



Social Security Administration Act 1992

1992 CHAPTER 5

PART X

REVIEW AND ALTERATION OF BENEFITS

150 Annual up-rating of benefits

- (1) The Secretary of State shall in each tax year review the sums—
- (a) specified in the following provisions of the Contributions and Benefits Act—
 - [^{F1}(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;] and
 - (iii) paragraphs 2(6)(c) and 6(2)(b) of Schedule 8;
 - [^{F2}(aa) specified in regulations under section 30B(7) of that Act;]
 - [^{F3}(ab) specified in regulations under section 39(2A) or section 39C(1A) of that Act;]
 - [^{F4}(ac) specified in regulations under section 52(3) of that Act;]
 - (b) specified in regulations under section 72(3) or 73(10) of that Act;
 - (c) which are the additional pensions in long-term benefits;
 - [^{F5}(ca) which are shared additional pensions;]
 - (d) which are the increases in the rates of retirement pensions under Schedule 5 to the Contributions and Benefits Act;
 - [^{F6}(dza) which are lump sums to which surviving spouses [^{F7}or civil partners] will become entitled under paragraph 7A of that Schedule on becoming entitled to a Category A or Category B retirement pension;]
 - [^{F8}(da) which are the increases in the rates of shared additional pensions under [^{F9}paragraph 2 of Schedule 5A to] that Act;]
 - (e) which are—
 - (i) payable by virtue of [^{F10}section 15(1)] of the Pensions Act to a [^{F11}relevant person] (including sums payable by virtue of [^{F10}section 17(2)]); or

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(ii) payable to such a person as part of his Category A or Category B retirement pension by virtue of an order made under this section by virtue of this paragraph or made under section 126A of the 1975 Act or section 63(1)(d) of the 1986 Act;

- ^{F12}(f)
- (g) falling to be calculated under paragraph 13(4) of Schedule 7 to that Act;
- (h) prescribed for the purposes of section 128(5) or 129(8) of that Act or specified in regulations under section 135(1) [^{F13}of that Act];
- (i) specified by virtue of section 145(1) of that Act;
- (j) specified in section 157(1) of that Act or in regulations under [^{F14}section 166(1)(b), 171ZE(1) [^{F15}, [^{F16}171ZN(2E)(b) [^{F17}, 171ZY(1) or 171ZZ9(1)]]];
- [^{F18}(k) specified in regulations under sections 4(2) or (5) of the Jobseekers Act 1995;]
- [^{F19}(l) specified in regulations under sections 2 or 3 of the State Pension Credit Act 2002 [^{F20}(other than those prescribing the amounts mentioned in section 150A(1)(d) below)];]
- [^{F21}(m) specified in regulations under section 2(1)(a) or (4)(c) or 4(2)(a) or (6)(c) of the Welfare Reform Act 2007;]
- [^{F22}(n) specified in regulations under sections 9 to 12 of the Welfare Reform Act 2012;]
- [^{F23}(o) specified in regulations under section 78(3) or 79(3) of that Act;]
- [^{F24}(p) which are the increases in the rates of state pensions under section 17 of the Pensions Act 2014;]
- [^{F25}(q) specified in regulations under section 30 of the Pensions Act 2014 (bereavement support payment)];

in order to determine whether they have retained their value in relation to the general level of prices obtaining in Great Britain estimated in such manner as the Secretary of State thinks fit.

[^{F26}(1A) In subsection (1)(e)(i) “relevant person” means a person—

- (a) who became entitled to a Category A or Category B retirement pension before the day on which section 2(1) of the Pensions Act 2011 comes into force, and
- (b) to whom sums became payable by virtue of section 15(1) of the Pension Schemes Act 1993 (including sums payable by virtue of section 17(2)) before that day.

(1B) In subsection (1A)—

- (a) a reference to becoming entitled to a pension before a day includes a reference to becoming entitled on or after that day to the payment of a pension in respect of a period before that day;
- (b) a reference to sums becoming payable before a day includes a reference to sums becoming payable on or after that day in respect of a period before that day.]

(2) Where it appears to the Secretary of State that the general level of prices 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 up-rating order—

- (a) which increases each of the sums to which subsection (3) below applies by a percentage not less than the percentage by which the general level of prices is greater at the end of the period than it was at the beginning; and

