

Pensions Act 2007

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PENSIONS ACT 2007 (c. 22)

Ss. 1-4

An Act to make provision about pensions and other benefits payable to persons in connection with bereavement or by reference to pensionable age; to make provision about the establishment and functions of the Personal Accounts Delivery Authority; and for connected purposes. [26th July 2007]

PART 1

STATE PENSION

Entitlement to Category A and B retirement pensions

Category B retirement pension: removal of restriction on entitlement

1. amends 1992 c. 4, see Annex 1, page 5.3755

2.—(1) Section 48A of the SSCBA (Category B retirement pension for married person or civil partner) is amended as follows.

(2) In each of subsections (2)(a) and (2B)(a) (whose effect is to require the other spouse or other civil partner to have claimed a Category A retirement pension) omit “and become entitled to a Category A retirement pension”.

(3) Omit subsection (5) (restriction on when Category B retirement pension for married person or civil partner is payable).

(4) Part 2 of Schedule 1 contains consequential amendments.

(5) The amendments made by this section and that Part of that Schedule have effect as from 6th April 2010.

(6) Section 48A(2) and (2B), as amended by this section, applies whether the person mentioned in section 48A(1) or (2A) attained pensionable age before 6th April 2010 or on or after that date.

Credits for basic state pension

3. amends 1992 (c. 4), see Annex 1, page 5.3755

Abolition of adult dependency increases

Category A and C retirement pensions: abolition of adult dependency increases

4.—(1) The following provisions of the SSCBA are to cease to have effect on 6th April 2010—

- (a) section 83 (pension increase: wife),
- (b) section 84 (pension increase: husband), and
- (c) section 85 (pension increase: person with care of children or qualifying young persons).

(2) Paragraph 2 of Part 2 of Schedule 4 to the Pensions Act 1995 (c. 26) (which replaces sections 83 and 84 of the SSCBA with a new section 83A equalising pension increases for dependent spouses and civil partners with effect from 6th April 2010) is omitted.

(3) Part 4 of Schedule 1 contains consequential amendments.

(4) The amendments made by that Part of that Schedule have effect as from 6th April 2010.

(5) Nothing in—

- (a) the repeals in subsection (1),
- (b) the amendments in Part 4 of Schedule 1, or

- (c) the repeals in Part 2 of Schedule 7,

applies in relation to a qualifying person at any time falling on or after 6th April 2010 but before the appropriate date.

- (6) In subsection (5) a “qualifying person” means a person who—
- (a) has, before 6th April 2010, made a claim for a relevant increase in accordance with section 1 of the Administration Act; and
 - (b) immediately before that date is either—
 - (i) entitled to the increase claimed, or
 - (ii) a beneficiary to whom section 92 of the SSCBA (continuation of awards where fluctuating earnings) applies in respect of that increase.
- (7) In subsection (5) “the appropriate date” means the earlier (or earliest) of—
- (a) 6th April 2020;
 - (b) the date when the qualifying person ceases to be either entitled to the relevant increase or a beneficiary to whom section 92 of the SSCBA applies in respect of it;
 - (c) where the relevant increase is payable to the qualifying person under section 83 of that Act, the date on which his wife attains pensionable age.
- (8) In this section “relevant increase” means an increase in a Category A or Category C retirement pension under section 83, 84 or 85 of the SSCBA.

Up-rating of basic state pension and other benefits

5.—(1) After section 150 of the Administration Act insert—

“150A Annual up-rating of basic pension etc. and standard minimum guarantee

(1) The Secretary of State shall in each tax year review the following amounts in order to determine whether they have retained their value in relation to the general level of earnings obtaining in Great Britain—

- (a) the amount of the basic pension;
- (b) the specified amounts in the case of Category B, C or D retirement pensions;
- (c) the specified amounts in the case of industrial death benefit; and
- (d) the amounts of the standard minimum guarantee for the time being prescribed under section 2(4) and (5)(a) and (b) of the State Pension Credit Act 2002.

(2) Where it appears to the Secretary of State that the general level of earnings is greater at the end of the period under review than it was at the beginning of that period, he shall lay before Parliament the draft of an order which increases each of the amounts referred to in subsection (1) above by a percentage not less than the percentage by which the general level of earnings is greater at the end of the period than it was at the beginning.

(3) Subsection (2) above does not require the Secretary of State to provide for an increase in any case if it appears to him that the amount of the increase would be inconsiderable.

(4) The Secretary of State may, in providing for an increase in pursuance of subsection (2) above, adjust the amount of the increase so as to round the sum in question up or down to such extent as he thinks appropriate.

(5) The Secretary of State shall lay with a draft order under this section a copy of a report by the Government Actuary or the Deputy Government Actuary giving that Actuary’s opinion on the likely effect on the National Insurance Fund of any parts of the order relating to sums payable out of that Fund.

Up-rating of basic pension etc. and standard minimum guarantee by reference to earnings

PENSIONS ACT 2007 (c. 22)

Ss. 5-6

(6) If a draft order laid before Parliament under this section is approved by a resolution of each House, the Secretary of State shall make the order in the form of the draft.

(7) An order under this section shall be framed so as to bring the increase in question into force in the week beginning with the first Monday in the tax year following that in which the order is made.

(8) For the purposes of any review under subsection (1) above the Secretary of State shall estimate the general level of earnings in such manner as he thinks fit.

(9) If a draft order under this section is combined with a draft up-rating order under section 150 above, the report required by virtue of subsection (5) above may be combined with that required by virtue of section 150(8) above.

(10) In this section—

“the amount of the basic pension” means the first amount specified in section 44(4) of the Contributions and Benefits Act (weekly rate of Category A retirement pension);

“the specified amounts in the case of Category B, C or D retirement pensions” means—

(a) the amount specified in paragraph 5 of Part 1 of Schedule 4 to the Contributions and Benefits Act, and

(b) the amounts specified in paragraphs 6 and 7 of Part 3 of that Schedule;

“the specified amounts in the case of industrial death benefit” means—

(a) the amounts specified in paragraph 10 of Part 5 of that Schedule (apart from the amount of the initial rate), and

(b) the amount specified in paragraph 11 of that Part of that Schedule.”

(2) Part 5 of Schedule 1 contains consequential and related amendments.

(3) The section 150A inserted by subsection (1) and the amendments made by Part 5 of Schedule 1, so far as relating to the amounts referred to in section 150A(1)(a) to (c), have effect in relation to the designated tax year and subsequent tax years (with the result that the first review to be carried out under section 150A(1) in relation to those amounts is to be carried out in the designated tax year).

(4) “The designated tax year” means such tax year as the Secretary of State may designate by an order made before 1st April 2011.

(5) The Secretary of State must exercise his power under subsection (4) in such a way as to secure that the tax year immediately following the designated tax year is one that begins before the relevant dissolution date.

(6) “The relevant dissolution date” means the latest date on which, having regard to the maximum period for which a Parliament may exist, the Parliament in existence at the time of exercise of the power could be dissolved.

(7) The new section 150A inserted by subsection (1) and the amendments made by Part 5 of Schedule 1, so far as relating to the amounts mentioned in section 150A(1)(d), have effect in relation to the tax year in which this Act is passed and subsequent tax years.

Preservation of link with prices in case of other benefits

6.—(1) Section 150 of the Administration Act (up-rating by reference to prices) is amended as follows.

(2) In subsection (1) (annual reviews)—

(a) in paragraph (a), for sub-paragraphs (i) and (ii) substitute—

“(i) Schedule 4 (excluding the provisions of Parts 1, 3 and 5 of the Schedule that specify amounts mentioned in section 150A(1) below); and

- (ii) section 44(4) so far as relating to the lower rate of short-term incapacity benefit;”;
- (b) before paragraph (b) insert–
 - “(ab) specified in regulations under section 39(2A) or section 39C(1A) of that Act;”;
 - and
 - (c) in paragraph (1), at the end insert “(other than those prescribing the amounts mentioned in section 150A(1)(d) below)”.
- (3) In subsection (3) (sums to which requirement to up-rate applies)–
 - (a) in paragraph (a), for “1 to 6” substitute “1 to 5” and at the end insert “(excluding the provisions of Parts 1 and 5 of the Schedule that specify amounts mentioned in section 150A(1) below)”;
 - and
 - (b) in paragraph (b), before “(b), (c),” insert “(ab),”.
- (4) In subsection (7) (sums that may be up-rated) at the end insert–

“The reference to regulations under the State Pension Credit Act 2002 does not include those prescribing the amounts mentioned in section 150A(1)(d) below.”
- (5) In section 39 of the SSCBA (rate of widowed mother’s allowance and widow’s pension) after subsection (2) insert–

“(2A) In its application by virtue of subsection (1) above, section 44(4) below is to be read as if for the first amount specified in that provision there were substituted a reference to the amount prescribed for the purposes of this subsection.”
- (6) In section 39C of the SSCBA (rate of widowed parent’s allowance and bereavement allowance)–
 - (a) for subsection (2) substitute–

“(1A) In its application by virtue of subsection (1) above, section 44(4) below is to be read as if for the first amount specified in that provision there were substituted a reference to the amount prescribed for the purposes of this subsection.

(2) The weekly amount of a bereavement allowance is an amount equal to the amount prescribed for the purposes of subsection (1A) above.”;
 - and
 - (b) in subsection (3), for the words “or (as the case may be) section 44 below by virtue of subsection (1) or (2) above” substitute “by virtue of subsection (1) above”.
- (7) Subsections (2)(a) and (b), (3), (5) and (6) have effect in relation to the designated tax year (see section 5(4)) and subsequent tax years.
- (8) Subsections (2)(c) and (4) have effect in relation to the tax year in which this Act is passed and subsequent tax years.
- (9) The Secretary of State must exercise his power to prescribe amounts for the purposes of the new sections 39(2A) and 39C(1A) (inserted by subsections (5) and (6)) in such a way as to secure that, at any time before the coming into force of the first provision made under the new section 150A that alters the amount of the basic pension, the amounts prescribed are equal to the amount of the basic pension for the time being.
- (10) In subsection (9)–

“the amount of the basic pension” means the first amount specified in section 44(4) of the SSCBA (weekly rate of Category A retirement pension);

“the new section 150A” means the section 150A inserted by section 5(1).

