972 c. 48.
- M24** 1973 c. 37.
- M25** 1976 c. 35.
- M26** 1978 c. 56.
- M27** 1981 c. 20.
- M28** 1964 c. 40.
- M29** 1993 c. 8.

*Savings for statutory instruments*

- 18 The repeal by this Act of section 26 of the <sup>M30</sup>Social Security Act 1985 (disapplication of requirement that regulations be referred to the Board in the case of certain regulations made shortly after the commencement of that Act) shall not affect the validity of any regulations to which that section applied.

**Marginal Citations**

- M30** 1985 c. 53.

- 19 The repeal of subsection (2) of section 17A of the Social Security Act 1986 shall not affect the validity of any Order containing such provision as there mentioned (provision for the Secretary of State to make payments in relation to the provisions contained in Part I of that Act for any period beginning on or after 6th April 1987).

*Provisions contained in this Act by virtue of statutory instruments*

- 20 Without prejudice to any express provision in this Act, where this Act repeals any provision contained in any enactment by virtue of any order or regulations (including a provision which has not come into force at the time of the repeal) and the provision is reproduced in this Act, the Secretary of State shall have the like power to make orders or regulations repealing or amending the provision of this Act which reproduces the effect of the repealed provision as he had in relation to that provision.

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*Saving for application of general provisions relating to social security*

- 21 The repeals made by this Act do not affect the operation of section 66(2) of the <sup>M31</sup>Social Security Pensions Act 1975 (or of any other provision in that Act or any other enactment as it applies by virtue of that section), so far as it is not given effect to in this Act but remains capable of having effect (and paragraph 10 of Schedule 3 to the <sup>M32</sup>Social Security (Consequential Provisions) Act 1992 shall continue to have effect accordingly).

**Marginal Citations**  
**M31** 1975 c. 60.  
**M32** 1992 c. 6.

*Saving for section 7 of the Social Security Act 1986*

- 22 The repeal by this Act of section 7 of the <sup>M33</sup>Social Security Act 1986 (schemes becoming contracted-out between 1986 and 1993) or of any reference to that section in another of the repealed enactments does not affect—
  - (a) the operation of that section so far as it is not reproduced in this Act but remains capable of having effect; or
  - (b) the operation of that enactment so far as the reference is not reproduced in the corresponding provision of this Act and that enactment remains capable of having effect in relation to that section.

**Marginal Citations**  
**M33** 1986 c. 50.

PROSPECTIVE

SCHEDULE 7

Section 190.

RE-ENACTMENT OR AMENDMENT OF CERTAIN PROVISIONS NOT IN FORCE

*The Equal Pay Act 1970 (c. 41)*

<sup>F13</sup><sub>1</sub> .....

**Textual Amendments**  
**F13** Sch. 7 para. 1 repealed (1.1.1996) by Pensions Act 1995 (c. 26), s. 180(1), Sch. 3 para. 47, Sch. 7 Pt. I; S.I. 1995/3104, art. 2(3)

*The Social Security Act 1989 (c.24)*

- 2 In Schedule 5 to the Social Security Act 1989—

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- (a) in paragraph 2(8) for the words “section 84(1) of the 1986 Act” there shall be substituted the words “ section 181(1) of the Pension Schemes Act 1993 ”;
- (b) in paragraph 7(d) for the words “the meaning given by section 51(3)(b) of the 1973 Act” there shall be substituted the words “ the same meaning as “public service pension scheme” in section 1 of the Pension Schemes Act 1993 ”;
- (c) in paragraph 8 for the words “section 15(1) of the 1986 Act” there shall be substituted the words “ section 160(1) of the Pension Schemes Act 1993 ”.

*This Act*

F143

**Textual Amendments**

**F14** Sch. 7 para. 3 repealed (1.1.1996) by Pensions Act 1995 (c. 26), s. 180(1), Sch. 3 para. 47, **Sch. 7 Pt. I**; S.I. 1995/3104, art. 2(3)

SCHEDULE 8

Section 190.

CONSEQUENTIAL AMENDMENTS

**Extent Information**

**E2** Sch. 8: amending provisions are co-extensive with the enactments they affect, see s. 192(1)

**Commencement Information**

**I5** 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)*

- 3 In section 6(1A)(a) of the Equal Pay Act 1970—
- (a) for the words “Social Security Pensions Act 1975” there shall be substituted the words “Pension Schemes Act 1993”;

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- (b) for the words “Part IV” there shall be substituted the words “Part VI”.

*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” 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 ”.

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*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)*

F15<sup>11</sup> .....

**Textual Amendments**

**F15** 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)

*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 ”.

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*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) ”;
  - (b) in paragraph 7(2)(b)—
    - (i) 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) ”; and
    - (ii) for the words “Part III” there shall be substituted the words “ Chapter III of Part III ”.

*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)*

F16<sup>19</sup> .....

**Textual Amendments**

**F16** 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)*

- 20 (1) In section 464(5)(b) of the Income and Corporation Taxes Act 1988 for the words “section 51(3)(a) of the Social Security Act 1973” there shall be substituted the words “ section 1 of the Pension Schemes Act 1993 ”.
- (2) In section 635(3)(b) of that Act for the words “Social Security Act 1986” there shall be substituted the words “ Pension Schemes Act 1993 ”.

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- (3) In sections 638(6)(c) and 649(1) of that Act for the words “Part I of the Social Security Act 1986” there shall be substituted the words “ section 43 of the Pension Schemes Act 1993 ”.
- (4) In section 649(2) of that Act for the words from “the percentage” to “1986” there shall be substituted the words “ so much of the aggregate amount mentioned in section 45(1) of the Pension Schemes Act 1993 as is attributable to the reduction which would fall to be made under section 41(1)(a) of that Act ”.
- (5) In section 649(6)(b) of that Act for the words “Part I and section 3(3) of the Social Security Act 1986” there shall be substituted the words “ section 43, section 45(1) and section 41(1)(a) of the Pension Schemes Act 1993 ”.

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

*The Social Security Administration Act 1992 (c. 5)*

- 24 In section 3(1)(c)(ii) of the Social Security Administration Act 1992 for the words “the Pensions Act” there shall be substituted the words “the Social Security Pensions Act 1975”.
- 25 At the end of section 70(3) of that Act there shall be inserted the words “or  
(k) the Pensions Act”.
- 26 In section 110(8) of that Act for paragraphs (d) and (e) there shall be substituted—  
“(d) the Social Security Pensions Act 1975; and  
(e) the Pensions Act”.
- 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) ”;

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(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
- (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) ”.

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- 33 In 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)”.
- 34 In section 9(4) of that Act for the words “section 27” there shall be substituted the words “section 41”.
- 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—
- (a) In section 14(2) for the words “section 66(7) of the Social Security Act 1973” there shall be substituted the words “paragraph 10(1) of Schedule 1 to the Pension Schemes Act 1993”; and
  - (b) in paragraph 35 of Schedule 1—
    - (i) in paragraph (d) for the words “established under section 66 of the Social Security Act 1973 (c. 38)” there shall be substituted the

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words “constituted under section 2 of the Pension Schemes Act 1993”; and

- (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)”.

*The Social Security Act 1993 (c.3)*

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

<sup>F17</sup>(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**

**F17** 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 ”.

## SCHEDULE 9

Sections 191 and 193(2).

### TRANSITORY MODIFICATIONS

- 1 (1) If—
- (a) no date has been appointed as the date on which a provision mentioned in column 1 of the following Table is to come into force before the commencement date, or
  - (b) a date has been appointed which is later than the commencement date,
- then the paragraph of this Schedule mentioned in column 2 of the Table opposite that provision shall have effect until the appointed day.

#### TABLE

<b>Provision</b>	<b>Paragraph of this Schedule</b>
(i) Section 69(7) of the <small>M34</small> Social Security Act 1973.	Paragraph 2.
(ii) Section 11(1) and (2) of the <small>M35</small> Social Security Act 1990.	Paragraph 3.
(iii) Paragraph 7(1) of Schedule 4 to the Social Security Act 1990.	Paragraph 4(1).
(iv) Paragraph 7(2) of Schedule 4 to the Social Security Act 1990.	Paragraph 4(2).
(v) Paragraph 7(3) of Schedule 4 to the Social Security Act 1990.	Paragraph 4(3).
(vi) Section 82(2) of the <small>M36</small> Courts and Legal Services Act 1990.	Paragraph 5.

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(vii) Paragraph 23 of Schedule 16 to the Paragraph 6.

M37

Friendly Societies Act 1992.

(viii) Paragraph 12 of Schedule 8 to the Paragraph 7(1).

M38

Judicial Pensions and Retirement Act  
1993.

(ix) Paragraph 18(1) of Schedule 8 to Paragraph 7(2).  
the Judicial Pensions and Retirement  
Act 1993.

(x) Paragraph 18(2) of Schedule 8 to Paragraph 7(3).  
Judicial Pensions and Retirement Act  
1993.

(2) If—

- (a) a date has been appointed as the date on which a provision mentioned in column 1 of the Table in sub-paragraph (1) is to come into force for some purposes of that provision but not for others, and
- (b) that date is on or before the commencement date,

then the paragraph mentioned in column 2 of the Table opposite that provision shall have effect for those other purposes of that provision (in so far as it is capable of doing so) until the relevant appointed day.

(3) In this paragraph—

“the commencement date”, means the date on which the provisions of this Act other than those mentioned in subsection (3) of section 193 come into force by virtue of an order under subsection (2) of that section;

“the appointed day”, in relation to a provision mentioned in column 1 of the Table in sub-paragraph (1), means—

- (a) in the case mentioned in paragraph (a) of sub-paragraph (1), such day as may be appointed by order for the purposes of that provision—
  - (i) in the case of the provisions mentioned in paragraphs (i) to (v) of that Table, by the Secretary of State;
  - (ii) in the case of the provision mentioned in paragraph (vi) of that Table, by the Lord Chancellor or by the Secretary of State or by both acting jointly;
  - (iii) in the case of the provision mentioned in paragraph (vii) of that Table, by the Treasury; and
  - (iv) in the case of the provisions mentioned in paragraphs (viii) to (x) of that Table, by the appropriate Minister (within the meaning of section 30(1) of the <sup>M39</sup>Judicial Pensions and Retirement Act 1993); and
- (b) in the case mentioned in paragraph (b) of that sub-paragraph, the day appointed as the day on which that provision is to come into force.

