1981 No. 307

PENSIONS

Pensions Increase (Review) Order (Northern Ireland) 1981

Made . . . . . 15th September 1981

Coming into operation . . . 23rd November 1981

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 that the sums which are the additional components in the rates of long-term benefits are to be increased by a specified percentage:

Now, therefore, the Department of the Civil Service, 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) 1981 and shall come into operation on 23rd November 1981.

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

(**a**) S.I. 1975/1503 (N.I. 15)
(**b**) Contained in S.R. 1981 No. 274 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
(**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

Ireland) 1979(**a**), and the Pensions Increase (Review) Order (Northern Ireland) 1980(**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 23rd November 1981.

(2) A pension beginning before 24th November 1980 may be increased by 9.06 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 24th November 1980 and before 23rd November 1981 may be increased by 9.06 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 23rd November 1981 and B is 12.

Increase in certain lump sums

4. In respect of any lump sum which became payable before 23rd November 1981 but after 23rd November 1980 there may be paid an increase of 9.06 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, 24th November 1980) 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 23rd November 1981 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. 1979 No. 338
(**b**) S.R. 1980 No. 364
(**c**) As amended by S.I. 1974/1267 (N.I. 2) Art. 5(3)(*b*)