7.—(1) Section 5 of the SSCBA (earnings limits and thresholds for Class 1 contributions) is amended as follows.

Removal of link
between lower earnings
limit and basic pension

PENSIONS ACT 2007 (c. 22)

Ss. 7-12

(2) In subsection (1) (limits and thresholds to be specified in regulations) for the words from “in the case of” to the end substitute “in the case of the upper earnings limit shall be made in accordance with subsection (3) below.”

(3) Omit subsection (2) (link between lower earnings limit and weekly rate of basic pension).

(4) Subsections (2) and (3) have effect in relation to the tax year following the designated tax year (see section 5(4)) and subsequent tax years.

(5) In section 176(1) of the SSCBA (instruments subject to affirmative procedure), before paragraph (a) insert–

“(za) regulations under section 5 specifying the lower earnings limit for the tax year following the designated tax year (see section 5(4) of the Pensions Act 2007) or any subsequent tax year;”.

8. outside the scope of this work, see Annex 1 page 5.3751

Additional pension: deemed earnings factors

9. - 11. amends 1992 (c. 4), see Annex 1, page 5.3751

Additional pension:
upper accrual point

12.—(1) - (4) amends 1992 (c. 4), see Annex 1, page 5.3751

(5) Subsection (6) applies if it appears to the Secretary of State that (apart from that subsection) he would be required to make an order under section 148A of the Administration Act (reevaluation of low earnings threshold) by virtue of which the low earnings threshold for the following tax year would be an amount not less than the upper accrual point.

(6) In that event the Secretary of State–

- (a) is not required to make such an order under section 148A of the Administration Act, and
- (b) instead must make an order abolishing the low earnings threshold and the upper accrual point as from the beginning of the following tax year.

(7) An order under subsection (6) may make–

- (a) such consequential, incidental or supplemental provision, and
- (b) such transitional, transitory or saving provision,

as the Secretary of State thinks necessary or expedient in connection with, or in consequence of, the abolition of the low earnings threshold and the upper accrual point.

(8) An order under subsection (6) may in particular amend, repeal or revoke any provision of any Act or subordinate legislation (whenever passed or made).

(9) No order may be made under subsection (6) unless a draft of the order has been laid before and approved by a resolution of each House of Parliament.

(10) In this section–

“the low earnings threshold” has the meaning given by section 44A(5) of the SSCBA;

“the upper accrual point” has the meaning given by section 122(7) and (8) of that Act.

Increase in state pension age

13.—(1) Schedule 3 amends section 126 of, and Part 1 of Schedule 4 to, the Pensions Act 1995 (c. 26) for the purpose of increasing the pensionable age for men and women [...]¹.

Increase in pensionable age for men and women.

(2) Part 8 of Schedule 1 contains consequential amendments.

(3) The amendments made by that Part of that Schedule have effect as from [16th December 2018].

PART 2

OCCUPATIONAL AND PERSONAL PENSION SCHEMES

Contracting-out

14. amends 1993 (c. 48), see Annex 1, page 5.3755

¹ Words in s. 13(1) omitted & substituted in subsec. (3) (3.1.12) by the Pensions Act 2011, Sch. 1, para. 9(a) & (b).

PENSIONS ACT 2007 (c. 22)

15.—(1) Any certificate which is either—
 (a) a contracting-out certificate in relation to a money purchase contracted-out scheme, or
 (b) an appropriate scheme certificate,
 and is in force immediately before the abolition date, ceases to have effect on that date.

Abolition of contracting-out for defined contribution pension schemes

(2) In this section—
 “the abolition date” means the day appointed under section 30 for the coming into force of subsection (1);
 “contracting-out certificate”, “money purchase contracted-out scheme” and “appropriate scheme certificate” have the meanings given by section 181(1) of the Pension Schemes Act 1993 (c. 48) (as in force immediately before that day).

(3) In Schedule 4—
 (a) Parts 1 and 2 contain amendments which are consequential on, or related to, the provision made by subsection (1), and
 (b) Part 3 contains savings relating to amendments made by Part 1.

(4) The amendments made by Part 1 of that Schedule have effect as from the abolition date (but any power to make regulations conferred by those amendments may be exercised at any time so as to make regulations having effect as from the abolition date).

(5) The Secretary of State may by regulations make—
 (a) such consequential, incidental or supplemental provision, and
 (b) such transitional, transitory or saving provision,

as he thinks necessary or expedient in connection with, or in consequence of, the provisions of subsection (1) and Schedule 4.

(6) Regulations under subsection (5) may in particular amend, repeal or revoke any provision of any Act or subordinate legislation (whenever passed or made).

(7) No regulations which amend or repeal any provision of an Act may be made under this section unless a draft of the regulations has been laid before and approved by a resolution of each House of Parliament.

(8) A statutory instrument containing regulations under this section that do not fall within subsection (7) is subject to annulment in pursuance of a resolution of either House of Parliament.

Dispute resolution

16. amends 2004 (c. 35), see Annex 1, page 5.3755

Actuarial guidance

17. Schedule 5 contains amendments removing requirements for, or powers to require, certain forms of actuarial guidance to be approved by the Secretary of State.

Removal of Secretary of State’s role in approving actuarial guidance

Financial assistance scheme

18.—(1) *Section 286 of the Pensions Act 2004 (c. 35) (financial assistance scheme for members of certain pension schemes) is amended as follows.*

Financial assistance scheme: increased levels of payments

(2) After subsection (1) insert—

“(1A) The Secretary of State must, in particular, make provision for securing that (subject to any relevant restriction) the aggregate amount of—

(a) any annual payment payable to a qualifying member of such a scheme, and

(b) the member’s actual pension (if any), is not less than 80% of the member’s expected pension, irrespective of the date of his attaining normal retirement age (or the date when he would have attained that age if he dies before attaining it).

(1B) A “relevant restriction” means any provision of the regulations which—

(a) operates to restrict the amount of an annual payment by means of a cap on the product of the calculation of a specified fraction of the member’s expected pension, or

(b) provides for an annual payment not to be payable where the member’s actual pension exceeds any specified amount.”

(3) In subsection (2), before the definition of “qualifying member” insert—
““actual pension” and “expected pension”; in relation to a qualifying member of a qualifying pension scheme, mean the amounts which, in accordance with regulations under subsection (1), are to be taken into account as the member’s actual pension and expected pension, respectively, in determining the amount of any annual payment payable to the member;

“annual payment” has the meaning given by regulations under subsection (1);”

(4) Subsections (5) and (6) below apply where the scheme manager has determined that an initial payment may be made under the FAS regulations to or in respect of a qualifying member of a qualifying pension scheme, and they so apply whether the determination—

(a) has been made, or

(b) relates to a period beginning,

before or after the passing of this Act.

(5) Subject to any relevant restriction, the amount of any such initial payment payable to the member is to be—

(a) the amount of the member’s expected pension multiplied by [10.9], less

(b) the amount of the member’s interim pension (if any),

irrespective of the date of the member attaining normal retirement age (or the date when he would have attained that age if he dies before attaining it).

(6) The amount of any such initial payment payable to the survivor of the member is to be—

(a) whichever is the smaller of—

(i) one-half of the product of the calculation in subsection (5)(a), or

(ii) one-half of the product of that calculation as reduced by virtue of any relevant restriction,

less

(b) the amount of the interim pension payable to the survivor (if any),

irrespective of the date of the member attaining normal retirement age (or the date when he would have attained that age if he dies before attaining it).

(7) In subsections (5) and (6) “relevant restriction” means any provision of the FAS regulations which—

- (a) operates to restrict the amount of an initial payment by means of a cap on the product of the calculation of a specified fraction of the member’s expected pension, or
- (b) provides for an initial payment not to be payable where the member’s interim pension exceeds any specified amount;

but for the purposes of those subsections any such specified fraction is to be taken to be [10.9].

(8) Any provision of the FAS regulations which is inconsistent with subsection (5) or (6) is of no effect to the extent of the inconsistency.

(9) The Secretary of State may by regulations—

- (a) amend subsection (5) so as to substitute for the fraction for the time being specified there such fraction as is specified in the regulations, and
- (b) make a corresponding amendment in subsection (7).

[2(9A) The Secretary of State may by regulations—

- (a) prescribe circumstances in which subsections (5) and (6) do not apply where the scheme manager has made a determination as specified in subsection (4), and
- (b) make alternative provision for the amount of any initial payment payable to the member or the survivor of the member in those circumstances, and, accordingly, subsection (8) does not apply in those circumstances.]

(10) No regulations may be made under subsection (9) [2or (9A)] unless a draft of the regulations has been laid before and approved by a resolution of each House of Parliament.

(11) In this section—

“expected pension” and “interim pension”, in relation to a qualifying member of a qualifying pension scheme, mean the amounts which, in accordance with the FAS regulations, are to be taken into account as the member’s expected pension and interim pension, respectively, in determining the amount of any initial payment payable to, or in respect of, the member;

“the FAS regulations” means regulations under section 286(1) of the Pensions Act 2004 (c. 35);

“initial payment” has the meaning given by the FAS regulations;

“interim pension”, in relation to the survivor of a qualifying member of a qualifying pension scheme, means the amount which, in accordance with the FAS regulations, is to be taken into account as the interim pension payable to the survivor in determining the amount of any initial payment payable to the survivor;

“qualifying member”, “qualifying pension scheme” and “scheme manager” have the same meanings as in section 286 of the Pensions Act 2004 (c. 35);

“survivor” has the meaning given by the FAS regulations.