(4) An order under sub-paragraph (3) may—

- (a) appoint different days for different provisions or for different purposes of the same provision;

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- (b) in the case of an order appointing a day until which paragraph 2 has effect, may make such transitional provision or savings as appear to the Secretary of State to be necessary or expedient in connection with section 163(9), and may make such adaptations of that section or of any provision of this Act deriving from the <sup>M40</sup>Social Security Act 1973 as appear to the Secretary of State to be necessary or expedient in consequence of the postponed (or partly postponed) operation of that section (whether before on or after the day appointed by the order);
- (c) in the case of an order appointing a day until which paragraph 5 has effect, may contain such incidental, supplemental or transitional provisions or savings as the person making it considers expedient;
- (d) in the case of an order appointing a day until which paragraph 6 has effect, may make such transitional provision or savings (whether or not involving the modification of any statutory provision) as appear to the Treasury necessary or expedient in connection with the bringing into force of the words which have effect by virtue of that order;
- (e) in the case of an order appointing a day until which paragraph 7 has effect, may make such transitional, consequential, supplementary or incidental provision or savings (whether or not involving the modification of the operation of the <sup>M41</sup>Judicial Pensions and Retirement Act 1993 or any other enactment) as appear to the appropriate Minister (within the meaning of section 30(1) of that Act) to be necessary or expedient for the purposes of or in connection with the bringing into force of the provisions which have effect by virtue of that order;

and in sub-paragraph (2) “the relevant appointed day”, in relation to any purpose of a provision, means the day appointed as the day on which the provision is to come into force for that purpose.

- (5) The Secretary of State may by regulations make—
  - (a) such transitional provision,
  - (b) such consequential provision, or
  - (c) such savings,

as he considers necessary or expedient in preparation for or in connection with the coming into force of any provision which comes into force when paragraph 3 or 4 ceases to have effect or the operation of any provision affected by that paragraph during any period when that paragraph has effect in relation to it.

- (6) The Treasury may by regulations make such transitional and consequential provisions and such savings as they consider necessary or expedient in preparation for or in connection with or in consequence of the coming into force of the words which come into force when paragraph 6 ceases to have effect and such regulations may make modifications of any enactment contained in the <sup>M42</sup>Friendly Societies Act 1992 or in any other Act.

#### Marginal Citations

**M34** 1973 c. 38.

**M35** 1990 c. 27.

**M36** 1990 c. 41.

**M37** 1992 c. 40.

**M38** 1993 c. 8.

*Status: Point in time view as at 06/01/1997.*

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- M39** 1993 c. 8.
- M40** 1973 c. 38.
- M41** 1993 c. 8.
- M42** 1992 c. 40.

*Rule against perpetuities*

2 In section 163, subsection (9) shall be omitted.

*Limited price indexation*

VALID FROM 06/04/1997
F18 <sup>3</sup> .....

**Textual Amendments**  
**F18** Sch. 9 para. 4 repealed (6.4.1997) by Pensions Act 1995 (c. 26), s. 180(1), Sch. 6 para. 16(3), **Sch. 7 Pt. IV**; S.I. 1997/664, art. 2(3), Sch. Pt. 2

*Guaranteed minimum for married women and widows paying reduced rate contributions*

VALID FROM 06/04/1997
F18 <sup>4</sup> .....

**Textual Amendments**  
**F18** Sch. 9 para. 4 repealed (6.4.1997) by Pensions Act 1995 (c. 26), s. 180(1), Sch. 6 para. 16(3), **Sch. 7 Pt. IV**; S.I. 1997/664, art. 2(3), Sch. Pt. 2

5 In section 111, subsection (3) shall be omitted.

*Friendly societies*

6 In section 162(4)(c)(i), for the words “section 65A” there shall be substituted the words “ section 65(2) ”.

*Judicial pensions*

- 7
- (1) In section 146, subsection (3) shall be omitted.
  - (2) In section 111(3), the words “the Judicial Pensions and Retirement Act 1993” shall be omitted.
  - (3) In Schedule 6, paragraph 17(3)(j) shall be omitted.

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## TABLE OF DERIVATIONS

### Notes:

- 1 This Table shows the derivation of the provisions of the consolidation.
- 2 The following abbreviations are used in the Table:—

### *ACTS OF PARLIAMENT*

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1973	= Social Security Act 1973 (c. 38)
1975	= Social Security Act 1975 (c. 14)
1975P	= Social Security Pensions Act 1975 (c. 60)
1977	= Social Security (Miscellaneous Provisions) Act 1977 (c. 5)
1978	= Employment Protection (Consolidation) Act 1978 (c. 44)
1980	= Social Security Act 1980 (c. 30)
1982	= Social Security and Housing Benefits Act 1982 (c. 24)
1984	= Health and Social Security Act 1984 (c. 48)
1985	= Social Security Act 1985 (c. 53)
1986	= Social Security Act 1986 (c. 50)
1989	= Social Security Act 1989 (c. 24)
1990	= Social Security Act 1990 (c. 27)
1992	= Social Security (Consequential Provisions) Act 1992 (c. 6)
1993	= Social Security Act 1993 (c. 3)

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### *SUBORDINATE LEGISLATION*

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S.I. 1987/1116	= Personal and Occupational Pension Schemes (Modification of Enactments) Regulations 1987
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- 3 The abbreviation “Law Com Rec No.” followed by a number refers to the recommendation set out in the paragraph of that number in the Appendix to the Report of the Law Commission and the Scottish Law Commission (Cm.2184).
- 4 The entry “drafting” indicates a provision of a mechanical or editorial nature only affecting the arrangement of the consolidation.
- 5 The Table does not show the effect of transfer of functions orders.

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- 6 The Table does not show the effect of the saving by paragraph 10 of Schedule 3 to the Social Security (Consequential Provisions) Act 1992 (c.6), which preserves provisions of the Social Security Act 1975 (c.14) as that Act continues to operate for the purposes of the Social Security Pensions Act 1975 (c.60) by virtue of s.66(2) of the latter Act.

<b>Provision</b>	<b>Derivation</b>
1	1973 ss.51(3), 99(1); 1975P s.66(1); 1980 s.4(1); 1986 s.84, Sch.10 para.28.
2(1)	1973 s.66(1); drafting.
(2)	1973 s.66(1), (10)(a); 1985 Sch.5 para.1; 1986 Sch.10 para.4.
3(1), (2)	1973 s.66(2).
4(1), (2)	1973 s.66(6); Social Security Act 1981 (c.33) Sch.2 para.1.
(3)	1973 s.66(6A); Social Security Act 1981 (c.33) Sch.2 para.1.
5	Drafting.
6(1) to (5)	1975P s.59K(1) to (5); 1990 s.13(1).
(6) to (8)	1975P s.59K(7), (9); 1990 s.13(1).
7(1)	1975P ss.30(1)(pt.), 31(1)(pt.); 1986 ss.1(8), 2(1)(a).
(2)	1975P s.31(1)(pt.).
(3)	1975P s.32(1).
(4)	1986 s.1(8).
(5)	1986 s.2(6).
(6)	1986 s.2(1)(c).
(7)	1975P s.31(7)(pt.); 1986 s.2(5)(pt.).
8(1)	1975P s.30(1); 1986 Sch.2 para.4(a), Sch.10 para.15.
(2)	1975P ss.26(2), 30(1A),(1B); 1986 s.9(4), Sch.2 para.4(b), Sch.10 para.12(b).
(3)	1975P s.30(1C); 1986 Sch.2 para.4(b).
(4)	1975P s.30(3).
(5)	1975P s.30(4).
9(1)	1975P s.32(2); 1986 Sch.2 para.5.
(2)	1975P s.32(2); 1986 s.9(4)(b), Sch.10 para.16(a).

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**Changes to legislation:** *Pension Schemes Act 1993 is up to date with all changes known to be in force on or before 26 June 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)*

(3)	1975P s.32(2A); 1986 Sch.1 para.6, Sch.2 para.5.
(4)	1975P s.32(5).
(5)	1986 s.2(2), Sch.1 para.6; S.I. 1987/1116 reg.3(1).
(6)	1975P s.32(2)(b), (2A)(c); S.I. 1987/1116 reg.3(1).
10(1)	1986 Sch.1 para.7(1).
(2)	1975P s.32(2B)(c); 1986 Sch.1 para.7(2).
(3)	1986 Sch.1 para.7(2).
11(1), (2)	1975P s.31(3).
(3),(4)	1975P s.31(4).
(5)	1975P s.31(5).
12(1), (2)	1975P s.32(2C); 1986 Sch.2 para.5(b).
(3)	1975P s.32(2D); 1986 Sch.2 para.5(b).
13(1)	1975P s.33(1); 1986 Sch.2 para.6(1)(a).
(2)	1975P s.33(1A); 1986 Sch.10 para.17; 1990 Sch.4 para.7(1); 1992 Sch.2 para.26.
(3)	1975P s.33(2).
(4), (5)	1975P s.33(3).
(6) to (8)	1975P s.33(5) to (7).
14(1)	1975P s.35(1).
(2)	1975P s.35(2); 1986 Sch.8 para.8.
(3)	1975P s.35(2ZA); 1990 Sch.4 para.7(2); 1992 Sch.2 para.27(1).
(4)	1975P s.35(2A); 1989 Sch.6 para.5.
(5),(6)	1975P s.35(3); 1986 s.9(1).
(7)	1975P s.35(4).
(8)	1975P s.35(9).
15(1), (2)	1975P s.35(6); 1977 s.3(2).
(3), (4)	1975P s.35(6A), (6B); 1986 s.9(2).
16(1)	1975P s.35(5); Social Security Act 1979 (c.18) Sch.3 para.18(a); Social Security Act 1988 (c. 7) Sch.2 para.1(2), (3); 1992 Sch.2 para.27(2).
(2)	1975P s.35(7)(pt.); 1985 Sch.3 paras.2, 7.

