1982 No. 303

PENSIONS

Pensions Increase (Review) Order (Northern Ireland) 1982

Made . . . . . *23rd September 1982*

Coming into operation . . . *22nd November 1982*

WHEREAS by virtue of Article 25 of the Social Security Pensions (Northern Ireland) Order 1975(**a**) a direction(**b**) has been given under section 120 of the Social Security (Northern Ireland) Act 1975(**c**) by the Department of Health and Social Services acting in conjunction with the Department of Finance and Personnel that the sums which are the additional components in the rate of long-term benefits are to be increased by a specified percentage.

NOW, therefore, the Department of Finance and Personnel in exercise of the powers conferred by Article 69(1)(2) and (5) of the Social Security Pensions (Northern Ireland) Order 1975(**d**) (which has effect as if it were contained in Part 1 of the Pensions (Increase) Act (Northern Ireland) 1971(**e**)) and now vested in it(**f**) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Pensions Increase (Review) Order (Northern Ireland) 1982 and shall come into operation on 22nd November 1982.

Interpretation

2.—(1) In this Order—

"the Act of 1971" means the Pensions (Increase) Act (Northern Ireland) 1971;

"basic rate" has the meaning given by section 15(1) of the Act of 1971;

"existing Orders" means — the Pensions Increase (Annual Review) Order (Northern Ireland) 1972(**g**), the Pensions Increase (Annual Review) Order (Northern Ireland) 1973(**h**), the Pensions Increase (Annual Review) Order (Northern Ireland) 1974(**i**), the Pensions Increase (Annual Review) Order (Northern Ireland) 1975(**j**), the Pensions Increase (Annual Review) Order (Northern Ireland) 1976(**k**), the Pensions Increase (Annual Review) Order (Northern Ireland) 1977(**l**), the Pensions Increase (Annual Review) Order (Northern Ireland) 1978(**m**), the Pensions Increase (Review) Order (Northern Ireland) 1979(**n**), the Pensions Increase (Review) Order (Northern Ireland)

(**a**) S.I. 1975/1503 (N.I. 15)
(**b**) Contained in S.R. 1982 No. 241 Art. 3(3)
(**c**) 1975 c. 15
(**d**) Art. 69 of S.I. 1975/1503 (N.I. 15) amended the Pensions (Increase) Act (Northern Ireland) 1971 (1971 c. 35 (N.I.)). Art. 69(5) was modified in its effect by Art. 69A (inserted by Art. 10(3) of the Social Security (Northern Ireland) Order 1979 (S.I. 1979/396 (N.I. 5))). Art. 69 was further amended by S.I. 1979/396 (N.I. 5) Art. 10(2)
(**e**) 1971 c. 35 (N.I.)
(**f**) By S.R. 1976 No. 281 Art. 3 and Sch. 1; and S.I. 1982/388 (N.I. 6) Art. 4
(**g**) S.R. & O. (N.I.) 1972 No. 263
(**h**) S.R. & O. (N.I.) 1973 No. 364
(**i**) S.R. 1974 No. 296
(**j**) S.R. 1975 No. 269
(**k**) S.R. 1976 No. 276
(**l**) S.R. 1977 No. 277
(**m**) S.R. 1978 No. 269
(**n**) S.R. 1979 No. 338

1980(a); and the Pensions Increase (Review) Order (Northern Ireland) 1981(b);

"official pension" has the meaning given by section 5(1) of the Act of 1971;

"the Order of 1975" means the Social Security Pensions (Northern Ireland) Order 1975;

"pension authority" has the meaning given by section 7(1) of the Act of 1971;

"qualifying condition" means one of the conditions laid down in section 3 of the Act of 1971;

"widow's pension" has the meaning given by section 15(1)(c) of the Act of 1971.

(2) For the purpose of this Order the time when a pension "begins" is that stated in section 8(2) of the Act of 1971.

(3) Where, for the purposes of this Order, it is necessary to calculate the number of complete months in any period an incomplete month shall be treated as a complete month if it consists of at least 16 days.

Increases in certain pensions

3.—(1) The annual rate of an official pension may, if a qualifying condition is satisfied or the pension is a widow's pension, be increased as set out in paragraphs (2) and (3) by the pension authority in respect of any period beginning on or after 22nd November 1982.

(2) A pension beginning before 23rd November 1981 may be increased by 11 per cent of the basic rate as increased by the amount of any increase under section 1 of the Act of 1971 or the existing Orders.

(3) A pension beginning on or after 23rd November 1981 and before 22nd November 1982 may be increased by 11 per cent multiplied by $\frac{A}{B}$ where A is the number of complete months in the period between the beginning of the pension and 22nd November 1982 and B is 12.

Increases in certain lump sums

4. In respect of any lump sum which became payable before 22nd November 1982 but after 22nd November 1981 there may be paid an increase of 11 per cent of the amount of the lump sum (as increased by the amount of any increase under section 1 of the Act of 1971 or under the existing Orders) multiplied by $\frac{A}{B}$ where:

(*a*) A is the number of complete months in the period between the beginning date for the lump sum (or, if later, 23rd November 1981) and the date on which it became payable; and

(*b*) B is 12:

Reductions in respect of guaranteed minimum pensions

5. Where—

(i) a person is entitled to a guaranteed minimum pension on 22nd November 1982 and

(ii) entitlement to that guaranteed minimum pension arises from an employment from which (either directly or by virtue of the payment of a transfer credit under Article 40 of the Order of 1975) entitlement to the official pension also arises;

(a) S.R. 1980 No. 364
(b) S.R. 1981 No. 307
(c) As amended by S.I. 1974/1267 (N.I. 2) Art. 5(3)(*b*)