19.—(1) The Secretary of State must by regulations make provision for securing that, during the period of 9 months beginning with the date on which the regulations come into force, the trustees of relevant pension schemes are prohibited from purchasing, or agreeing to purchase, annuities on behalf of qualifying members, unless—

Temporary restriction on purchase of annuities

¹ 0.9 substituted for 0.8 (4.6.08) by S.I. 2008/1432, reg. 3.

² S. 18(9A) & words in sub-sec (10) inserted (3.1.12) by the Pensions Act 2011 (c. 19), s. 23(2) & (3).

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Ss. 18-21

- (a) before that date they have entered into a binding commitment to purchase the annuities, or
 - (b) the purchase of the annuities is approved in pursuance of subsection (2).
- (2) The regulations must make provision—
- (a) for enabling the trustees of a relevant pension scheme to apply to the scheme manager for approval of the purchase of annuities on behalf of qualifying members;
 - (b) for authorising the scheme manager to approve the purchase of any such annuities if the scheme manager thinks it appropriate to do so.
- (3) For the purposes of this section an occupational pension scheme is a “relevant pension scheme” at any time during the period mentioned in subsection (1) if at that time the scheme is a qualifying pension scheme which has not been fully wound up.
- (4) Regulations under this section—
- (a) must be made as soon as is reasonably practicable after the passing of this Act;
 - (b) may make such consequential, incidental, supplemental or transitional provision as the Secretary of State considers appropriate.
- (5) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.
- (6) In this section “occupational pension scheme”, “qualifying member”, “qualifying pension scheme” and “scheme manager” have the same meanings as in section 286 of the Pensions Act 2004.

PART 3

PERSONAL ACCOUNTS DELIVERY AUTHORITY

20. [...¹]

Initial function of the Authority

21.—(1) The Authority may do anything it thinks appropriate for preparing for the implementation of, or for advising on the modification of, any relevant proposals about personal accounts.

(2) In this Part “relevant proposals about personal accounts” means proposals by the Secretary of State (whether or not Parliament has given any approval on which their implementation depends) which are—

- (a) proposals for the establishment of a national low-cost portable pensions savings scheme, or

¹ S. 20 repealed (5.7.10) by art. 8(1)(a) of S.I. 2010/911.

- (b) proposals that are made in connection with proposals falling within paragraph (a) and—
 - (i) relate to the subject-matter of those proposals, or
 - (ii) relate to matters that are incidental or supplemental to those proposals or proposals falling within sub-paragraph (i), or to any consequential or transitional matters.

(3) Subject to subsections (4) and (5), the Authority may do anything which is calculated to facilitate, or is incidental or conducive to, the discharge of its function under this section.

(4) Nothing in this section is to be taken, in relation to proposals that have not yet been approved by Parliament—

- (a) as dispensing with the need for any Parliamentary approval otherwise required for the implementation of the proposals; or
- (b) as requiring the Authority, before any such approval is given, to carry out any activities other than—
 - (i) the formulation of the proposals;
 - (ii) the taking of preparatory steps towards their implementation when approved;
 - (iii) activities which are carried out in connection with activities falling within sub-paragraph (i) or (ii).

(5) The Authority may not borrow money from any person for the purposes of, or in connection with, its function under this section.

(6) The Secretary of State may from time to time issue guidance to the Authority about the discharge of its function under this section.

(7) If guidance is issued under subsection (6), the Authority must have regard to it in discharging its function under this section.

(8) In this Part “modification” includes omissions, alterations and additions.

22. [...]¹

23.—(1) If the condition in subsection (3) is satisfied, the Secretary of State may by order provide for the winding up and dissolution of the Authority.

Winding up of the Authority

(2) If the condition in subsection (3) is satisfied at any time after 2008, the Secretary of State must lay before Parliament a draft of an order under this section as soon as reasonably practicable.

(3) The condition is that, as a result of the abandonment or modification of any relevant proposals about personal accounts, it appears to the Secretary of State that it is no longer necessary for the Authority to continue to exist.

(4) If—

- (a) the Secretary of State lays a draft of an order under this section before Parliament in accordance with subsection (2), and
- (b) a motion for the approval of the order is defeated in either House,

that subsection is not to be taken to oblige the Secretary of State to lay any further draft of such an order before Parliament.

¹ S. 22 repealed (5.7.10) by art. 8(1)(a) of S.I. 2010/911.

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Ss. 23-25

- (5) An order under this section may, in particular—
- (a) provide for the transfer of property, rights or liabilities of the Authority to the Secretary of State;
 - (b) provide, in connection with provision made under paragraph (a)—
 - (i) for the creation of interests in property transferred;
 - (ii) for the creation of rights and liabilities in relation to such property;
 - (iii) for interests, rights and liabilities to be extinguished;
 - (c) provide for the payment by the Secretary of State or the Authority of compensation to any person who suffers loss or damage as a result of the provision made for the winding up of the Authority.
- (6) An order under this section may make—
- (a) such consequential, incidental or supplemental provision, and
 - (b) such transitional, transitory or saving provision,

as the Secretary of State thinks necessary or expedient in connection with, or in consequence of, the winding up and dissolution of the Authority.

(7) An order under this section may also contain provision repealing any provision of sections 20 to 22 or Schedule 6.

(8) No order may be made under this section unless a draft of the order has been laid before and approved by a resolution of each House of Parliament.

PART 4

GENERAL

Review of operation of Act

24.—(1) The Secretary of State must, before the end of 2014, prepare a report on the operation of the provisions of this Act.

(2) The Secretary of State may prepare subsequent reports on the operation of the provisions of this Act.

(3) The Secretary of State must lay a copy of any report prepared under this section before Parliament.

Orders and regulations

25.—(1) Any order or regulations under this Act must be made by statutory instrument.

(2) Any power of the Secretary of State to make an order or regulations under this Act includes power to make different provision for different purposes or cases.

- (3) Before the Secretary of State makes any regulations by virtue of—
- (a) section 15(5), or
 - (b) section 18(9),

he must consult such persons as he considers appropriate.

- (4) Subsection (3) does not apply—
- (a) to regulations made for the purpose only of consolidating other regulations revoked by them,

- (b) in a case where it appears to the Secretary of State that by reason of urgency consultation is inexpedient,
- (c) to regulations made before the end of the period of 6 months beginning with the coming into force of the provision mentioned in subsection (3) by virtue of which the regulations are made, or
- (d) to regulations which—
 - (i) state that they are consequential upon a specified enactment, and
 - (ii) are made before the end of the period of 6 months beginning with the coming into force of that enactment.

(5) In subsection (4) “enactment” includes an enactment comprised in subordinate legislation.

26. In this Act—

“the Administration Act” means the Social Security Administration Act 1992 (c. 5);
 “the SSCBA” means the Social Security Contributions and Benefits Act 1992 (c. 4);
 “subordinate legislation” has the same meaning as in the Interpretation Act 1978 (c. 30);
 “tax year” has the same meaning as in Parts 1 to 6 of the SSCBA (see section 122(1) of that Act).

Interpretation

27.—(1) The Secretary of State may by order make—

- (a) such supplementary, incidental or consequential provision, or
- (b) such transitory, transitional or saving provision,

Consequential etc.
 provision, repeals and
 revocations

as he considers appropriate for the general purposes, or any particular purposes, of this Act, or in consequence of, or for giving full effect to, any provision made by this Act.

(2) Schedule 7 contains repeals and revocations.

(3) The following repeals have effect at the end of the period of 2 months beginning with the day on which this Act is passed—

- (a) the repeals in Part 2 of Schedule 7 of the provisions of the Pensions Act 1995 (c. 26) other than paragraphs 19 and 20 of Schedule 4 to that Act;
- (b) the repeal in Part 2 of Schedule 7 of paragraph 36 of Schedule 24 to the Civil Partnership Act 2004 (c. 33);
- (c) the repeals in Parts 3 and 5 of Schedule 7.

(4) The following repeals and revocations have effect on 6th April 2010—

- (a) the repeals and revocations in Part 1 of Schedule 7;
- (b) the repeals in Part 2 of that Schedule other than those falling within subsection (3).

(5) The repeals in Part 4 of that Schedule have effect on 6th April in the tax year following the designated tax year (see section 5(4)).

(6) The repeals and revocations in Part 6 of that Schedule have effect on the abolition date (within the meaning of section 15).

(7) The other repeals contained in that Schedule have effect on the date on which they come into force by virtue of an order made under section 30.

(8) A statutory instrument containing an order under subsection (1) is subject to annulment in pursuance of a resolution of either House of Parliament.

PENSIONS ACT 2007 (c. 22)

Ss. 28-30

Financial provisions

28.—(1) There is to be paid out of money provided by Parliament—

- (a) any expenditure incurred by the Secretary of State by virtue of this Act; and
- (b) any increase attributable to this Act in the sums payable under any other Act out of money so provided.

(2) There is to be paid into the Consolidated Fund any increase in the sums payable into that Fund under any other Act.

Extent

29.—(1) The following provisions of this Act extend to England and Wales, Scotland and Northern Ireland—

- (a) sections 18 and 19,
- (b) Part 3, and
- (c) this Part.

(2) But section 24 extends to Northern Ireland in accordance with subsection (1) only as respects the provisions of this Act extending there.

(3) Section 8 and the repeal in the Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7) in Part 4 of Schedule 7 extend to Northern Ireland only.

(4) The amendments made by Schedule 5 have the same extent as the enactments amended.

(5) The other provisions of this Act extend to England and Wales and Scotland.