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(3)	1975P ss.35(7)(pt.), 45(1)(b); Social Security Act 1979 (c.18) Sch.3 para.18; 1992 Sch.2 para.27(2).
(4)	1975P s.35(8); 1985 Sch.3 para.8.
(5)	1975P s.35(9).
17(1)	1975P s.36(1); 1986 s.9(3)(a), Sch.2 para.6(1)(b).
(2), (3), (4)	1975P s.36(3); 1986 s.9(3)(b).
(5)	1975P s.36(6), (8); 1992 Sch.2 para.28.
(6)	1975P s.36(7A), (8); 1986 s.9(3)(c), (4).
(7)	1975P s.36(7B); 1986 s.9(3)(c).
18(1)	1975P s.60A; Social Security Act 1979 (c.18) s.18.
(2)	1975P s.60B; Social Security Act 1988 (c. 7) Sch.2 para.2.
19(1)	1975P s.52C(1)(pt.); 1985 Sch.1 para.2; 1986 Sch.10 para.26; 1989 Sch.6 para.14.
(2)	1975P s.52C(2); 1985 Sch.1 para.2; 1986 Sch.10 para.26.
(3), (4)	1975P s.52C(4); 1985 Sch.1 para.2; 1986 Sch.10 para.26; 1990 Sch.4 para.10.
(5)	1975P s.52C(5); 1985 Sch.1 para.2; 1986 Sch.10 para.26(2); Law Com Rec No.1.
(6)	1975P s.52C(6); 1985 Sch.1 para.2.
(7)	1975P s.52C(7)(pt.); 1985 Sch.1 para.2.
20(1)	1975P s.38(1); 1984 s.19(1); 1986 Sch.10 para.18.
(2) to (5)	1975P s.38(1A) to (1D); 1984 s.19(1).
(6)	1975P s.38(3); 1986 s.9(4).
21(1)	1975P s.39(1).
(2)	1975P s.39(4); 1986 s.9(4).
22	1975P s.40(1).
23(1)	1975P s.40(2); 1985 Sch.5 para.20(a).
(2), (3)	1975P s.40(3); 1977 s.22(8).
(4)	1975P s.40(2)(pt.), (3)(pt.); 1985 Sch.1 para.2; 1986 s.9(4)(h).
(5)	1975P s.52D(4); 1985 Sch.1 para.2.

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(6)	1975P s.40(3)(pt.); 1985 Sch.1 para.2.
(7)	1975P s.40(4).
24(1), (2)	1975P ss.41(1), 52D(4); 1985 Sch.1 para.2, Sch.5 para.20(b); 1986 s.9(4)(h).
(3)	1975P s.41(1A); 1985 Sch.5 para.21.
(4)	1975P s.41(5)(pt.).
25(1)	1975P s.41(1) (pt.), (5) (pt.).
(2)	1975P s.41(2)(pt.).
(3)	1975P s.41(3).
26	1986 Sch.1 para.2.
27(1)	1986 Sch.1 para.7(3).
(2)	1986 Sch.1 para.7(4)(a); 1989 Sch.6 para.19.
(3)	1986 Sch.1 para.7(4)(b).
28(1)	1986 Sch.1 para.8; 1989 Sch.6 para.20.
(2)	1975P s.32(2B)(a) and (d); 1986 Sch.1 para.9(1).
(3)	1975P s.32(2B)(a) and (d); 1986 Sch.1 para.9(2); 1989 Sch.6 para.20.
(4) to (6)	1975P s.32(2B)(a) and (d); 1986 Sch.1 para.9(3) to (5); 1990 Sch.4 para.6(1).
(7)	1975P s.32(2B)(a) and (d); 1986 Sch.1 para.9(6).
29(1)	1975P s.32(2B)(a) and (d); 1986 Sch.1 para.9(7); 1990 Sch.4 para.6(1).
(2)	1975P s.32(2B)(a) and (d); 1986 Sch.1 para.9(7A); 1989 Sch.6 para.20.
(3), (4)	1975P s.32(2B)(a) and (d); 1986 Sch.1 para.9(7) to (9).
30	1975P s.32(2B)(a) and (e); 1986 Sch.1 para.10.
31(1)	1975P s.32(2B)(a); 1986 Sch.1 para.3.
(2)	1975P s.32(2B)(a); 1986 Sch.1 para.4.
(3)	1975P s.32(2B)(a), (b); 1986 Sch.1 para.5(1)(pt.).
(4)	1975P s.32(2B)(a), (b); 1986 Sch.1 para.5(1)(pt.)(2).
32	1975P s.32(2B)(a); 1986 Sch.1 para.11.
33	1975P s.32(2B)(a); 1986 Sch.1 para.12.

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34(1)	1975P s.31(2); 1986 s.2(1)(b).
(2)	1975P s.31(6).
(3)	1975P s.32(3); 1986 s.2(4).
(4)	1975P s.32(4).
(5)	1986 s.2(3).
(6)	1980 s.3(10)(pt.).
(7)	1975P s.41(2), (5).
(8)	1975P s.31(7); 1986 s.2(5).
35(1)	1975P s.51A(1); 1982 s.40.
(2)	1975P s.51A(3); 1982 s.40.
(3)	1975P s.51A(4); 1982 s.40.
(4)	1975P s.51A(9); 1982 s.40.
(5)	1975P s.51A(11)(pt.); 1982 s.40.
(6)	1975P s.51A(12); 1982 s.40.
36(1)	1975P s.51A(2); 1982 s.40.
(2)	1975P s.51A(3); 1982 s.40.
(3)	1975P s.51A(5); 1982 s.40.
(4)	1975P s.51A(6); 1982 s.40.
(5)	1975P s.51A(9); 1982 s.40.
(6)	1975P s.51A(10); 1982 s.40; 1992 Sch.2 para.32.
(7)	1975P s.51A(11)(pt.); 1982 s.40.
37(1)	1975P s.50(1)(pt.); 1980 s.3(10)(pt.).
(2)	1975P s.50(1A); 1986 Sch.10 para.25.
(3)	1975P s.50(1)(pt.); 1986 Sch.10 para.25.
(4)	1975P s.50(2).
(5)	1975P s.50(3); 1986 Sch.2 para.10.
(6)	1986 s.9(6)(c).
38(1)	1975P s.50(1); S.I. 1987/1116 reg.3(4).
(2)	1975P s.50(1A); S.I. 1987/1116 reg.3(5).
(3)	1975P s.50(1); S.I. 1987/1116 reg.3(4).
(4)	1975P s.50(2); S.I. 1987/1116 reg.3(3).
(5)	S.I. 1987/1116 reg.3(6).
(6)	1975P s.50(1); S.I. 1987/1116 reg.3(4); Personal Pension Schemes (Appropriate

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	Schemes) Regulations 1988 (S.I. 1988/137) reg.2(1); Personal and Occupational Pension Schemes (Tax Approval and Miscellaneous Provisions) Regulations 1988 (S.I. 1988/474) reg.8(a).
(7)	S.I. 1987/1116 reg.3(7).
39	1975P s.52.
40	Drafting; 1975P s.26(1), (1A); 1986 Sch.2 para.2, Sch.10 para.12; 1992 Sch.2 para.20.
41(1)	1975P s.27(1) to (3); 1985 Sch.5 para.17; Social Security (Class 1 Contributions: Contracted-out Percentages) Order 1992 (S.I. 1992/795) art. 2.
(2)	1975P s.27(4); 1986 Sch.10 para.13.
(3)	1975P s.27(5); 1992 Sch.2 para.21.
42(1)	1975P s.28(1), (2); 1992 Sch.2 para.22.
(2) to (5)	1975P s.28(3) to (6).
(6)	1975P s.28(7); 1985 Sch.5 para.18.
43(1)	1986 s.1(1).
(2) to (6)	1986 s.1(3) to (7).
44	1986 s.1(9) to (11).
45(1)	1986 s.3(1)(a), (3), (4).
(2)	1986 s.3(1)(b); 1993 s.1(1).
(3)	1986 ss.1(2), 3(5); 1993 s.1(2).
46(1)	1975P s.29(1); 1986 s.18, Sch.10 para.14; 1992 Sch.2 para.23(1).
(2)	1975P s.29A(1); 1992 Sch.2 para.24.
(3)	1975P s.29A(2); 1992 Sch.2 para.24.
(4), (5)	1975P s.29B(1), (2); 1992 Sch.2 para.24.
(6), (7)	1975P s.29C(1), (2); 1992 Sch.2 para.24.
(8)	1975P ss.29(3), 29A(3), 29B(3), 29C(3); 1992 Sch.2 para.23(3), 24.
(9)	1975P s.29A(4); 1992 Sch.2 para.24.
47(1)	1986 s.9(5); 1992 Sch.2 para.79.

