



Pension Schemes Act 1993

1993 CHAPTER 48

PART III

CERTIFICATION OF PENSION SCHEMES AND EFFECTS ON MEMBERS' STATE SCHEME RIGHTS AND DUTIES

CHAPTER II

REDUCTION IN STATE SCHEME CONTRIBUTIONS AND SOCIAL SECURITY BENEFITS FOR MEMBERS OF CERTIFIED SCHEMES

*[^{F1}Reduced rates of contributions, and rebates, for
members of money purchase contracted-out schemes*

[^{F1}42B Determination and alteration of rates of contributions, and rebates, applicable under section 42A

- (1) The Secretary of State shall at intervals of not more than five years lay before each House of Parliament—
 - (a) a report by the Government Actuary or the Deputy Government Actuary on the percentages which, in his opinion, are required to be specified in an order under this section so as to reflect the cost of providing benefits of an actuarial value equivalent to that of the benefits [^{F2}(or parts of benefits) which, in accordance with section 48A below and Schedule 4A to the Social Security Contributions and Benefits Act 1992,] are foregone by or in respect of members of money purchase contracted-out schemes,
 - (b) a report by the Secretary of State stating what, in view of the report under paragraph (a), he considers those percentages should be, and
 - (c) a draft of an order under subsection (2).
- (2) An order under this subsection shall have effect in relation to a period of tax years (not exceeding five) and may—

Status: Point in time view as at 18/04/2005. This version of this provision has been superseded.

Changes to legislation: *Pension Schemes Act 1993, Section 42B is up to date with all changes known to be in force on or before 07 August 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)*

- (a) specify different percentages for primary and secondary Class 1 contributions, and
- (b) for each of the tax years for which it has effect—
 - (i) specify a percentage in respect of all earners which is “the appropriate flat-rate percentage” for the purposes of section 42A, and
 - (ii) specify different percentages (not being less than the percentage specified by virtue of sub-paragraph (i)) in respect of earners by reference to their ages on the last day of the preceding year (the percentage for each group of earners being “the appropriate age-related percentage” in respect of earners in that group for the purposes of section 42A).
- (3) If the draft of an order under subsection (2) is approved by resolution of each House of Parliament, the Secretary of State shall make the order in the form of the draft.
- (4) An order under subsection (2) shall have effect from the beginning of such tax year as may be specified in the order, not being a tax year earlier than the second after that in which the order is made.
- (5) Subsection (2) is without prejudice to the generality of section 182]

Textual Amendments

- F1** Ss. 42A, 42B and cross-heading inserted (13.3.1996 for specified purposes, 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(5)**, 180(1); [S.I. 1996/778](#), art. 2(1)(5)(a), [Sch. Pts. I, V](#); [S.I. 1997/664](#), art. 2(3), **Sch. Pt. II**
- F2** Words in s. 42B(1)(a) substituted (25.1.2001 for specified purposes, 6.4.2002 in so far as not already in force) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\)](#), **ss. 34**, 86(1)(b)(2) (with s. 83(6)); [S.I. 2001/153](#), art. 2(a)

Modifications etc. (not altering text)

- C1** Pt. III applied (with modifications) (6.4.1997) by [The Occupational Pension Schemes \(Mixed Benefit Contracted-out Schemes\) Regulations 1996 \(S.I. 1996/1977\)](#), regs. 1(1), **2(4)(a)-(f)**
- C2** Pt. III applied (with modifications) (6.4.1997) by [The Contracting-out \(Transfer and Transfer Payment\) Regulations 1996 \(S.I. 1996/1462\)](#), regs. 1(1), 12, 13, **Sch. 2** (with reg. 14, Sch. 4)
- C3** Pt. III: power to modify conferred (1.6.1996 for specified purposes, 6.4.1997 in so far as not already in force) by [Pensions Act 1995 \(c. 26\)](#), **ss. 149(1)**, 180(1); [S.I. 1996/778](#), **art. 2(6)**; [S.I. 1997/664](#), art. 2(3), **Sch. Pt. 2**
- C4** [S. 42B\(2\)](#) modified (11.11.1999 for specified purposes, 1.10.2000 in so far as not already in force) by [Welfare Reform and Pensions Act 1999 \(c. 30\)](#), **ss. 7(1)**, 89(5)(a) (with ss. 7(3), 8); [S.I. 2000/1047](#), art. 2(2)(c), [Sch. Pt. 3](#)

Status:

Point in time view as at 18/04/2005. This version of this provision has been superseded.

Changes to legislation:

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