Commencement

30.—(1) The following provisions of this Act come into force on the day on which it is passed—

- (a) sections 5 and 6, and Part 5 of Schedule 1, so far as relating to the amounts mentioned in subsection (1)(d) of the new section 150A inserted into the Administration Act by section 5(1);
- (b) sections 18(4) to (11) and 19;
- (c) Part 3;
- (d) this Part.

(2) The following provisions of this Act come into force on such day as the Secretary of State may by order appoint—

- (a) section 14;
- (b) section 15(1), Part 2 of Schedule 4 and Part 7 of Schedule 7;
- (c) section 17, Schedule 5 and Part 8 of Schedule 7;
- (d) section 18(1) to (3).

(3) The other provisions of this Act come into force at the end of the period of 2 months beginning with the day on which it is passed.

(4) An order under subsection (2) may—

- (a) appoint different days for different purposes;
- (b) make such provision as the Secretary of State considers necessary or expedient for transitory, transitional or saving purposes in connection with the coming into force of any provision falling within subsection (2).

Short title

This Act may be cited as the Pensions Act 2007.

SCHEDULES

SCHEDULE 1

Sections 1 to 5, 9, 12 and 13

STATE PENSION: CONSEQUENTIAL AND RELATED AMENDMENTS

PART 1

CATEGORY A AND B RETIREMENT PENSIONS: SINGLE CONTRIBUTION CONDITION

1 - 5 amends 1992 (c. 4), see Annex 1, page 5.3751

PART 2

CATEGORY B RETIREMENT PENSION: REMOVAL OF RESTRICTION ON ENTITLEMENT

6. In section 54 of the SSCBA (Category A and B retirement pensions: supplemental provisions) omit subsection (3) (election to defer pension entitlement requires consent of other party to marriage etc.).

7. In section 55 of the SSCBA (pension increase or lump sum where pensions entitlement deferred) in subsection (3) for paragraph (a) substitute—

“(a) does not become entitled to that pension by reason only of not satisfying the conditions of section 1 of the Administration Act (entitlement to benefit dependent on claim), or”.

8. In Schedule 5 to the SSCBA (pension increase or lump sum where pensions entitlement deferred) in paragraph 8, omit sub-paragraph (3) (construction of references where person’s pension linked to contributions of other party to marriage or civil partnership).

PART 3

CONTRIBUTIONS CREDITS FOR RELEVANT PARENTS AND CARERS

9 & 10 amends 1992 (c. 4), see Annex 1, page 5.3751

11 amends 2007 (c. 5), see Annex 1, page 5.3751

PART 4

CATEGORY A AND C RETIREMENT PENSIONS: ABOLITION OF ADULT DEPENDENCY INCREASES

12. In section 30B of the SSCBA (incapacity benefit: rate) in subsection (3) omit paragraph (b) (increase under section 83 or 85 to be disregarded in determining rate of incapacity benefit).

13. In section 78 of the SSCBA (Categories C and D retirement pensions and other benefits for aged) in subsection (4) omit paragraph (d) (increase under section 83 or 85 to be disregarded in determining appropriate weekly rate of Category D retirement pension).

14. In section 88 of the SSCBA (increases to be in respect of only one adult dependant) for “under or by virtue of sections 83 to 86A” substitute “by virtue of section 86A”.

15. In section 89 of the SSCBA (meaning of earnings for purposes of provisions relating to increases in benefits) in each of subsections (1) and (1A), for “sections 82 to 86A” substitute “sections 82 and 86A”.

16. In section 114 of the SSCBA (persons maintaining dependants etc.) in subsection (4) (amounts paid by way of maintenance etc. to be treated as contributions for the purposes of specified provisions) omit “to 84”.

PENSIONS ACT 2007 (c. 22)

Sch. 1

17. In section 149 of the SSCBA (pensioners' entitlement to Christmas bonus: supplementary) in subsection (3) (circumstances in which persons to be treated as entitled to increase in payment of a qualifying benefit) in paragraph (b) omit "section 83(2) or (3) above or".

18. In Part 4 of Schedule 4 to the SSCBA (rates of increases for dependants)–

- (a) in paragraph 5 (Category A or B retirement pension) for the figure in column (3) (increase for adult dependant) substitute "—";
- (b) in paragraph 6 (Category C retirement pension) for the figure in column (3) (increase for adult dependant) substitute "—".

PART 5

UP-RATING OF BASIC PENSION ETC. AND STANDARD MINIMUM GUARANTEE BY REFERENCE TO EARNINGS

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

19. In Schedule 5 to the SSCBA (pension increase or lump sum where entitlement to retirement pension is deferred) in paragraph 2 (pension increase where entitlement deferred) in sub-paragraph (7) (increase to take account of up-rating of pensions) after "section 150" insert "or 150A".

20. [...¹]

Social Security Administration Act 1992 (c. 5)

21. In section 150 of the Administration Act (annual up-rating of benefits) in subsection (10)(a)(i) (when order is to take effect) after "the tax year" insert "following that in which the order is made".

22. In section 152 of that Act (rectification of mistakes in orders under section 150)–

(a) after subsection (1) insert–

"(1A) If the Secretary of State is satisfied that such a mistake has occurred in the preparation of the previous order under section 150A above, he may by order vary the amount of any one or more of the amounts referred to in subsection (1) of that section by increasing or reducing it to the level at which it would have stood had the mistake not occurred.";

(b) in the sidenote, after "150" insert "or 150A".

23. In section 155 of that Act (effect of alteration of rates of benefit under Parts 2 to 5 of the SSCBA) in subsection (1) (when section has effect) in paragraph (b) after "150" insert ", 150A".

24. In section 155A of that Act (power to anticipate pensions up-rating order) in subsection (1) (power arises where statement made to Commons of amounts of proposed increase in order under section 150) in paragraph (a), for "150 above" substitute "150 or 150A above (as the case may be)".

25. In section 159 of that Act (effect of alteration in the component rates of income support) in subsection (5), in paragraph (b) of the definition of "alteration"–

(a) after "150" (where it first occurs) insert "or 150A";

(b) in sub-paragraph (ii) after "150" insert ", 150A".

¹ Para. 20 of Sch. 1 repealed (6.4.12) by the Pensions Act 2011 (c. 19), Sch. 2, para. 4(d).

26. In section 159A of that Act (effect of alteration of rates of a jobseeker’s allowance) in subsection (5), in paragraph (b) of the definition of “alteration”, after each occurrence of “section 150” insert “or 150A”.

27. In section 159B of that Act (effect of alterations affecting state pension credit)—

- (a) in subsection (4) (power to anticipate up-rating of state pension credit) in paragraph (a) after “section 150” insert “, 150A”;
- (b) in subsection (6), in paragraph (b) of the definition of “alteration”—
 - (i) after “150” (where it first occurs) insert “or 150A”;
 - (ii) after “150” (where it next occurs) insert “, 150A”.

28. In section 159C of that Act as inserted by the Welfare Reform Act 2007 (c. 5) (effect of alteration of rates of an employment and support allowance)—

- (a) in subsection (4) (application of subsection (5)) in paragraph (a), after “150” insert “, 150A”;
- (b) in subsection (6), in paragraph (b) of the definition of “alteration”—
 - (i) after “150” (where it first occurs) insert “or 150A”;
 - (ii) after “150” (where it next occurs) insert “, 150A”.

29. In section 189 of that Act (regulations and orders - general) in subsection (8) (orders not to be made without consent of Treasury) after “150,” insert “150A,”.

30. In section 190 of that Act (parliamentary control of orders and regulations) in subsection (1)(a) (orders subject to the affirmative procedure) after “150,” insert “150A,”.

31. In Part 1 of Schedule 7 to that Act (regulations not requiring prior submission to the Social Security Advisory Committee) in paragraph 3 (up-rating etc.) after “section 150” insert “or 150A”.

32. In Part 2 of that Schedule (regulations not requiring prior submission to the Industrial Injuries Advisory Council) in paragraph 12 for “or 150” substitute “, 150 or 150A”.

PART 6

DEEMED EARNINGS FACTORS FOR PURPOSES OF ADDITIONAL PENSION

33 & 34 amends 1992 (c. 4), see Annex 1, page 5.3751

PART 7

ADDITIONAL PENSION: SIMPLIFIED ACCRUAL RATES

35 amends 1992 (c. 4), see Annex 1, page 5.3751

36 - 39 amends 1993 (c. 48), see Annex 1, page 5.3751

PART 8

INCREASE IN PENSIONABLE AGE FOR MEN AND WOMEN

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

40. In section 38 of the SSCBA (widow’s pension) in subsection (2) (entitlement to continue until age of 65) for “the age of 65” substitute “pensionable age”.

41. In section 64 of the SSCBA (entitlement to attendance allowance) in subsection (1) (conditions to be satisfied for entitlement to the allowance) for “is aged 65 or over” substitute “has attained pensionable age”.

PENSIONS ACT 2007 (c. 22)

Schs. 1-4

42.—(1) Section 75 of the SSCBA (disability living allowance: persons aged 65 or over) is amended as follows.

(2) In subsection (1) (no entitlement to the allowance for persons aged 65 or over) for “the age of 65” substitute “pensionable age”.

(3) For the sidenote substitute “Persons who have attained pensionable age”.

43. In section 149 of the SSCBA (supplementary provisions relating to Christmas bonus) in subsection (4) (for purposes of section 148 persons not to be taken to be entitled to payment of war disablement pension unless they have attained the age of 65) for “the age of 65” substitute “pensionable age”.

State Pension Credit Act 2002 (c. 16)

44. In section 3 of the State Pension Credit Act 2002 (savings credit) in subsection (1) (first condition for savings credit) in paragraph (a) for “the age of 65” substitute “pensionable age”.