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(2)	1975P s.29(2)(d), (c); 1986 Sch.10 para.14; 1989 Sch.1 para.11; 1992 Sch.2 para.23(2).
(3), (4)	1975P s.52D(1); 1985 Sch.1 para.2; 1986 s.9(4)(h), Sch.10 para.27(1)(a), (b), (2); 1992 Sch.2 para.33.
(5)	1975P s.29(2)(a), (b); 1986 Sch.10 para.14; 1989 Sch.1 para.11; 1992 Sch.2 para.23(2).
48(1), (2)	1975P s.29(2A); 1986 s.4(1), Sch.2 para.3; 1992 Sch.2 paras.23(2), 77.
(3)	1975P s.29(2B); 1986 Sch.2 para.3.
(4)	1975P s.29(2C); 1986 s.4(2), Sch.2 para.3.
49	1975 s.130(1); 1975P s.66(2); 1992 Sch.2 para.40, Sch.3 para.10.
50(1)	1975P ss.44(1), 44ZA(1); 1986 s.5(1), Sch.2 para.6(1)(f), 7, Sch.10 para.23.
(2), (3)	1975P ss.44(1C), (1D), 44ZA(2), (3); 1986 s.5(2), (3), Sch.2 para.7, Sch.10 para.23.
(4), (5)	1975P s.44(1A), (1B); 1984 s.19(2).
(6)	1980 s.3(7)(a).
(7)	1975P s.44(4); 1977 s.21(1) pt.); drafting.
51(1) to (3)	1977 s.21(1); 1980 s.3(4); 1985 Sch.3 para.6, 7(1); 1986 Sch.8 para.11; 1989 Sch.6 para.15(b); 1992 Sch.2 para.44.
(4)	1977 s.21(2); 1980 s.3(4); 1985 Sch.3 para.6, 7(1); 1986 Sch.8 para.11; 1989 Sch.6 para.15(b).
(5)	Drafting.
52(1)	Drafting.
(2)	1975P s.49(1); 1986 Sch.2 para.9(a).
(3)	1975P s.49(1); S.I. 1987/1116 reg.3(2), Sch.2 para.1.
(4)	1975P ss.49(1), 52D(4); 1985 Sch.1 para.2; 1986 s.9(4)(h), Sch.2 para.9(a).
(5)	1975P s.49(1); S.I. 1987/1116 reg.5(2).
(6)	1975P s.49(1); S.I. 1987/1116 reg.3(2), Sch.2 para.1(d).
53(1), (2)	1975P s.49(2); 1986 Sch.2 para.9(b).

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(3)	1975P s.49(2A); 1986 Sch.10 para.24.
(4), (5)	1975P s.49(5); 1986 Sch.2 para.9(c).
54(1)	1975P s.49(2); S.I. 1987/1116 reg.3(2), Sch.2 para.2.
(2)	1975P s.49(2A); S.I. 1987/1116 reg.3(2), Sch.2 para.3.
(3)	1975P s.49(5); S.I. 1987/1116 reg.3(2), Sch.2 para.4.
55(1)	1975P ss.44(2), 44ZA(4); 1985 Sch.5 para.27; 1986 s.5(4), (6), Sch.10 para.23; S.I. 1987/1116 reg.3(10).
(2)	1975P s.42(1), (2), (3); 1985 Sch.5 para.25; 1986 Sch.2 para.6(1)(f), Sch.10 para.21.
(3)	1975P s.44A(1); 1985 Sch.1 para.1; 1986 Sch.2 para.6(1)(g); 1989 Sch.6 para.11.
(4), (5)	1975P s.45(1), (6); 1977 s.22(7); 1985 Sch.5 para.25; 1986 Sch.2 para.6(1)(h).
(6)	1975P ss.42(1), 44(3), 44ZA(5), 44A(2), 45(1); 1986 s.5(5).
56(1)	1975P s.44ZA(4); 1986 s.5(4), Sch.2 para.7.
(2)	1975P ss.43(6), 44(3), 44(2)(pt.), 44ZA(6), 44A(1), 45(1), (2); 1986 s.5(7).
(3)	1980 s.3(7)(b).
(4)	1975P s.43(2).
(5)	1975P s.43(3).
(6)	1975P ss.43(8), 45(6).
57(1)	1975P s.43(6).
(2)	1975P s.43(4).
(3)	1975P s.43(5).
(4)	1975P s.43(4).
58(1), (2)	1975P s.44(5).
(3)	1975P s.44ZA(7); 1986 s.5(8).
(4)	1975P s.43(1).
(5)	1975P s.44A(3).
(6)	1975P s.45(2) (pt.).
(7)	1975P s.43(2).

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59(1), (2)	1975P ss.44(6), 44A(3)(a); 1980 s.3(8); 1985 Sch.3 para.4, 7; 1992 Sch. 2 para.31.
(3)	1977 s.22(13); 1980 Sch.4 para.12.
(4)	1975P s.45(3); 1985 Sch.3 para.5, 7; 1986 Sch.8 para.10; 1992 Sch. 2 para.31.
(5)	1975P s.45(3); 1989 Sch.6 para.12(b).
(6)	1975P s.44(6); 1980 s.3(8).
60(1), (2)	1975P s.44(9); 1986 s.9(4)(g).
(3)	1975P s.44ZA(8); 1986 s.5(9).
(4), (5)	1975P s.43(7).
(6)	1975P s.44A(4); 1985 Sch.1 para.1.
(7) to (10)	1975P s.44ZA(9) to (12); 1986 s.5(10) to (13).
61(1), (2)	1975P s.47(1), (2), (12); 1977 s.22(14).
(3) to (7)	1975P s.47(3) to (7).
(8)	1975P s.47(8); 1977 s.22(14).
(9), (10)	1975P s.47(10).
(11)	1975P s.47(11).
62(1)	1975P s.47(9).
(2)	1975P s.47(9A); 1985 Sch.5 para.30.
63(1)	1975P ss.43(1), 44(5), 44ZA(14), 45(2), 47(2); 1986 s.5(15), Sch.10 para.23.
(2)	1975P s.44ZA(7), (9)(a)(i); 1986 s.5(8), (10)(a)(i).
(3)	1975P ss.43(1B), 44(5A); 1989 Sch.6 para.9(1).
(4)	1975P s.44(5B); 1989 Sch.6 para.9(1).
(5)	1975P ss.43(1), 44(8), 44ZA(14)(b), 45(5), 47(2); 1986 s.5(15)(b).
64(1), (2)	1975P ss.44(7), 44A(3)(b), 44ZA(14)(a), 45(4); 1986 ss.5(15)(a), 16.
(3)	1986 s.16(3).
(4)	1975P s.45(4).
(5)	1986 ss.16(1), 83(3)(a), 84(2); Social Security Act 1975 (c.14) s.165; 1975P s.66(2); 1992 Sch. 3 para. 10.

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(6)	1986 s.16(4), (5) 84(2); Social Security Act 1975 (c.14) s.165; 1975P s.66(2); 1992 Sch.2 para.80, Sch. 3 para. 10.
(7) to (9)	1986 s.16(6) to (8).
65	1975P s.44(10).
66	1986 s.9(6).
67(1)	1975P s.60ZB; 1992 Sch.2 para.36.
(2)	1975P s.60ZD; 1992 Sch.2 para.36.
(3), (4)	1975P s.60ZE(1), (2); 1992 Sch.2 para.36.
68	1975P s.60ZF; 1992 Sch.2 para.36; Law Com Rec No.2.
69(1), (2)	1973 s.63(1)(pt.); drafting.
(3)	1973 s.63(4)(a) (pt.); 1975P Sch.4 para.24.
70(1)	1973 Sch.16 para.2; 1989 Sch.6 para.4(a); 1990 Sch.4 para.5(4)(a).
(2), (3)	1973 Sch.16 para.3.
71(1), (2)	1973 Sch.16 para.6(1); 1986 s.10; S.I. 1987/1116 reg. 4(3); 1990 Sch.4 para.5(1).
(3) to (6)	1973 Sch.16 para.6(2) to (5).
(7), (8)	1973 Sch.16 para.7(1); 1975P Sch.4 para.32; 1986 s.10.
(9)	1973 Sch.16 para.7(2); 1986 s.10.
72	1973 Sch.16 para.8.
73(1)	1973 Sch.16 para.9(1).
(2)	1973 s.58(1), Sch.16 para.9(2); S.I. 1987/1116 reg.4(4); Personal and Occupational Pension Schemes (Miscellaneous Amendments) Regulations 1990 (S.I. 1990/1141) reg.7(3).
(3)	1973 Sch.16 para.9(2A); 1985 Sch.5 para.3.
(4), (5)	1973 Sch.16 para.9(3), (4); Social Security Act 1973 (Commencement No.2) Order 1973 (S.I. 1973/1433) Sch.2.
74(1), (2)	1973 Sch.16 para.10(1), (2).
(3), (4), (5)	1973 Sch.16 para.10(3).

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(6)	1973 Sch.16 para.11.
(7), (8)	1973 Sch.16 para.12(1), (2).
75(1)	1973 Sch.16 para.5.
(2)	1973 Sch.16 para.13(1).
(3), (4)	1973 Sch.16 para.13(2).
(5)	1973 Sch.16 para.13(3).
(6), (7)	1973 Sch.16 para.13(4), (5).
76	1973 Sch.16 para.14.
77(1)	1973 Sch.16 para.15(1).
(2)	1973 Sch.16 para.15(1A); 1985 Sch.5 para.4.
(3)	1973 Sch.16 para.15(2); 1989 Sch.6 para.4(b)
(4)	1973 Sch.16 para.15(3); 1989 Sch.6 para.4(b); S.I. 1987/1116 reg.4(5), (6); Personal and Occupational Pension Schemes (Miscellaneous Amendments) Regulations 1990 (S.I. 1990/1141) reg.7(4).
(5)	1973 Sch.16 para.15(4)(pt.).
(6)	1973 Sch.16 para.15(4)(pt.); 1989 Sch.6 para.4(c); 1990 Sch.4 para.5(3).
(7)	1973 Sch.16 para.15(6).
78(1), (2)	1973 Sch.16 para.16(1), (2).
(3), (4)	1973 Sch.16 para.16(3); Law Com Rec No.3.
(5)	1973 Sch.16 para.16(4); Official Secrets Act 1989 (c. 6) Sch.1 para.1(d).
(6)	1973 Sch.16 para.17(1); 1989 Sch.6 para.4(d); 1990 Sch.4 para.5(4)(b).
(7)	1973 Sch.16 para.17(2).
79(1), (2)	1973 Sch.16 para.18(1).
(3), (4)	1973 Sch.16 para.18(2).
80	1973 s.58(1), Sch.16 paras.15(5), 19.
81	1975P s.52C(1); 1986 Sch.10 para.26(1).
82(1)	1973 Sch.16 para.20.
(2)	1973 Sch.16 para.22.
83(1)	Drafting; 1975P Sch.1A para.1(1), (2), (4); 1985 Sch.1 para.3; 1990 Sch.4

