

## 1978 No. 269

## PENSIONS

## Pensions Increase (Annual Review) Order (Northern Ireland) 1978

*Made* . . . . . 8th September 1978  
*Coming into operation* . . . . . 1st December 1978

The Department of the Civil Service, in exercise of the powers conferred on it by sections 2 and 9(4) of the Pensions (Increase) Act (Northern Ireland) 1971(a), as amended by Article 20 of the Superannuation (Northern Ireland) Order 1972(b) and Articles 3 and 5 of the Pensions (Increase) (Northern Ireland) Order 1974(c), and now vested in it(d) and of every other power enabling it in that behalf, hereby makes the following Order:

1. This Order may be cited as the Pensions Increase (Annual Review) Order (Northern Ireland) 1978, and shall come into operation on 1st December 1978.

2.—(1) In this Order—

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

“the existing Orders” means the Pensions Increase (Annual Review) Order (Northern Ireland) 1972(e), the Pensions Increase (Annual Review) Order (Northern Ireland) 1973(f), the Pensions Increase (Annual Review) Order (Northern Ireland) 1974(g), the Pensions Increase (Annual Review) Order (Northern Ireland) 1975(h), the Pensions Increase (Annual Review) Order (Northern Ireland) 1976(i), and the Pensions Increase (Annual Review) Order (Northern Ireland) 1977(j).

(2) For the purposes of this Order the time when a pension begins is that stated in section 8(2) of the Act of 1971, and “beginning date” shall be construed accordingly.

3.—(1) The annual rate of an official pension may, if any qualifying condition is satisfied or the pension is a widow’s pension, be increased by the pension authority in respect of any period beginning on or after 1st December 1978, as follows:—

(a) a pension beginning on or before 1st July 1977 may be increased by 7.4 per cent. of the basic rate as increased by the amount of any increase under section 1 of the Act of 1971 or under the existing Orders;

(a) 1971 c. 35 (N.I.)

(b) S.I. 1972/1073 (N.I. 10)

(c) S.I. 1974/1267 (N.I. 2)

(d) By S.R. 1976 No. 281 Art. 3 and Sch. 1 (II, p. 1339)

(e) S.R. & O. (N.I.) 1972 No. 263 (p. 1400)

(f) S.R. & O. (N.I.) 1973 No. 364 (II, p. 2063)

(g) S.R. 1974 No. 296 (II, p. 1396)

(h) S.R. 1975 No. 269 (II, p. 1272)

(i) S.R. 1976 No. 276 (II, p. 1332)

(j) S.R. 1977 No. 277 (II, p. 1523)

- (b) a pension beginning in the six months following 1st July 1977 may be increased by 9.6 per cent. of the basic rate;
- (c) a pension beginning in the six months following 1st January 1978 may be increased by 5.5 per cent. of the basic rate.

(2) For the purpose of showing the cumulative effect of the increases payable under section 1 of the Act of 1971, under the existing Orders and under paragraph (1), the provisions of that section, other than the provisions relating to pensions payable under the Belfast Corporation Act (Northern Ireland) 1943(k), with the effect of the existing Orders and paragraph (1) incorporated in them, are set out in the Schedule.

4. In respect of any lump sum or instalment of a lump sum which became payable in the six months ending with 1st July 1978, but for which the beginning date fell before 2nd January 1978, there may be paid an increase of 3.8 per cent. of the amount of the lump sum or instalment as increased by any increase under section 1 of the Act of 1971 or under the existing Orders.

Sealed with the Official Seal of the Department of the Civil Service for Northern Ireland on 8th September 1978.

(L.S.)

*J. Armstrong*

Assistant Secretary

## SCHEDULE

## Article 3(2)

**Provisions of section 1 of the Pensions (Increase) Act (Northern Ireland) 1971, other than the provisions relating to pensions payable under the Belfast Corporation Act (Northern Ireland) 1943, reproduced with the effect of the existing Orders and Article 3(1) of this Order incorporated in them**

1.—(1) Subject to the provisions of this Act, the annual rate of an official pension may, if any qualifying condition is satisfied or the pension is a widow's pension, be increased by the pension authority in respect of any period on or after 1st December 1978, as follows:—