SCHEDULE 2

Section 11

ADDITIONAL PENSION: SIMPLIFIED ACCRUAL RATES

1 - 2 amends 1992 (c. 5), see Annex 1, page 5.3751

3 - 11 amends 1992 (c. 4), see Annex 1, page 5.3751

12 amends 1993 (c. 48), see Annex 1, page 5.3751

SCHEDULE 3

Section 13

Schedule 3 amends 1995 (c. 26), see Annex 1, page 5.3751

SCHEDULE 4

ABOLITION OF CONTRACTING-OUT FOR DEFINED CONTRIBUTION PENSION SCHEMES

PART 1

AMENDMENTS HAVING EFFECT AS FROM ABOLITION DATE

Pension Schemes Act 1993 (c. 48)

1. The Pension Schemes Act 1993 has effect subject to the following amendments.

2.—(1) Section 7 (issue of contracting-out and appropriate scheme certificates) is amended as follows.

(2) For subsection (1) substitute—

“(1) Regulations shall provide for HMRC to issue certificates stating that the employment of an earner in employed earner’s employment is contracted-out employment by reference to an occupational pension scheme.

(1A) In this Act such a certificate is referred to as “a contracting-out certificate”.

(3) Omit subsections (4) to (6) (provisions relating to appropriate scheme certificates in respect of personal pension schemes).

(4) In subsection (7) (no certificate to have effect from a date earlier than its issue) omit “or appropriate scheme certificate”.

(5) After that subsection insert—

“(8) References in this Act to a contracting-out certificate, a contracted-out scheme and to contracting-out in a context relating to a money purchase contracted-out scheme are to be construed in accordance with section 181A.”

(6) In the sidenote, omit “and appropriate scheme”.

3.—(1) Section 8 (definitions of certain terms) is amended as follows.

(2) In subsection (1) (definition of “contracted-out employment”) for the words from “he is under pensionable age” to the end of paragraph (a) substitute “—

(a) he is under pensionable age;

(aa) his service in the employment is for the time being service which qualifies him for a pension provided by an occupational pension scheme contracted out by virtue of satisfying section 9(2) (in this Act referred to as “a salary related contracted-out scheme”);”.

(3) After subsection (1) insert—

“(1A) In addition, in relation to any period before the abolition date, the employment of an earner in employed earner’s employment was “contracted-out employment” in relation to him during that period if—

(a) he was under pensionable age;

(b) his employer made minimum payments in respect of his employment to a money purchase contracted-out scheme, and

(c) there was in force a contracting-out certificate issued in accordance with this Chapter (as it then had effect) stating that the employment was contracted-out employment by reference to the scheme.”

(4) In subsection (2) for “for the purposes of section 42A” substitute “for the tax year in which the week falls as specified in an order made under section 42B (as it had effect before the abolition date)”.

4.—(1) Section 9 (general requirements for certification of schemes) is amended as follows.

(2) In subsection (1) (requirements for occupational pension schemes) omit “or (3)”.

(3) Omit subsections (3) and (5) (requirements for money purchase occupational schemes and personal pension schemes).

(4) In subsection (6) (meaning of “relevant requirements”)—

(a) in paragraph (a) omit “or, as the case may be, appropriate”;

(b) in paragraph (b) omit “or, as the case may be, of being an appropriate scheme,”.

5. [...¹]

6. Omit section 12 (determination of basis on which scheme is contracted-out).

7. [...²]

8. [...¹]

11. Omit sections 28 to 29 (ways of giving effect to protected rights etc.).

12.–14. [...¹]

15.—(1) Section 34 (cancellation, variation, surrender and refusal of certificates) is amended as follows.

¹ Paras. 5, 8-10 & 12-14 of Sch. 4 repealed (6.4.12) by the Pensions Act 2008 (c. 30), Sch. 11, pt. 3.

² Para. 7 of Sch. 4 repealed (6.4.12) by S.I. 2011/1730, art. 8(1).

(2) For subsection (1) (regulations to provide for cancellation etc. of contracting-out or appropriate scheme certificates) substitute—

“(1) Regulations shall provide for the cancellation, variation or surrender of a contracting-out certificate, or the issue of a new certificate—

- (a) on any change of circumstances affecting the treatment of an employment as contracted-out employment; or
- (b) where the certificate was issued on or after the principal appointed day, if any employer of persons in the description of employment to which the scheme in question relates, or the actuary of the scheme, fails to provide HMRC, at prescribed intervals, with such documents as may be prescribed for the purpose of verifying that the conditions of section 9(2B) are satisfied.”

(3) In subsection (3) (continued contracting-out of scheme dependent on conditions for contracting-out remaining satisfied)—

- (a) for paragraphs (a) and (b) substitute “by or by virtue of any provision of this Part the contracting-out of a scheme in relation to an employment depends on the satisfaction of a particular condition”;
- (b) omit “or, as the case may be, the scheme’s continuing to be an appropriate scheme”;
- (c) omit “or appropriate scheme”.

(4) Omit subsection (5) (circumstances in which HMRC can withhold etc. appropriate scheme certificate).

(5) In subsection (8) (cancellation etc. of certificates not to have effect from a time earlier than when cancellation etc. made) omit “or appropriate scheme certificate”.

(6) After subsection (8) insert—

“(9) A reference in this section to a contracting-out certificate does not include a reference to a contracting-out certificate issued in respect of a money purchase contracted-out scheme.”

16. [...¹]

17. In section 42A (reduced rates of Class 1 contributions, and rebates) at the end insert—

“(8) For the purposes of this section “the appropriate age-related percentage” and “the appropriate flat-rate percentage”, in relation to a tax year beginning before the abolition date, are the percentages specified as such for that tax year in an order made under section 42B (as it had effect prior to that date).”

18. Omit section 42B (determination and alteration of rates of contributions, and rebates, applicable under section 42A).

19. In section 43 (payment of minimum contributions to personal pension schemes) at the end insert—

“(7) In this section “the earner’s chosen scheme” means the scheme which was immediately before the abolition date the earner’s chosen scheme in accordance with section 44 (as it had effect prior to that date).”

20. Omit section 44 (earner’s chosen scheme).

21. In section 45 (amount of minimum contributions) at the end insert—

“(4) For the purposes of this section “the appropriate age-related percentage”, in relation to a tax year beginning before the abolition date, is the percentage (or percentages) specified as such for that tax year in an order made under section 45A (as it had effect prior to that date).”

¹ Para. 16 of Sch. 4 repealed (6.4.12) by S.I. 2011/1730, art. 8(1).

22. Omit section 45A (determination and alteration of rates of minimum contributions under section 45).

23.—(1) Section 48A (additional pension and other benefits) is amended as follows.

(2) In subsection (1) (effect of reductions and payments for contracted-out schemes on earnings factors) in paragraph (a) for “or 42A” substitute “or, in the case of a week falling before the abolition date, under section 42A (as it then had effect)”.

(3) In paragraph (b) of that subsection, for “an amount is paid under section 45(1)” substitute “in the case of a week falling before the abolition date, an amount is paid under section 45(1) (as it then had effect)”.

24.–25. [...¹]

26. In section 55 (payment of state scheme premiums on termination of certified status) in subsection (2) (prescribed person to pay contributions equivalent premium) in paragraph (a) omit “(other than a money purchase contracted-out scheme)”.

27. In section 68A (safeguarded rights) in subsection (5) (interpretation) for “or (3)” substitute “or a money purchase contracted-out scheme”.

28. In section 87 (general protection principle) in subsection (1) (when subsection applies) in paragraph (a)(i), for “which is not a money purchase contracted-out scheme” substitute “that satisfies the requirements of section 9(2)”.

29. In section 96 (further provisions concerning exercise of option to take cash equivalent under section 95) in subsection (2) (circumstances in which option must be exercised in relation to balance of cash equivalent after deducting amount sufficient to meet certain liabilities of trustees etc.) in paragraph (a)(ii) omit “which is not an appropriate scheme”.

30. [...¹]

31. In section 163 (exemption of certain schemes from rule against perpetuities) in subsection (2) (schemes to which the exemption applies) omit paragraph (c) (appropriate schemes).

32.–33. [...¹]

34.—(1) Section 181 (general interpretation) is amended as follows.

(2) In subsection (1)–

(a) at the appropriate places insert–

““abolition date” means the day appointed for the commencement of section 15(1) of the Pensions Act 2007;”;

““HMRC” means the Commissioners for Her Majesty’s Revenue and Customs;”;

(b) for the definition of “appropriate scheme certificate” and references to an appropriate scheme, substitute–

““appropriate scheme” and “appropriate scheme certificate” are to be construed in accordance with section 181A;”;

(c) in the definition of “contracting-out certificate” and references to contracted-out scheme and to contracting-out, at the end insert “and section 181A”;

(d) for the definition of “money purchase contracted-out scheme” substitute–

““money purchase contracted-out scheme” is to be construed in accordance with section 181A;”.

¹ Paras. 24, 25, 30, 32 & 33 of Sch. 4 repealed (6.4.12) by S.I. 2011/1730, art. 8(1).

(3) In subsection (4) (regulations may prescribe the persons who are to be regarded as members or prospective members of an occupational scheme etc.) omit “, 44”.

35. After section 181 insert–

“181A Interpretation of references to money purchase contracted-out schemes or appropriate schemes after abolition date

(1) This section applies for the interpretation of this Act on and after the abolition date.

(2) An occupational pension scheme was a money purchase contracted-out scheme at a time before the abolition date if, at that time, the scheme was contracted-out by virtue of satisfying section 9(3) (as it then had effect).

(3) A money purchase contracted-out scheme was, at a time before the abolition date, a contracted-out scheme in relation to an earner’s employment if it was, at that time, specified in a contracting-out certificate in relation to that employment; and references to the contracting-out of a scheme are, in relation to a money purchase contracted-out scheme, references to its inclusion in such a certificate.