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- para.5(4); S.I. 1987/1116 reg.3(10), Sch.4 para.1(a).
- (2) 1975P Sch.1A para.1(3); 1985 Sch.1 para.3.
- (3) S.I. 1987/1116 reg.3(10), Sch.4 para.1(a).
- 84(1) 1975P Sch.1A para.2(1); 1985 Sch.1 para.3.
- (2) 1975P Sch.1A paras.3(3), (4), 4(3), (4); 1985 Sch.1 para.3.
- (3) 1975P Sch.1A para.5(3); 1985 Sch.1 para.3; S.I. 1987/1116 reg.3(10), Sch.4 paras.2, 3.
- (4) Drafting; 1975P s.66(1), Sch.1A para.3, 4, 5; 1986 s.84(1), Sch.2 para.11
- (5) 1975P Sch.1A para.8; 1985 Sch.1 para.3; 1986 s.9(4)(i); 1992 Sch.2 para.41.
- 85 1975P Sch.1A para.6; 1985 Sch.1 para.3.
- 86(1) 1975P Sch.1A para.9, 19; 1985 Sch.1 para.3; S.I. 1987/1116 reg.3(10), Sch.4 paras.6, 14.
- (2) 1975P Sch.1A para.10; 1985 Sch.1 para.3.
- 87(1) 1975P s.41A(1)(pt.); 1984 Sch.6.
- (2) 1975P s.41B(1)(pt.); 1986 s.9(4)(f); 1984 Sch.6.
- (3) 1975P ss.41A(1)(pt.), 41B(1)(pt.); 1984 Sch.6; 1985 s.6(1), (3); 1986 s.9(4)(f); 1990 Sch.4 para.8(8).
- (4) 1975P ss.41A(1C), 41B(1A); 1984 Sch.6; 1985 s.6(2), (4); 1986 s.9(4)(f); 1990 Sch.4 para.8(2), (5); Law Com Rec No.1.
- (5) 1975P ss.41A(6), 41B(5); 1984 Sch.6; 1985 Sch.5 paras.23, 24; 1986 s.9(4)(f).
- (6) 1975P ss.41A(10); 1984 Sch.6.
- (7) 1975P s.41C(6); 1984 Sch.6.
- 88(1), (2) 1975P ss.41A(3), 41B(3); 1984 Sch.6; 1985 s.6(5); 1986 s.9(4)(f).
- (3) 1975P s.41A(4); 1984 Sch.6; 1986 Sch.10 para.20.

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(4)	1975P s.41A(5); 1984 Sch.6; 1986 Sch.10 para.20.
(5)	1975P s.41A(7); 1984 Sch.6.
89	1975P ss.41A(2), 41B(2); 1984 Sch.6; 1985 Sch.5 para.23, 24; 1986 s.9(4)(f).
90	1975P ss.41A(2A), (2B), 41B(3A), (3B); 1984 Sch.6; 1986 s.9(4); 1990 Sch.4 para.8(3), (6).
91(1)	1975P s.41A(8); 1984 Sch.6.
(2)	1975P s.41A(9); 1984 Sch.6.
92(1)	1975P s.41C(4); 1984 Sch.6.
(2), (3), (4)	1975P s.41C(4A), (4B), (4C); 1984 Sch.6; 1985 Sch.5 para.24; 1992 Sch.2 para.30.
(5)	1975P s.41C(5); 1984 Sch.6.
93(1)	1975P Sch.1A para.11(1); 1985 Sch.1 para.3; 1990 Sch.4 para.5(4)(c); S.I. 1987/1116 reg.3(10), Sch.4 para.7.
(2)	1975P Sch.1A para.11(3); 1985 Sch.1 para.3; 1990 Sch.4 para.5(4)(c); S.I. 1987/1116 reg.3(10), Sch.4 para.7.
94(1)	1975P Sch.1A para.12(1); 1985 Sch.1 para.3; S.I. 1987/1116 reg.3(10), Sch.4 para.8.
(2)	1975P Sch.1A para.12(2), (3); 1985 Sch.1 para.3; Social Security Act 1988 (c. 7) Sch.2 para.3; S.I. 1987/1116 reg.3(10), Sch.4 para.8.
95(1)	1975P Sch.1A paras.13(1), (2) (pt.), 16(1); 1985 Sch.1 para.3; S.I. 1987/1116 reg.3(10), Sch.4 para.9.
(2)	1975P Sch.1A para.13(2)(pt.), 16(1); 1985 Sch.1 para.3; 1986 Sch.10 para.30(c); S.I. 1987/1116 reg.5(3) Sch.6 para.1.
(3)	1975P Sch.1A paras.13(2)(pt.), 16(1); 1985 Sch.1 para.3; 1986 s.9(4)(i); S.I. 1987/1116 reg.3(10), Sch.4 para.9(a), (b).
(4)	1975P Sch.1A para.13(2)(b); 1985 Sch.1 para.3; S.I. 1987/1116 reg.5(3) Sch.6 para.2.
(5)	1975P Sch.1A para.13(3); 1985 Sch.1 para.3.

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- (6) 1975P Sch.1A para.13(2A); 1985 Sch.1 para.3; 1986 s.9(4)(i), Sch.10 para.30(c).
- (7), (8) 1975P Sch.1A para.15(1)(2); 1985 Sch.1 para.3.
- (9) 1975P Sch.1A para.16(8); 1985 Sch.1 para.3.
- 96(1) 1975P Sch.1A para.13(4)(pt.)
- (2) 1975P Sch.1A para.13(5); 1985 Sch.1 para.3; S.I. 1987/1116 regs.3(10), 5(3), Sch.4 para.9(c), Sch.6 para.3; Personal and Occupational Pension Schemes (Transfer to Self-employed Pension Arrangements) Regulations (S.I. 1988/1016) Reg.4(2).
- (3) 1975P Sch.1A para.13(4)(pt.), (5), (6); 1985 Sch.1 para.3; 1986 s.9(4)(i); S.I. 1987/1116 regs.3(10), 5(3), Sch.4 para.9(d), Sch.6 para.4.
- 97(1) 1975P Sch.1A para.14(1); 1985 Sch.1 para.3; 1986 Sch.10 para.30(d).
- (2) 1975P Sch.1A para.14(3); 1985 Sch.1 para.3; 1986 Sch.10 para.30(d); S.I. 1987/1116 regs.3(10), 5(3), Sch.4 para.10, Sch.6 para.5.
- (3), (4) 1975P Sch.1A para.14(4); 1985 Sch.1 para.3; S.I. 1987/1116 reg.3(10), Sch.4 para.10(b).
- 98(1) 1975P Sch.1A para.12(2A); 1985 Sch.1 para.3; 1986 Sch.10 para.30(a).
- (2) 1975P Sch.1A para.12(2B); 1985 Sch.1 para.3; 1986 Sch.10 para.30(a).
- (3) 1975P Sch.1A para.12(2C)(a); 1985 Sch.1 para.3; Social Security Act 1988 (c. 7) Sch.2 para.3(b).
- (4) 1975P Sch.1A para.12(2C)(b); 1985 Sch.1 para.3; Social Security Act 1988 (c. 7) Sch.2 para.3(b).
- (5) 1975P Sch.1A para.15(1); 1985 Sch.1 para.3; S.I. 1987/1116 reg.3(10), Sch.4 para.11.
- (6) 1975P Sch.1A para.15(2) (as it applies to personal pension schemes); 1975P Sch.1A para.15(3)(c) (as it applies to occupational pension schemes); 1985

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	Sch.1 para.3; S.I. 1987/1116 reg.3(10), Sch.4 para.11.
(7)	1975P Sch.1A para.15(3)(a), (b); 1985 Sch.1 para.3; S.I. 1987/1116 reg.3(10), Sch.4 para.11.
(8)	Drafting.
99(1)	1975P Sch.1A para.16(2); 1985 Sch.1 para.3; S.I. 1987/1116 regs.3(10), 5(3), Sch.4 para.12(a), Sch.6 para.6.
(2)	1975P Sch.1A para.16(3); 1985 Sch.1 para.3; S.I. 1987/1116 reg.3(10), Sch.4 para.12(b).
(3)	1975P Sch.1A para.16(4); 1985 Sch.1 para.3; 1986 s.9(4); S.I. 1987/1116 reg.3(10), Sch.4 para.12(c).
(4)	1975P Sch.1A para.16(5); 1985 Sch.1 para.3; S.I. 1987/1116 reg.3(10), Sch.4 para.12(d)(e).
(5), (6)	1975P Sch.1A para.16(6), (7); 1985 Sch.1 para.3.
100	1975P Sch.1A para.17; 1985 Sch.1 para.3; S.I. 1987/1116 reg.3(10), Sch.4 para.13.
101	1975P Sch.1A para.19; 1985 Sch.1 para.3.
102(1)	1975P s.58A(2); 1990 s.11(1).
(2)	1975P s.58A(1); 1990 s.11(1).
(3)	1975P s.58A(3), Sch.3A para.1; 1990 s.11(1), Sch.2.
103(1)	1975P Sch.3A para.2(1); 1990 s.11(1), Sch.2.
(2)	1975P Sch.3A para.1; 1990 s.11(1), Sch.2.
(3)	1975P Sch.3A para.2(2); 1990 s.11(1), Sch.2.
(4)	1975P Sch.3A para.2(3); 1990 s.11(1), Sch.2.
104(1)	1975P Sch.3A para.3(1)(pt.); 1990 s.11(1), Sch.2.
(2)	1975P Sch.3A para.1; 1990 s.11(1), Sch.2.
(3), (4), (5)	1975P Sch.3A para.3(2), (3), (4); 1990 s.11(1), Sch.2.