- (a) a pension beginning before the year 1969 may be increased by the amount necessary to bring the rate up to the 1969 standard, that is to say to the rate arrived at by applying to the basic rate of pension the multiplier given in Schedule 1 for the year in which the pension began, and by a further 199.5462 per cent. of the rate so increased;
- (b) a pension beginning on or before 1st April 1969 but not earlier than that year may be increased by 199.5462 per cent. of the basic rate;
- (c) a pension beginning in the six months following 1st April 1969 may be increased by 194.4692 per cent. of the basic rate;
- (d) a pension beginning in the six months following 1st October 1969 may be increased by 189.3921 per cent. of the basic rate;
- (e) a pension beginning in the six months following 1st April 1970 may be increased by 179.2380 per cent. of the basic rate;
- (f) a pension beginning in the six months following 1st October 1970 may be increased by 169.0839 per cent. of the basic rate;
- (g) a pension beginning in the six months following 1st April 1971 may be increased by 156.3936 per cent. of the basic rate;
- (h) a pension beginning in the six months following 1st October 1971 may be increased by 143.9204 per cent. of the basic rate;
- (i) a pension beginning in the three months following 1st April 1972 may be increased by 139.0697 per cent. of the basic rate;
- (j) a pension beginning in the six months following 1st July 1972 may be increased by 133.3099 per cent. of the basic rate;
- (k) a pension beginning in the six months following 1st January 1973 may be increased by 124.2226 per cent. of the basic rate;
- (l) a pension beginning in the six months following 1st July 1973 may be increased by 114.2338 per cent. of the basic rate;
- (m) a pension beginning in the six months following 1st January 1974 may be increased by 103.7126 per cent. of the basic rate;
- (n) a pension beginning in the six months following 1st July 1974 may be increased by 86.0037 per cent. of the basic rate;
- (o) a pension beginning in the six months following 1st January 1975 may be increased by 72.4814 per cent. of the basic rate;
- (p) a pension beginning in the six months following 1st July 1975 may be increased by 50.6805 per cent. of the basic rate;
- (q) a pension beginning in the six months following 1st January 1976 may be increased by 37.5339 per cent. of the basic rate;
- (r) a pension beginning in the six months following 1st July 1976 may be increased by 28.3430 per cent. of the basic rate;
- (s) a pension beginning in the six months following 1st January 1977 may be increased by 19.6436 per cent. of the basic rate;
- (t) a pension beginning in the six months following 1st July 1977 may be increased by 9.6 per cent. of the basic rate;
- (u) a pension beginning in the six months following 1st January 1978 may be increased by 5.5 per cent. of the basic rate.

(2) In the case of a pension beginning before the year 1969 the increase authorised by subsection (1)(a) shall take the place of those authorised by the Pensions (Increase) Acts (Northern Ireland) 1920 to 1969, but in the cases provided for by section 6 shall be of the larger amount there specified by reference to increases that might have been made under those Acts together with a further increase of 199.5462 per cent. of the pension as so increased.

### EXPLANATORY NOTE

*(This note is not part of the Order but is intended to indicate its general purport.)*

Under section 2 of the Pensions (Increase) Act (Northern Ireland) 1971 (as amended by Article 20 of the Superannuation (Northern Ireland) Order 1972) the Department of the Civil Service is required to conduct a review of rates of public service pensions against any rise in the cost of living during the review period. The Order provides for the payment, with effect from 1st December 1978, of the pension increases resulting from the 1978 review and based on the rise in the cost of living during the review period of twelve months ending with 30th June 1978. To qualify for an increase a person must satisfy one of the conditions specified in section 3 of the Act of 1971 (as amended by Article 3 of the Pensions (Increase) (Northern Ireland) Order 1974) or the pension must be a widow's pension.

For pensions (or deferred lump sums) which began on or before 1st July 1977 the increase is of the percentage by which the cost of living rose during the review period (7.4%). For pensions (or deferred lump sums) which began in the six months following 1st July 1977, or in the six months following 1st January 1978, the increases (9.6% and 5.5% respectively) are of the percentage by which the cost of living at the end of the review period exceeded its mean level during the respective periods of six months ending 31st July 1977 and six months ending 31st January 1978.

The Order reproduces, in the Schedule, the general provisions of section 1 of the Act of 1971 with the effect of the existing Orders and this Order incorporated in them so as to indicate the cumulative increases payable under the Act and the annual review Orders.

The Order also provides for the payment, as a result of the review, of increases in certain lump sums, payment of which was deferred and which became payable in the six months ending with 1st July 1978.