(4) Any reference to a contracting-out certificate is, in relation to a money purchase contracted-out scheme, a reference to a certificate issued by virtue of section 7, as it had effect before the abolition date, in relation to the employment of an earner in employed earner’s employment which was contracted-out by reference to that scheme.

(5) Any certificate so issued that was, at a time before the abolition date, in force in respect of an employed earner’s employment is to be taken as conclusive that the employment was, at that time, contracted-out employment.

(6) A personal pension scheme was an appropriate scheme at a time before the abolition date if, at that time, there was in force a certificate issued under section 7(1)(b) (as it then had effect) stating that the scheme was an appropriate scheme; and “appropriate scheme certificate” means such a certificate.

(7) Any appropriate scheme certificate in force in relation to a scheme at any time before the abolition date is to be taken as conclusive that the scheme was, at that time, an appropriate scheme.”

36. [...¹]

Welfare Reform and Pensions Act 1999 (c. 30)

37. In section 1 of the Welfare Reform and Pensions Act 1999 (meaning of “stakeholder pension scheme”)–

(a) in subsection (1) in paragraph (a), for “(10)” substitute “(9)”;

(b) omit subsection (10) (stakeholder pension scheme must be contracted-out).

38. In section 2 of that Act (registration of stakeholder pension schemes) in subsection (2) (when Authority to register schemes) in paragraph (b)(i), for “to (10)” substitute “to (9)”.

39. Omit section 7 of that Act (reduced rates of contributions for money purchase contracted-out schemes and appropriate personal pension schemes etc.: power to specify different percentages).

40. In Schedule 5 to that Act (pension credits: mode of discharge) in paragraph 7(6) (disqualification as destination for pension credit) in the definition of “contracted-out rights”–

(a) in paragraph (a), omit “or (3)”;

(b) after paragraph (a) insert–

“(ab) an occupational pension scheme constituting a money purchase contracted-out scheme for the purposes of that Act, or”;

¹ Para. 36 of Sch. 4 repealed (6.4.12) by S.I. 2011/1730, art. 8(1).

- (c) in paragraph (b), for “which is” substitute “constituting”.

Pensions Act 2004 (c. 35)

41. In section 257 of the Pensions Act 2004 (conditions for pension protection on transfer of employment) omit subsection (7) (minimum payments made under contracted-out money purchase scheme to be disregarded).

PART 2

FURTHER AMENDMENTS

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

42.—(1) Section 4C of the SSCBA (power to make provision in consequence of provision made by or by virtue of section 4B(2) etc.) is amended as follows.

(2) In subsection (2) (purposes for which regulations may be made) omit paragraph (d) (purposes relating to minimum payments).

(3) In subsection (5) (matters in respect of which regulations may have retrospective effect)—

- (a) in paragraph (b) (amount of rebate under section 41(1D) or 42A(2C) of the Pension Schemes Act 1993 (c. 48)) omit “or 42A(2C)”;
- (b) omit paragraphs (g) and (h) (liability to make, and amount of, minimum payments);
- (c) omit paragraphs (i) and (j) (liability to make, and amount of, payments under section 42A(3) of that Act or minimum contributions).

43. In section 8 of the SSCBA (calculation of primary Class 1 contributions) in subsection (3) (provisions to which calculation is subject) in paragraph (c), for “sections 41 and 42A” substitute “section 41”.

44. In section 9 of the SSCBA (calculation of secondary Class 1 contributions) in subsection (3) (provisions to which calculation is subject) in paragraph (c), for “sections 41 and 42A” substitute “section 41”.

45. (1) In Schedule 1 to the SSCBA (supplementary provisions relating to contributions of Classes 1, 1A, 1B, 2 and 3) paragraph 1 (Class 1 contributions where earner is in more than one employment) is amended as follows.

(2) In sub-paragraph (3) (determination of amount of primary Class 1 contributions where aggregate earnings include earnings from contracted-out employment)—

- (a) omit paragraphs (a) and (b);
- (b) in paragraph (c), for sub-paragraphs (i) and (ii) substitute “to such part of the aggregated earnings attributable to COSRS service as exceeds the current primary threshold and does not exceed the current upper earnings limit”;
- (c) in paragraph (d), for “part or parts attributable to COMPS or COSRS service” substitute “part attributable to COSRS service”.

(3) In sub-paragraph (6) (determination of amount of secondary Class 1 contributions where aggregate earnings include earnings from contracted-out employment) omit paragraphs (a) and (b).

(4) In sub-paragraph (9) (interpretation) omit the definition of “COMPS service”.

Pension Schemes Act 1993 (c. 48)

46. *The Pension Schemes Act 1993 has effect subject to the following amendments.*

47. *In section 8 (meaning of, among other things, "minimum payment") omit subsection (3) (regulations may make provision about manner in which minimum payments to be made etc.).*

48. *In section 20 (transfer of accrued rights) in subsection (3) (regulations may provide for certain provisions to have effect subject to modifications) omit "and 43 to 45".*

49. *Omit section 31 (investment and resources of scheme).*

50. *In section 40 (scope of Chapter 2 of Part 3) omit paragraph (b) (which relates to contributions to be paid by HMRC in respect of members of money purchase contracted-out schemes or of appropriate personal pension schemes).*

51. *Omit section 42A (reduced rates of contributions, and rebates, for members of money purchase contracted-out schemes etc.).*

52. *Omit section 43 (payment of minimum contributions to personal pension schemes).*

53. *Omit section 45 (amount of minimum contributions).*

54. *Omit section 45B (money purchase and personal pension schemes: verification of ages).*

55. [...¹]

56. *In section 164 (Crown employment) in subsection (2) (employees of Crown to be treated as employed earners for certain purposes) [omit paragraph (b)]."*

57.—(1) *Section 177 (general financial arrangements) is amended as follows.*

(2) *In subsection (2) (amounts to be paid out of the National Insurance Fund)—*

(a) *in paragraph (za) (payments by HMRC under various provisions) omit "or section 42A(2C) or (3)";*

(b) *omit paragraph (a) (minimum contributions paid by HMRC under section 43).*

(3) *In subsection (7) (amounts to be paid into National Insurance Fund) in paragraph (a), omit "; 42A(2D) or (5) or 43(5) or (6)".*

58.—(1) *Section 181 (interpretation) is amended as follows.*

(2) *In subsection (1), omit the definition of "minimum contributions".*

(3) *In subsection (4) (regulations may prescribe the persons who are to be regarded as members or prospective members of an occupational scheme etc.) omit "; 43".*

¹ Para. 55 omitted & words in para. 56 substituted (6.4.12) by S.I. 2011/1730, art. 8(2)(a) & (b).

59.—(1) Schedule 2 (certification regulations) is amended as follows.

(2) In Part 1 (occupational pension schemes) in paragraph 4 (regulations may modify certain provisions of Part 3 in cases where person employed in two or more employments) in sub-paragraph (1), for “and 66 to 68” substitute “, 67 and 68”.

(3) *In paragraph 5 (state scheme premiums) in sub-paragraph (1) (regulations may require provision of information to HMRC for purpose of certain provisions) for the words from “sections 37” to the end substitute “sections 37, [...]¹, 50 to 63 and 159(1) to (3) and (6) [...]¹.”*

(4) In paragraph 6 (schemes covering different employers) in sub-paragraph (1) (regulations may modify certain provisions in cases where earner under different employers qualifies for benefits of same occupational pension scheme) for “and 66 to 68” substitute “, 67 and 68”.

60.—(1) Paragraph 2 of Schedule 4 (priority in bankruptcy etc.: employer’s contributions to occupational pension scheme) is amended as follows.

(2) Omit sub-paragraphs (2) and (3) (sums owed on account of employer’s minimum payments to a money purchase contracted-out scheme).

(3) In sub-paragraph (3A) (definition of “the appropriate amount”)—

- (a) in the opening words, omit “or (3)”;
- (b) in paragraph (a), omit “or (2) (as the case may be)”.

(4) In sub-paragraph (5) (interpretation)—

- (a) omit the definition of “appropriate flat-rate percentage”;
- [²(b) in the definition of “the percentage for contributing earners”—
 - (i) omit the words “(a) in relation to a salary related contracted-out scheme.”;
 - (ii) omit paragraph (b) and the preceding “and”;
- (c) in the definition of “the percentage for non-contributing earners”—
 - (i) omit the words “(a) in relation to a salary related contracted-out scheme.”;
 - (ii) omit paragraph (b) and the preceding “and”].

PART 3

SAVINGS

Issue and cancellation etc. of certificates for periods before the abolition date

61. Nothing in the relevant amendments and repeals affects the continued operation of any regulations in force under section 7(1) and (7) of the PSA 1993 (issue of certificates) immediately before the abolition date in relation to the issue of a certificate having effect for a period before the abolition date.

¹ Words in para. 59(3) omitted & substituted (6.4.12) by S.I. 2011/1730, art. 8(2)(c).

² Para. 60(4)(b) & (c) of Sch. 4 substituted (3.1.12) by the Pensions Act 2011, s. 27.

62.—(1) Nothing in the relevant amendments and repeals affects the continued operation of section 34 of the PSA 1993 (cancellation, variation, surrender and refusal of certificates), or any regulations in force under it immediately before the abolition date, for the purposes of a retrospective act.

(2) In sub-paragraph (1) “a retrospective act” means the cancellation, variation, surrender or refusal of a certificate, or the issue of an amended certificate, where—

- (a) the certificate was in force for a period beginning before the abolition date (or, in the case of a refusal of a certificate, would have related to such a period if it had been issued), and
- (b) the cancellation, variation, surrender, refusal or issue—
 - (i) is made after the abolition date, but
 - (ii) has effect from a date before that date.