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(6)	1975P Sch.3A para.3(5)(pt.); 1990 s.11(1), Sch.2.
(7)	1975P Sch.3A para.3(6); 1990 s.11(1), Sch.2.
(8)	1975P Sch.3A para.3(1)(pt.), (5)(pt.); 1990 s.11(1), Sch.2.
(9)	1975P Sch.3A para.3(8); 1990 s.11(1), Sch.2.
105	1975P Sch.3A para.4; 1990 s.11(1), Sch.2.
106(1)	1975P Sch.3A para.5(1)(pt.); 1990 s.11(1), Sch.2.
(2)	1975P Sch.3A para.5(1)(pt.); 1990 s.11(1), Sch.2.
(3), (4)	1975P Sch.3A para.5(2), (3); 1990 s.11(1), Sch.2.
107	1975P Sch.3A para.6; 1990 s.11(1), Sch.2.
108(1)	1990 s.11(3).
(2)	1990 s.11(4).
109(1)	1975P s.37A(2); 1986 s.9(7).
(2) to (6)	1975P s.37A(3) to (7); 1986 s.9(7); 1992 Sch.2 para.29.
110(1)	1975P s.37A(8); 1986 s.9(7).
(2)	1975P s.37A(14); 1986 s.9(7).
(3)	1975P s.37A(15); 1986 s.9(7).
(4)	1975P s.37A(16), (17); 1986 s.9(7).
111(1),(2)	1986 s.12(1).
(3)	1986 s.12(10A); Courts and Legal Services Act 1990 (c.41) s.82(2); Judicial Pensions and Retirement Act 1993 (c.8) Sch. 8 para. 18(1).
112	1975P s.57A; 1990 Sch.4 para.3.
113	1975P s.56A(1) to (4); 1985 Sch.2; S.I. 1987/1116 reg.3(8) Sch.3 para.1.
114(1) to (4)	1975P s.56E(1) to (4); 1985 Sch.2.
115	1975P s.56L(1) to (8); 1985 Sch.2; S.I. 1987/1116 reg.3(8) Sch.3 para.2.
116	1975P s.56P; 1986 s.11.
117	1986 s.13.

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118(1)	1975P s.53(2).
(2)	1975P s.53(4).
(3)	1975P s.53(5).
(4)	1975P s.53(6).
(5)	1975P s.53(7).
119(1) to (5)	1975P s.57C(1) to (5); 1990 Sch.4 para.1.
(6)	1975P s.57C(7)(pt.); 1990 Sch.4 para.1.
(7)	1975P s.57C(7)(pt.); 1990 Sch.4 para.1.
(8)	1975P s.57C(8)(pt.); 1990 Sch.4 para.1.
(9)	1975P s.57C(9); 1990 Sch.4 para.1.
120(1)	1975P s.57C(6); 1990 Sch.4 para.1.
(2), (3)	1975P s.57C(8)(pt.); 1990 Sch.4 para.1.
121(1)	1975P s.57D(4); 1990 Sch.4 para.1.
(2)	1975P s.57D(5); 1990 Sch.4 para.1.
(3)	1975P s.57D(1); 1990 Sch.4 para.1.
(4)	1975P s.57D(2)(pt.); 1990 Sch.4 para.1.
(5)	1975P s.57D(2)(b)(pt.); 1990 Sch.4 para.1.
(6)	1975P s.57D(3); 1990 Sch.4 para.1.
122(1)	1975P s.57D(6); 1990 Sch.4 para.1.
(2), (3)	1975P s.57D(7); 1990 Sch.4 para.1.
123	1978 ss.127, 141(2A), 153; Insolvency Act 1985 (c.65) Sch.8 para.31(5); Bankruptcy (Scotland) Act 1985 (c.66) Sch.7 para.14(4); Insolvency Act 1986 (c.45) Sch.14; 1986 Sch.10 para.31(3); Employment Act 1989 (c.38) Sch.6 para.23.
124	1978 s.123(1)(pt.), (2) to (5); Insolvency Act 1985 (c.65) Sch.8 para.31; 1986 Sch.10 paras.31(1), (2), 76; 1992 Sch.2 para.49.
125(1)	1978 s.123(6)(pt.).
(2)	1978 s.123(6)(pt.); Insolvency Act 1985 (c.65) Sch.8 para.31(3)(b); Insolvency Act 1986 (c.45) Sch.14.
(3), (4)	1978 s.123(7), (8).
(5)	1978 s.123(9); Employment Act 1989 (c.38) s.18(3).

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126(1), (2)	1978 s.124(2); 1986 Sch.10 para.31(1).
(3)	1978 s.124(3)(pt.).
127(1)	1978 s.125(3); 1986 Sch.10 para.31(1).
(2), (3)	1978 s.125(3A), (3B); Employment Act 1989 (c.38) s.19(2).
128	1975P s.58; Bankruptcy (Scotland) Act 1985 (c.66) Sch.7 para.13.
129(1)	1975P ss.37A(9), 41C(1), 56A(5), 56E(5), 57D(8), Sch.1A paras.7(1), 18(1), Sch.3A para.8 (pt.); 1990 Sch.2.; 1986 s.9(7); 1990 s.11(6), Sch.4 para.1.
(2)	1975P s.41C(2), Sch.1A para.7(2), 18(2), Sch.3A para.8 (pt.); 1990 Sch.2.; S.I. 1987/1116 reg.3(10), Sch.4 para.5.
(3)	1975P s.41C(3), Sch.1A para.7(3); 1990 Sch.4 para.9(1), (2).
(4)	1975P Sch.1A para.7(4); 1990 Sch.4 para.9(3).
130	1975P ss.32(6), 35(7), Sch.1A para.23.
131	1973 s.63(3); 1975P Sch.1A para.23.
132	1973 s.63(4)(a); 1975P s.54(1); 1986 s.12(2).
133(1), (2)	1973 s.63(4)(b); 1975P s.54(2); 1986 s.12(3).
(3), (4)	1975P ss.37A(10), 41D (pt.), 56A(6), 56E(6), Sch.1A para.21 (pt.); 1984 Sch.6.
134(1)	1973 s.63(4)(pt.), (5); 1975P ss.37A(11), 41E(1), 55(1), 56A(7), 56E(7), Sch.1A para.22(1); 1986 s.12(4).
(2)	1975P s.41E(1); 1986 Sch.2 para.6(3) (c).
(3)	1973 s.63(6)(pt.); 1975P s.55(3); 1986 s.12(6).
(4)	1973 s.63(11)(pt.); 1975P s.55(5)(pt.).
(5)	1973 s.63(12)(pt.).
135(1)	1973 s.63(5); 1975P ss.37A(12), 41E(2), 55(2), 56A(8), 56E(8), Sch.1A para.22(2); 1986 s.12(5); S.I. 1987/1116 reg.3(8), (10), Sch.3 para.1(e), Sch.4 para.16(b); Personal and Occupational Pension Schemes (Tax Approval and

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	Miscellaneous Provisions) Regulations 1988 (S.I. 1988/474) reg.8(c).
(2)	Drafting.
136(1)	1973 s.64(1)(a), (b), (1A); 1986 Sch.10 para.3; S.I. 1987/1116 reg.2, Sch.1 para.1.
(2)	1973 ss.58(1), 64(3); 1975P s.56(5), Sch.4 para.25; 1978 c. 30 s.17(2); 1986 s.12(11), Sch.10 para.3; S.I. 1987/1116 regs.2, 4(2), Sch.1 para.2.
(3)	1973 s.64(9)(pt.); S.I. 1987/1116 reg.2.
137	1973 s.64(5); S.I. 1987/1116 reg.2.
138(1) to (3)	1973 s.64(6); S.I. 1987/1116 reg.2.
(4), (5)	1973 s.64(7); S.I. 1987/1116 reg.2, Sch.1 para.3.
(6)	1973 s.64(8); 1975P s.56(5), Sch.4 para.25; 1978 c. 30 s.17(2).
(7)	1973 s.64(10A); 1989 Sch.6 para.3.
139(1)	1975P s.49(4).
(2)	1973 s.63(7); 1975P s.56(1); 1986 s.12(7).
(3)	1973 s.63(8); 1975P s.56(2); 1986 s.12(8).
140(1)	1973 s.64(10)(a), (b).
(2)	1973 s.63(10); 1975P s.56(4); 1986 s.12(10).
(3), (4)	1973 ss.63(10), 64(10)(pt.); Social Security Act 1973 (Commencement No. 2) Order 1973 (S.I. 1973/1433); 1975P s.56(4); S.I. 1975/1689; 1986 s.12(10); Social Security Act 1986 (Commencement No. 6) Order 1987 (S.I. 1987/543); Pension Schemes (Voluntary Contributions Requirements) Regulations 1987 (S.I. 1987/1108) reg.2(2); S.I. 1987/1933.
(5), (6)	1973 ss.63(9), 64(10); 1975P s.56(3); 1986 s.12(9).
141(1)	1973 ss.63(4), 64(2), 65(1)(pt.); 1975P s.55(1); 1986 s.12(4).
(2)	1973 s.65(1)(pt.); Northern Ireland Constitution Act 1973 (c.36) Sch.5 para.8(1).