(3) An amended certificate issued by virtue of this paragraph must provide for it to cease to have effect as from the abolition date.

(4) In this paragraph and paragraph 61 “a certificate” means an appropriate scheme certificate or a contracting-out certificate in respect of a money purchase contracted-out scheme, and each of those terms has the meaning given by section 181(1) of the PSA 1993.

63. Nothing in the relevant amendments and repeals affects the continued operation of section 164(2) of the PSA 1993 (persons employed by or under the Crown to be treated as employed earners for the purposes of certain provisions) in relation to the provisions of that Act saved by paragraphs 61 and 62.

64. Nothing in the relevant amendments and repeals affects the continued operation of section 177(3)(b)(ii) of the PSA 1993 (administrative expenses of the Secretary of State, other than those arising out of certain provisions, to be paid out of the National Insurance Fund into the Consolidated Fund) in relation to the estimated administrative expenses of the Secretary of State in carrying into effect the provisions of that Act saved by paragraphs 61 and 62.

Determination of question whether scheme was appropriate scheme

65. Nothing in the relevant amendments and repeals affects the continued operation of any regulations in force under section 7(6) of the PSA 1993 (issue of certificates) immediately before the abolition date.

Preservation of earner’s chosen scheme

66.—(1) Nothing in the relevant amendments and repeals—

- (a) prevents the giving of a preceding tax year notice, or
- (b) otherwise affects the operation of section 44 of the PSA 1993 in relation to such a notice.

(2) In sub-paragraph (1) a “preceding tax year notice” means a notice within section 44(1) of the PSA 1993 which is given on or after the abolition date but in which the date specified in accordance with that provision falls before the abolition date.

Interpretation etc.

67.—(1) In this Part of this Schedule—

“the abolition date” has the same meaning as in section 15;

“the PSA 1993” means the Pension Schemes Act 1993 (c. 48);

“the relevant amendments and repeals” means—

- (a) the amendments and repeals made by Part 1 of this Schedule, and

(b) the consequential repeals and revocations in Part 6 of Schedule 7.

(2) Nothing in this Part of this Schedule is to be read as affecting the generality of section 16 of the Interpretation Act 1978 (c. 30) (general savings).

SCHEDULE 5

Section 17

REMOVAL OF SECRETARY OF STATE'S ROLE IN APPROVING ACTUARIAL GUIDANCE

- 1. - 4. outside the scope of this work, see Annex 1, page 5.3751
- 5. & 6. amends 1993 (c. 48), see annex 1, page 5.3751
- 7. & 8. amends 1995 (c. 26), see annex 1, page 5.3751
- 9. amends 2004 (c. 35), see Annex 1, page 5.3751

SCHEDULE 6

Section 20

THE PERSONAL ACCOUNTS DELIVERY AUTHORITY

[...¹]

PART 2

PROCEEDINGS ETC.

Paras. 17 & 19 of Sch. 6 are maintained in force in certain situations. See art. 8(2) & (3) of S.I. 2010/911 at page 5.9503 for details.

Annual report

17.—(1) As soon as is reasonably practicable after the end of each financial year, the Authority must send to the Secretary of State a report on the exercise of the Authority's functions during that year.

(2) A report under this paragraph must include—

- (a) a report on the Authority's proceedings during that year, and
- (b) such information relating to the financial position of the Authority, and to any other matters that he thinks appropriate, as the Secretary of State may direct.

(3) The Secretary of State must lay before Parliament a copy of each report received by him under this paragraph.

PART 3

MONEY

Accounts

19.—(1) The Authority must—

- (a) keep proper accounting records, and
- (b) prepare a statement of accounts in respect of each financial year.

(2) A statement under sub-paragraph (1)(b) must be prepared by the Authority in such form as the Secretary of State may direct.

(3) The Authority must send a copy of a statement under sub-paragraph (1)(b)—

- (a) to the Secretary of State, and
- (b) to the Comptroller and Auditor General.

(4) A copy of a statement must be sent under sub-paragraph (3) within such period, beginning with the end of the financial year to which the statement relates, as the Secretary of State may direct.

¹ Sch. 6 repealed (5.7.10) by art. 8(1)(b) of S.I. 2010/911.

- (5) The Comptroller and Auditor General must—
- (a) examine, certify and report on a statement received under this paragraph, and
 - (b) send a copy of the certified statement and of his report to the Secretary of State as soon as possible.
- (6) The Secretary of State must lay a copy of the statement and report sent under sub-paragraph (5)(b) before Parliament.

SCHEDULE 7

Section 27

REPEALS AND REVOCATIONS

PART 1

CATEGORY B RETIREMENT PENSION: REMOVAL OF RESTRICTION ON ENTITLEMENT

<i>Citation or reference</i>	<i>Extent of repeal or revocation</i>
Social Security Contributions and Benefits Act 1992 (c. 4)	In section 48A— (a) in each of subsections (2)(a) and (2B)(a), the words “and become entitled to a Category A retirement pension”; (b) subsection (5). Section 54(3). In Schedule 5, paragraph 8(3).
Pensions Act 1995 (c. 26)	In Part 3 of Schedule 4, paragraph 21(8) and (18).
Civil Partnership Act 2004 (c. 33)	In Part 3 of Schedule 24, paragraph 25(5).
Pensions Act 2004 (c. 35)	In Part 1 of Schedule 11, paragraph 14(a).
Civil Partnership (Pensions and Benefit Payments) (Consequential, etc. Provisions) Order 2005 (S.I. 2005/2053)	In Part 1 of the Schedule, paragraphs 2, 3(3) and 5(13)(b) (together with the “and” preceding it).

PART 2

CATEGORY A AND C RETIREMENT PENSIONS: ABOLITION OF ADULT DEPENDENCY INCREASES

<i>Citation</i>	<i>Extent of repeal</i>
Social Security Contributions and Benefits Act 1992 (c. 4)	Section 30B(3)(b) (together with the “and” following it). Section 78(4)(d) (together with the “and” preceding it). Sections 83, 84 and 85. In section 114(4), “to 84”. In section 149(3)(b), the words “section 83(2) or (3) above or”.
Social Security (Incapacity for Work) Act 1994 (c. 18)	In Schedule 1, paragraphs 20 and 22.
Jobseekers Act 1995 (c. 18)	In Schedule 2, paragraph 25.

PENSIONS ACT 2007 (c. 22)

Sch. 7

<i>Citation</i>	<i>Extent of repeal</i>
Pensions Act 1995 (c. 26)	In Part 2 of Schedule 4, paragraph 2. In Part 3 of Schedule 4, paragraphs 18 to 20 and 21(10).
Civil Partnership Act 2004 (c. 33)	In Part 3 of Schedule 24, paragraphs 36 and 37.
Child Benefit Act 2005 (c. 6)	In Part 1 of Schedule 1, paragraph 6.

**PART 3
UP-RATING**

<i>Citation</i>	<i>Extent of repeal</i>
Social Security Contributions and Benefits Act 1992	In Schedule 5, in each of paragraphs 5A(3)(a), 6(4)(b) and 6A(2)(b), the words “after it has been reduced by the amount of any increases under section 109 of the Pensions Act”.

PART 4

REMOVAL OF LINK BETWEEN LOWER EARNINGS LIMIT AND BASIC PENSION

<i>Citation</i>	<i>Extent of repeal</i>
Social Security Contributions and Benefits Act 1992	Section 5(2).
Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7)	Section 5(2).

PART 5

ADDITIONAL PENSION: SIMPLIFIED ACCRUAL RATES

<i>Citation</i>	<i>Extent of repeal</i>
Social Security Contributions and Benefits Act 1992 (c. 4)	In section 39– (a) the words “and Schedule 4A” wherever occurring; (b) subsection (3). In Schedule 4A, in paragraph 1(2), “39(1),”.
Child Support, Pensions and Social Security Act 2000 (c. 19)	Sections 32(2) and 35(3).

PART 6

ABOLITION OF CONTRACTING-OUT FOR DEFINED CONTRIBUTION PENSION SCHEMES:
REPEALS AND REVOCATIONS HAVING EFFECT ON ABOLITION DATE

<i>Citation or reference</i>	<i>Extent of repeal or revocation</i>
Pension Schemes Act 1993 (c. 48)	In section 7– (a) subsections (4) to (6); (b) in subsection (7), the words “or appropriate scheme certificate”; (c) in the sidenote, the words “and appropriate scheme”. In section 9– (a) in subsection (1), “or (3)”; (b) subsections (3) and (5); (c) in subsection (6)(a), the words “or, as the case may be, appropriate”; (d) in subsection (6)(b), the words “or, as the case may be, of being an appropriate scheme.”. Section 12. Sections 28 to 29. In section 34– (a) in subsection (3), the words “or, as the case may be, the scheme’s continuing to be an appropriate scheme” and “or appropriate scheme”; (b) subsection (5); (c) in subsection (8), the words “or appropriate scheme certificate”.