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(3), (4)	1973 s.65(2)(pt.).
142(1)	1973 s.64(1)(c); S.I. 1987/1116 reg.2.
(2)	1973 s.64(4); 1975P Sch.4 para.25.
(3)	1973 s.64(9)(b).
(4)	1973 s.64(5) to (8), (10)(pt.), (10A).
(5), (6)	1975P s.49(6).
143(1)	1973 c.38 ss.64(2), 65(1)(pt.).
(2)	1973 c.38 s.65(2)(c).
(3)	1973 c.38 s.65(1)(pt.), (2)(pt.).
144(1)	1975P s.58B(1)(a); 1990 Sch.4 para.2.
(2)	1975P s.58B(1)(b), (2) (definition of “default time”); 1990 Sch.4 para.2.
(3)	1975P s.58B(2)(pt.); 1990 Sch.4 para.2.
(4)	1975P s.58B(2)(pt.); 1990 Sch.4 para.2.
(5)	1975P s.58B(1)(pt.), (3)(a); 1990 Sch.4 para.2.
(6), (7)	1975P s.58B(4), (5); 1990 Sch.4 para.2.
(8)	1975P s.58B(7); 1990 Sch.4 para.2.
145(1) to (5)	1975P s.59B(1) to (5); 1990 Sch.3.
(6)	1975P s.59B(6)(pt.); 1990 Sch.3.
(7)	1975P s.59B(7); 1990 Sch.3.
146(1),(2)	1975P s.59C(1),(2); 1990 Sch.3.
(3)	1975P s.59C(2A); 1990 Sch.3; Judicial Pensions and Retirement Act 1993 (c.8) Sch. 8 para. 12.
(4)	1975P s.59C(3)
(5)	1975P s.59C(4); 1990 Sch.3; Social Security Act 1990 (Commencement No. 1) Order 1990 (S.I. 1990/1446).
(6) to (8)	1975P s.59C(5) to (7); 1990 Sch.3; Social Security Act 1990 (Commencement No. 1) Order 1990 (S.I. 1990/1446).
147	1975P s.59D; 1990 Sch.3.
148	1975P s.59E; 1990 Sch.3.
149(1)	1975P s.59F(1); 1990 Sch.3.
(2)	1975P s.59F(2)(pt.); 1990 Sch.3.
(3), (4)	1975P s.59F(3), (4); 1990 Sch.3.

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150	1975P s.59G; 1990 Sch.3.
151	1975P s.59H; 1990 Sch.3.
152(1)	1975P s.59J(1)(pt.); 1990 Sch.3.
(2)	1975P s.59J(2); 1990 Sch.3.
153(1)	1975P s.41C(7), (8), Sch.1A para.20, Sch.3A para.7; 1990 Sch.2 para.7(1).
(2)	1973 Sch.16 para.23, 24, 26; 1975 c. 60 Sch.4 para.32.
(3)	1975P s.53(3)(a).
(4)	1975P s.53(7).
(5)	1975P ss.57D(9), 58B(6); 1990 Sch.4 para.1, 2.
(6)	1975P s.57D(10); 1990 Sch.4 para.1.
(7)	1990 c. 27 s.14(2).
(8)	1978 s.149(1)(a), (b).
154	1986 s.17(1).
155	1986 s.14.
156	1975P s.51; 1986 Sch.2 para.6(1)(j).
157(1)	1978 c. 44 s.126(1); 1986 Sch.10 para.31.
(2)	1978 c. 44 s.126(2).
(3), (4)	1978 c. 44 s.126(3), (4); Criminal Justice Act 1982 (c.48) ss.37,38,46.
(5)	Drafting
158(1)	1973 s.89(1), 99(1); Social Security (Consequential Provisions) Act 1975 (c.18) Sch.2 para.58; 1975P Sch.4 para.30; 1986 s.59(1); 1989 s.20(a).
(2)	1973 s.89(2).
(3)	1973 s.89(2A); 1985 Sch.5 para.2(a).
(4)	1986 s.59(2); 1989 c. 24 s.20(b).
(5), (6)	1973 s.89(3); 1975P Sch.4 para.30; 1985 Sch.5 para.2(b); 1986 s.59(3); 1992 Sch.2 para.83.
(7)	1975P s.59K(6); 1990 s.13(1).
(8)	1975P s.57; S.I. 1987/1116 reg.3(9).
159(1)	1975P s.48(1); 1986 Sch.2 para.8.
(2)	1975P s.48(1A); 1985 Sch.5 para.31.

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(3)	1975P s.48(2).
(4)	1986 s.2(7).
(5)	1975P s.48(3); 1986 s.2(8), Sch.2 para.8.
(6)	1975P s.48(4); Solicitors (Scotland) Act 1980 (c. 46) Sch.6 para.2; 1986 s.2(9).
160	1986 s.15.
161	1978 c. 44 s.140(1).
162(1)	1973 s.71(1)(pt.); 1986 Sch.10 para.7; Law Com Rec No.4.
(2), (3)	1973 s.71(2), (3).
(4)	1973 s.71(4)(a); Interpretation Act 1978 (c.30) s.17(2); Law Com Rec No.4.
163(1)	1973 s.69(1)(pt.); 1986 Sch.10 para.6.
(2)	1973 s.69(1)(pt.), (2); 1975P Sch.4 para.28; 1986 Sch.10 para.6.
(3)	1973 ss.69(1), (6)(a).
(4), (5)	1973 s.69(3).
(6)	1973 s.69(5); 1986 Sch.10 para.6.
(7), (8)	1973 s.69(6)(b).
(9)	1973 s.69(7)(pt.).
164(1)	1973 s.63(13); 1975 s.127(1); 1975P s.66(2); 1992 Sch.3 para.10.
(2)	1986 s.79(1).
(3)	1975 s.128(1); 1975P s.66(2); 1986 s.79(2); 1992 Sch.3 para.10.
(4)	1975 s.127(2)(pt.); 1975P s.66(2); 1992 Sch.3 para.10.
(5)	1975 s.128(2)(pt.); 1975P s.66(2); 1992 Sch.2 para.40(2).
(6)	1978 s.138(5).
(7)	1975 s.128(3); 1975P s.66(2); 1986 s.79(6).
165(1), (2)	1975 ss.129(1), 131, 132(1); 1975P s.66(2); 1986 s.80(1).
(3), (4)	1975 s.129(2); 1975P s.66(2); 1986 s.80(2); Law Com Rec No.5.
(5)	1975 s.132(3).
(6)	1973 Sch.16 para.21.

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(7)	1978 ss.137, 141(2A), 144(2), (4); Insolvency of Employer (Excluded Classes) Regulations 1983 (S.I. 1983/624) regs.2 to 4.
(8)	1975 s.132(2); 1975P s.66(2); 1978 s.144(5); 1986 s.80(3).
166	1986 ss.17A, 65(2)(a); 1989 Sch.6 para.17; 1992 Sch.2 para.81.
167	1975P s.66(2); 1992 Sch.2 para.40, Sch.3 para.10.
168	1986 s.54(1).
169	1986 s.57.
170(1)	1975P ss.52D(5), 60(1); 1985 Sch.1 para.2, Sch.5 para.34; 1986 ss.9(4) (h), 52(2), Sch.5 Pt. II(a); 1992 Sch.2 paras.35(a), 82.
(2)	1975P s.52D(6); 1985 Sch.1 para.2.
(3), (4)	1975P s.60(2), (3); Health and Social Services and Social Security Adjudications Act 1983 (c.41) Sch.8 para.1(3)(a); 1992 Sch.2 para.35(b).
(5), (6)	1975P s.55(4), (5).
171	1975 c. 60 s.60ZC; 1992 Sch.2 para.36.
172(1)	1973 s.67(1); 1975P Sch.4 para.27; 1986 Sch.10 para.5.
(2)	1973 s.67(2); 1986 Sch.5 para.1.
(3)	1973 s.67(3).
(4), (5)	1973 s.67(4); 1986 Sch.4 para.27.
173(1)	1973 s.86(1); 1975P s.60(4), Sch.4 para.29.
(2)	1973 s.86(3); 1975P Sch.4 para.29.
(3), (4)	1973 s.86(4), (5).
(5)	1973 s.86(6).
(6), (7)	1973 s.86(8).
(8)	1973 s.86(2).
174	1975P s.57B; 1990 Sch.4 para.11.
175	1975P s.60ZA; 1990 Sch.4 para.12.
176	1973 s.72; 1986 Sch.10 para.7.
177(1)	1973 s.98(1)(a); 1975 s.135(3); 1975P s.66(2); 1986 s.85(1); 1990 s.18(1).

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- (2) 1986 s.85(3)(a), (b); 1978 s.123(1)(pt.); Employment Act 1990 (c.38) Sch.2 para.1(4); 1993 s.1(3).
- (3) 1975 s.135(5)(pt.); 1975P s.66(2); 1978 s.156(2)(b); Employment Act 1990 (c.38) Sch.2 para.1(5); 1993 s.1(3).
- (4) 1975 s.135(5)(pt.); 1975P s.66(2); 1993 s.1(3).
- (5), (6) 1985 s.28(2); 1986 s.85(5), (6).
- (7) 1975P Sch.2 para.6(3); 1978 s.125(4); 1980 s.3(12)(b); 1986 s.85(8)(pt.); Employment Act 1990 (c.38) Sch.2 para.1(4); 1993 s.1(3).
- 178 1973 s.52(8); 1985 s.5; 1990 Sch.6 para.31(d); Statutory Sick Pay Act 1991 (c.3) s.3(1); 1992 Sch 2 para.67.
- 179(1), (2) 1973 ss.58(1), (2), 99(1); 1975P ss.43(2A), 66(1); 1986 Sch.10 para.2; 1989 Sch.6 para.2(1).
- (3) 1973 s.58(2A); 1975P s.43(2B); 1989 Sch.6 paras.2(1), 9.
- (4) 1973 s.58(2B); 1989 Sch.6 para.2(1).
- 180(1) 1973 c.60 Sch.16 para.4(1) to (3); 1975P s.66(1), Sch.1A para.1(4), 11(2); 1986 Sch.10 para.9; Law Com Rec No.6.
- (2) 1973 c.60 Sch.16 para.4(4); 1975P s.66(1).
- 181(1) Northern Ireland Constitution Act 1973 (c.36) Sch.5 para.8(1); 1973 ss.58(1), 59(1), 99(1), (3); 1975P ss.30(1B), 31(8), 41A(11), 41B(6), 52C(7), 56A(9), 66(1), (2), Sch.1A paras.1(4), 11(2), Sch.4 para.31; 1985 Sch.2; 1986 ss.3(4), 84(1), Sch.2 para.11, Sch.10 paras.8, 28; 1992 Sch.2 paras.25, 76; Trade Union and Labour Relations (Consolidation) Act 1992 (c.52) Sch.2 para. 5; S.I. 1987/1116 reg.4(6); Personal and Occupational Pension Schemes (Miscellaneous Amendments) Regulations 1990 (S.I. 1990/1141) reg.7(4).
- (2) 1973 s.51(5); 1975P ss.59K(8), 66(3); 1990 s.13(1).
- (3), (4) 1973 s.51(10); 1975P s.66(4).