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<i>Citation</i>	<i>Extent of repeal</i>
	<p>Section 42B. Section 44. Section 45A. In section 55(2)(a), the words “(other than a money purchase contracted-out scheme)”.</p> <p>In section 96(2)(a)(ii), the words “which is not an appropriate scheme”.</p> <p>Section 163(2)(c). In section 181(4) “, 44”.</p>
Pensions Act 1995 (c. 26)	<p>Section 136(2) and (4). Section 138(5). Sections 142 to 146. Section 164. In Schedule 5, paragraphs 24, 34, 35 and 37(a).</p>
Social Security Act 1998 (c. 14)	<p>In Schedule 7, paragraph 126.</p>
Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2)	<p>In Schedule 1, paragraphs 33, 35(3), 41 and 48.</p>
Welfare Reform and Pensions Act 1999 (c. 30)	<p>Section 1(10). Section 7. In Schedule 2, paragraph 5 (and the cross heading immediately preceding it). In Schedule 5 in paragraph 7(6), in the definition of “contracted-out rights”– (a) in paragraph (a), “or (3)”; (b) the “or” following paragraph (a).</p>
Child Support, Pensions and Social Security Act 2000 (c. 19)	<p>In Schedule 5, paragraphs 2(2) and 3(2).</p>
Financial Services and Markets Act 2000 (Consequential Amendments and Repeals) Order 2001 (S.I. 2001/3649)	<p>Articles 117 and 118.</p>
Pensions Act 2004 (c. 35)	<p>Section 257(7). Section 284(3) to (7). Section 285(4) and (5).</p>
Civil Partnership (Contracted-out Occupational and Appropriate Personal Pension Schemes) (Surviving Civil Partners) Order 2005 (S.I. 2005/2050)	<p>In Schedule 1, paragraphs 9 to 11.</p>
Taxation of Pension Schemes (Consequential Amendments) Order 2006 (S.I. 2006/745)	<p>Article 7(3) and (4).</p>

PART 7

ABOLITION OF CONTRACTING-OUT FOR DEFINED CONTRIBUTION PENSION SCHEMES:
FURTHER REPEALS

Citation	Extent of repeal
Social Security Contributions and Benefits Act 1992 (c. 4)	In section 4C– (a) subsection (2)(d); (b) in subsection (5)(b), “or 42A(2C)”; (c) subsection (5)(g) to (j). In paragraph 1 of Schedule 1– (a) sub-paragraph (3)(a) and (b); (b) sub-paragraph (6)(a) and (b); (c) in sub-paragraph (9), the definition of “COMPS service”.
Pension Schemes Act 1993 (c. 48)	Section 8(3). In section 20(3), “and 43 to 45”. Section 31. Section 40(b). Section 42A. Section 43. Section 45. Section 45B. In section 164(2)(b), “, 43 and 45”. In section 177– (a) in subsection (2)(za), the words “or section 42A(2C) or (3)”; (b) subsection (2)(a); (c) in subsection (7)(a), “, 42A(2D) or (5) or 43(5) or (6)”. In section 181– (a) in subsection (1), the definition of “minimum contributions”; (b) in subsection (4), “, 43”. In paragraph 2 of Schedule 4– (a) sub-paragraphs (2) and (3); (b) in the opening words of sub-paragraph (3A), “or (3)”; (c) in sub-paragraph (3A)(a), the words “or (2) (as the case may be)”; (d) in sub-paragraph (5), the definition of “appropriate flat-rate percentage.”
Pensions Act 1995 (c. 26)	Section 137(1), (5), (6) and (7). Section 138(1) to (4).Section 139. In Schedule 5, paragraphs 36, 42 and 43.
Social Security Act 1998 (c. 14)	In Schedule 7, paragraphs 77(4)(a) and 128.
Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2)	In Schedule 1, paragraphs 34(b), 43, 46, 47, 49, 50 and 61(3)(a).

PENSIONS ACT 2007 (c. 22)

Sch. 7

Citation	Extent of repeal
Welfare Reform and Pensions Act 1999 (c. 30)	In Part 2 of Schedule 9, paragraph 7. In Schedule 11, [paragraph 21.
National Insurance Contributions Act 2002 (c. 19)	In Schedule 1, paragraphs 37 and 38.

PART 8

REMOVAL OF SECRETARY OF STATE'S ROLE IN APPROVING ACTUARIAL GUIDANCE

Citation	Extent of repeal
Pension Schemes Act 1993 (c. 48)	In section 12A(5), the words “and approved by the Secretary of State”.
Pensions Act 2004 (c. 35)	In section 230(3), in the definition of “prescribed guidance”, the words from “and, if the regulations” to the end.

Pensions Act 2007

LIST OF OMISSIONS

The following provisions have been omitted from the text for the reasons stated below:-

- s. 1 amends Schedule 3 to the S.S. Conts and Bens. Act 1992
- s. 3 inserts s. 23A into and amends Schedule 3 to the S.S. Conts. and Bens. Act 1992
- s. 8 amends legislation not reproduced in these volumes
- s. 9 inserts ss. 44B & 44C into the S.S. Conts. and Bens. Act 1992
- s. 10 amends Schedule 4a to the S.S. Conts and Bens. Act 1992
- s. 11 amends ss. 45 and 122 of the S.S. Conts and Bens. Act 1992
- s. 12(1) - (4) amends ss. 22, 44 & 122 of the S.S. Conts and Bens. Act 1992
- s. 14 inserts ss. 24A-G into the S.S. Pension Schemes Act 1993
- s. 16 amends s. 273 of the Pensions Act 2004 (c. 35) which substitutes new section 50 to 50B for section 50 of the Pensions Act 1995 (c. 26)

Sch. 1,

- para. 1 amends s. 44 of the S.S. Conts and Bens. Act 1992
- para. 2 amends s. 48A of the S.S. Conts and Bens. Act 1992
- para. 3 amends s. 48B of the S.S. Conts and Bens. Act 1992
- para. 4 amends s. 60 of the S.S. Conts and Bens. Act 1992
- para. 5 inserts s. 60A into the S.S. Conts and Bens. Act 1992
- para. 9 inserts subsec. (5A) into s. 22 of the S.S. Conts and Bens. Act 1992
- para. 10 inserts subsec. (1)(aa) into s. 176 of the S.S. Conts and Bens. Act 1992
- para. 11 amends Sch. 1 to the Welfare Reform Act 2007 (c. 5)
- para. 33 amends s. 22 of the S.S. Conts and Bens. Act 1992
- para. 34 amends s. 44A of the S.S. Conts and Bens. Act 1992
- para. 35 amends s. 176 of the S.S. Conts and Bens. Act 1992
- para. 36 amends s. 12B of the P.S. Act 1993
- para. 37 amends s. 41 of the P.S. Act 1993
- para. 38 amends s. 181 of the P.S. Act 1993
- para. 39 amends Sch. 4 to the P.S. Act 1993

PENSIONS ACT 2007 (c. 22)

Annex 1

Sch. 2,

- para. 1 inserts Sch. 4B into the S.S. Conts and Bens. Act 1992
- para. 2 inserts s. 148AA into the S.S. Admin. Act 1992
- para. 3 amends s. 39 of the S.S. Conts and Bens. Act 1992
- para. 4 amends s. 39C of the S.S. Conts and Bens. Act 1992
- para. 5 amends s. 44 of the S.S. Conts and Bens. Act 1992
- para. 6 amends s. 46 of the S.S. Conts and Bens. Act 1992
- para. 7 amends s. 48A of the S.S. Conts and Bens. Act 1992
- para. 8 amends s. 48B of the S.S. Conts and Bens. Act 1992
- para. 9 amends s. 48BB of the S.S. Conts and Bens. Act 1992
- para. 10 amends s. 48C of the S.S. Conts and Bens. Act 1992
- para. 11 amends Sch. 4a to the S.S. Conts and Bens. Act 1992
- para. 12 amends s. 42 of the P.S. Act 1993

Sch. 3,

- paras. 1 & 2 amend s. 126 of the Pensions Act 1995
- paras. 3 & 4 amend Sch. 4 to the Pensions Act 1995 (c. 26)

Sch. 5,

- paras. 1 - 4 amend legislation not reproduced in these volumes
- para. 5 amends s. 12A of the P.S. Act 1993
- para. 6 amends s. 113 of the P.S. Act 1993
- para. 7 amends s. 67D of the Pensions Act 1995 (c. 26)
- para. 8 amends s. 119 of the Pensions Act 1995 (c. 26)
- para. 9 amends s. 230 of the Pensions Act 2004 (c. 35)

Sch. 5,

- paras. 20 - 23 amend legislation not reproduced in these volumes

PENSIONS ACT 2007

COMMENCEMENT DATES

(a) List of Commencement Orders

<i>S.I. No.</i>	<i>Title of Order</i>	<i>Page no. (if reproduced in these volumes)</i>
2007/3063	The Pensions Act 2007 (Commencement No. 1) Order 2007	5.4823
2007/3512	The Pensions Act 2007 (Commencement No. 2) Order 2007	5.4825
2009/406	The Pensions Act 2007 (Commencement No. 3) Order 2009	5.4827
2011/1267	The Pensions Act 2007 (Commencement No. 4) Order 2011	5.4831

(b) dates on which provisions of the Pensions Act 1995 came into force [Note: In the list below only those sections commenced will be included]

<i>Section etc. of Pensions Act 2004</i>	<i>Date of commencement</i>	<i>Commencing authority</i>
sections 1 to 4	27th September 2007	Royal Assent
sections 5 and 6	26th July 2007	Royal Assent
sections 7 to 13	27th September 2007	Royal Assent
section 14	6th April 2009	2009/406
section 15(1)	6th April 2012	2011/1267
sections 15(2) to 16	27th September 2007	Royal Assent
section 17	1st November 2007	2007/3060
sections 18(4) to 31	26th July 2007	Royal Assent
Schedule 1		
paras. 1 to 18	27th September 2007	Royal Assent
paras. 19 to 32	26th July 2007	Royal Assent
paras. 33 to 44	27th September 2007	Royal Assent
Schedule 2	27th September 2007	Royal Assent
Schedule 3	27th September 2007	Royal Assent
Schedule 4		
paras. 1 to 41	27th September 2007	Royal Assent
paras. 59(1)		
59(2) & (4)		
60	6th April 2012	2011/12267
paras. 61 to 67	27th September 2007	Royal Assent
Schedule 5	1st November 2007	2007/3060
Schedule 6	27th September 2007	Royal Assent
Schedule 7		
parts 1 to 6	27th September 2007	Royal Assent
part 7	6th April 2012	2011/1267
part 8	1st November 2007	2007/3060