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(5)	1986 s.84(4).
(6)	1973 s.99(17); 1975 s.168(4).
(7)	1973 s.99(5).
182(1)	1973 s.96(1); 1975P ss.59F(2)(pt.), 59J(1)(pt.), 61B(1); 1978 c. 44 s.154(1); 1986 s.83(1); 1990 Sch.3; 1992 Sch.2 paras.37, 67, 84.
(2)	1973 s.96(2); 1975P s.61B(2); 1986 s.83(1); 1992 Sch.2 paras 37, 67, 84; Social Security Administration Act 1992 (c.5) s.189(4).
(3)	1973 s.96(3); 1975P s.61B(3); 1978 c. 44 s.154(3); 1986 s.83(1); 1989 Sch.8 para.10; 1992 Sch.2 para.37, 67, 84; Social Security Administration Act 1992 (c.5) s.189(5).
(4)	1973 s.96(4).
(5)	1973 s.96(6); 1975P s.61B(5); 1986 s.83(6); 1992 Sch.2 para.37, 67.
183(1)	1975P s.61B(4); 1986 s.83(1); Social Security Administration Act 1992 (c.5) s.189(6); 1992 Sch.2 para. 67, 84.
(2)	National Insurance Act 1974 (c.14) s.6(4); 1975P s.62(4).
(3)	1975P ss.44ZA(13), 58B(3)(b), Sch.1A para.14(2), Sch.3A para.3(7); 1985 Sch.1 para.3; 1986 s.5(14), Sch.1 para.7(5), Sch.10 para.30(d); 1990 s.11(1), Sch.2, Sch.4 para.2.
184	1975P s.61A(1) to (3); 1992 Sch.2 para.37.
185(1), (2)	1973 s.68(1); 1975P s.61(2); Social Security Act 1979 (c.18) Sch.3 para.3; 1982 s.40, Sch.4 para.21; 1986 Sch.10 paras.82, 94; 1989 Sch.8 para.12; Law Com Rec No.7.
(3), (4)	1973 s.68(2); 1975P s.61(3);
(5)	1973 s.68(3); 1975P s.61(4).
(6)	1986 s.61.
(7)	1973 s.71(1)(pt.); Law Com Rec No.4.
(8)	1973 s.67(5).
(9)	1975P Sch.2 para.8(2).

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186(1)	1973 s.97(3); Social Security (Consequential Provisions) Act 1975 (c.18) Sch.2 para.61; 1975 s.167(3); 1975P s.62(2); 1977 s.24(5); 1978 s.154(2); 1980 s.3(3)(b); 1986 s.83(4); 1992 Sch.2 para.38.
(2)	1973 s.62(3); 1975P s.62(2); 1992 Sch.2 para.38.
(3)	1975 s.167(1); 1975P s.66(2); 1978 s.149(4).
(4)	1975 s.167(2); 1975P ss.61A(4), 66(2); 1992 Sch.2 para.37.
(5)	1973 s.97(4); Social Security (Consequential Provisions) Act 1975 (c.18) Sch.2 para.61; 1975P ss.61(5), 61A(4); 1992 Sch. 2 para. 37..
187	1990 c. 27 s.22(2), (3).
188, 189, 190, 191	Drafting.
192	1973 s.95; 1975P s.68(4); 1986 s.87(1) (a); 1990 c. 27 Sch.4 para.13.
193	Drafting.
Sch. 1	
para.1.	Drafting.
para.2	1973 Sch.17 para.2.
para.3	1973 Sch.17 para.3.
para.4	1973 Sch.17 para.4.
para.5	1973 Sch.17 para.5.
para.6	1973 Sch.17 para.6.
para.7	1973 Sch.17 para.7.
para.8	1973 Sch.17 para.8.
para.9	1973 Sch.17 para.9.
para.10(1), (2)	1973 s.66(7); 1975P Sch.4 para.26; 1986 Sch.10 para.4.
(3)	1973 s.66(10)(b); 1986 Sch.10 para.4.
(4)	1973 s.66(8).
para.11	1973 Sch.17 para.10(2).
para.12	1973 Sch.17 para.10(1).
para.13	1973 Sch.17 para.11.
para.14	1973 Sch.17 para.12.

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para.15	1973 Sch.17 para.13.
para.16	1973 Sch.17 para.14; 1975P Sch.4 para.33.
para.17	1973 Sch.17 para.15.
para.18	1973 Sch.17 para.16.
Sch. 2	
para.1(1)	1975P Sch.2 para.1(1)(d).
(2) to (5)	1975P Sch.2 para.1(pt.).
para.2	1975P Sch.2 para.2.
para.3	1975P Sch.2 para.3.
para.4	1975P Sch.2 para.5.
para.5	1975P Sch.2 para.6; 1980 s.3(12); 1992 Sch.2 para.42.
para.6	1975P Sch.2 para.7.
para.7	1975P Sch.2 para.8(1), (3) to (5); Police Pensions Act 1976 (c.35) Sch.2 para.11.
para.8	1975P Sch.2 para.9.
para.9	S.I. 1987/1116 reg.3(11) Sch.5; 1975P Sch.2 para.6; 1980 s.3(12); 1992 Sch.2 para.42.
Sch. 3	
para.1(1)	1975P Sch.1A para.2(1), (2), (3)(pt.); 1985 Sch.1 para.3; 1986 s.9(4)(i); 1990 Sch.4 para.4(1).
(2), (3), (4)	1975P Sch.1A para.2(3)(pt.), (4), (5); 1985 Sch.1 para.3; 1990 Sch.4 para.4.
para.2(1)	1975P s.52A(1), (2)(pt.); 1985 Sch.1 para.2; S.I. 1985/1364.
(2)	1975P s.52A(2)(pt.); 1985 Sch.1 para.2.
(3)	1975P s.52A(3)(pt.), (8); 1985 Sch.1 para.2; 1989 Sch.6 para.13.
(4)	1975P s.52A(3)(pt.); 1985 Sch.1 para.2.
(5)	1975P s.52A(5) to (7); 1985 Sch.1 para.2.
(6)	1975P s.52A(9); 1985 Sch.1 para.2; 1989 Sch.6 para.13(2).
(7)	1975P Sch.1A para.2(2)(pt.); 1985 Sch.1 para.3.
para.3(1)	1975P Sch.1A para.3(3), (5); 1985 Sch.1 para.3.

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(2), (3)	1975P Sch.1A para.3(5); 1985 Sch.1 para.3; 1990 Sch.4 para.4(2).
(4)	1975P Sch.1A para.3(5A); 1985 Sch.1 para.3; 1990 Sch.4 para.4(3).
(5)	1975P Sch.1A para.3(6); 1985 Sch.1 para.3.
para.4	1975P Sch.1A para.4(3)(a); 1985 Sch.1 para.3.
para.5(1)	1975P Sch.1A para.5(3); 1985 Sch.1 para.3.
(2)	1975P Sch.1A para.5(4); 1985 Sch.1 para.3.
(3)	1975P Sch.1A para.5(4); 1985 Sch.1 para.3; S.I. 1987/1116 reg.3(10), Sch.4 para.3.
Sch. 4	
para.1	1975P Sch.3 para.1; Insolvency Act 1985 (c.65) Sch.8 para.26(2), (3).
para.2	1975P Sch.3 para.2(1), (1A), (2)(pt.), (3), (4); 1985 s.29(1), Sch.5 para.36; Insolvency Act 1985 (c.65) Sch.8 para.26(2), (3), (4); 1986 Sch.2 para.12; Social Security (Class 1 Contributions-Contracted-out Percentages) Order 1992 (S.I. 1992/795) art. 3.
para.3	1975P Sch.3 para.3; Insolvency Act 1985 (c.65) Sch.8 para.26(2), (3), (4); Bankruptcy (Scotland) Act 1985 (c.66) Sch.7 para.13(i); Insolvency Act 1986 (c.45) Sch.14.
para.4	1975P Sch.3 para.4; Insolvency Act 1985 (c.65) Sch.8 para.26(5); Bankruptcy (Scotland) Act 1985 (c.66) Sch.7 para.13(ii); Insolvency Act 1986 (c.45) Sch.14.
Sch. 5	Drafting.
Sch. 6	
paras.1 to 6	Drafting.
para.7	1975P s.32(7), 35(8A); 1982 Sch.4 para.20.
para.8	Insolvency Act 1985 (c.65) Sch.3 para.2(2).
para.9	1986 s.8.

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para.10(1)	1975P s.37A(13).
(2)	1975P s.37A(8), (16), (17).
para.11	1990 Sch.4 para.7(3).
para.12	1990 Sch.4 para.15; 1989 Sch.6 paras.19(3) and 20(4).
para.13	1975P s.52C(1)(c); 1986 Sch.10 para.26(3).
para.14	1975P ss.43(1A), (1B), (1C), 47(2A).
para.15	1990 Sch.4 para.5(2).
para.16	1985 s.6(6); 1986 s.9(4)(f); Social Security Act 1986 (Commencement No. 6) Order 1987 (S.I. 1987/543); 1990 Sch.4 para.8(10).
para.17	1986 s.17(1)(b), (2), (3); Social Security Act 1988 (c. 7) Sch.4 para.22; Judicial Pensions and Retirement Act 1993 (c.8) Sch. 8 para. 18(2).
paras.18 to 22	Drafting.
Sch. 7	
para.1	1989 Sch.5 para.13.
para.2	Drafting.
para.3	1989 Sch.5 para.11.
Sch. 8	Drafting.
Sch. 9	
para.1(1) to (3)	Drafting.
(4)	1973 s.101(2), (3); 1990 s.23(2); Courts and Legal Services Act 1990 (c.41) s.120(3); Friendly Societies Act 1992 (c.40) s. 126(2),(3); Judicial Pensions and Retirement Act 1993 (c.8) s.29(3).
(5)	1990 s.21(3).
(6)	Friendly Societies Act 1992 (c.40) s.123.
paras.2 to 7	Drafting.

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