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- (b) if he considers it appropriate, having regard to the national economic situation and any other matters which he considers relevant, which also increases by such a percentage or percentages as he thinks fit any of the sums mentioned in subsection (1) above but to which subsection (3) below does not apply; and
 - (c) stating the amount of any sums which are mentioned in subsection (1) above but which the order does not increase.
- (3) This subsection applies to sums—
- (a) specified in Part I, [F27] paragraphs [F28] 1 to 5] of Part III], Part IV or Part V of Schedule 4 to the Contributions and Benefits Act [F29](excluding the provisions of Parts 1 and 5 of the Schedule that specify amounts mentioned in section 150A(1) below)];
 - (b) mentioned in subsection (1)(a)(ii) or (iii), [F30(aa),][F31(ab),] (b), (c), (d), [F32(dza),] (e) [F33, (g) or (o)] above.
- (4) Subsection (2) above shall not require the Secretary of State to provide for an increase in any case in which it appears to him that the amount of the increase would be inconsiderable.
- (5) 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 any sum up or down to such extent as he thinks appropriate.
- (6) Where subsection (2) above requires the Secretary of State to lay before Parliament the draft of an order increasing any sum that could be reduced under section 154(1) below, the order may make such alteration to that sum as reflects the combined effect of that increase and of any reduction that could be made under that subsection.
- (7) If the Secretary of State considers it appropriate to do so, he may include in the draft of an up-rating order, in addition to any other provisions, provisions increasing any of the sums for the time being specified in regulations under Part VII of the Contributions and Benefits Act [F34] or under the Jobseekers Act 1995,][F35, the State Pension Credit Act 2002 or Part 1 of the Welfare Reform Act 2007][F36] or Part 1 of the Welfare Reform Act 2012] or which are additions to income support under regulations made under section 89 of the 1986 Act.

[F37]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.]

F38(7A)

- (8) The Secretary of State shall lay with any 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 such parts of the order as relate to sums payable out of that Fund.
- (9) If a draft order laid before Parliament in pursuance of this section is approved by a resolution of each House, the Secretary of State shall make the order in the form of the draft.
- (10) [F39]Subject to subsection (10ZA),] an order under this section—
 - (a) shall be framed so as to bring the alterations to which it relates into force—
 - (i) in the week beginning with the first Monday in the tax year [F40] following that in which the order is made]; or
 - (ii) on such earlier date in April as may be specified in the order;

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- (b) may make such transitional provision as the Secretary of State considers expedient in respect of periods of entitlement—
 - (i) to [^{F41}working families' tax credit];
 - (ii) to [^{F41}disabled person's tax credit]; or
 - (iii) to statutory sick pay, running at the date when the alterations come into force.

[^{F42}(10ZA) An order under this section shall be framed so that—

- (a) any alteration to any of the sums referred to in subsection (1)(n) or otherwise specified in regulations under Part 1 of the Welfare Reform Act 2012 (universal credit) comes into force in relation to a person on the relevant day; and
- (b) any other alteration to which the order relates comes into force, for the purposes of determining the amount of universal credit to which a person is entitled, on the relevant day.

(10ZB) In subsection (10ZA) “relevant day”, in relation to a person, means the first day of the first universal credit assessment period in respect of the person which begins on or after—

- (a) the Monday of the week specified in subsection (10)(a)(i), or
- (b) any earlier date specified under subsection (10)(a)(ii).]

[^{F43}(10A) Where a member of [^{F44}a scheme which was at a time before [^{F45}6 April 2012 (the date appointed for the commencement of section 15(1) of the Pensions Act 2007)]] an appropriate personal pension scheme or a money purchase contracted-out scheme continues in employment after attaining pensionable age and the commencement of his pension under the scheme is postponed, the preceding provisions of this section shall have effect as if—

- (a) the guaranteed minimum pension to which he is treated as entitled by virtue of section 48(2)(a) of the Pensions Act were subject to increases in accordance with the provisions of section 15(1) of that Act; and
- (b) the amounts of any notional increases referred to in paragraph (a) above were subject to annual up-rating in the same way as if they were sums to which subsection (1)(e)(i) above applied.]

[^{F46}(10B) Subsection (10A) does not have effect unless—

- (a) the member became entitled to a Category A or Category B retirement pension before the day on which section 2(2) of the Pensions Act 2011 comes into force, and
- (b) the member's postponed pension under the scheme became payable before that day.

(10C) In subsection (10B)—

- (a) a reference to becoming entitled to a pension before a day includes a reference to becoming entitled on or after that day to the payment of a pension in respect of a period before that day;
- (b) a reference to a pension becoming payable before a day includes a reference to a pension becoming payable on or after that day in respect of a period before that day.]

(11) So long as sections 36 and 37 of the ^{M1}National Insurance Act 1965 (graduated retirement benefit) continue in force by virtue of regulations made under Schedule 3

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to the ^{M2}Social Security (Consequential Provisions) Act 1975 or under Schedule 3 to the Consequential Provisions Act, regulations may make provision for applying the provisions of this section—

- [^{F47}(a) to the amount of graduated retirement benefit payable for each unit of graduated contributions,
- (b) to increase of such benefit under any provisions made by virtue of section 24(1)(b) of the Social Security Pensions Act 1975 or section 62(1)(a) of the Contributions and Benefits Act, and
- (c) to any addition under section 37(1) of the National Insurance Act 1965 (addition to weekly rate of retirement pension for widows and widowers) to the amount of such benefit.]

[^{F48}(12) So long as sections 36 and 37 of the National Insurance Act 1965 continue in force as mentioned in subsection (11), this section applies as if subsections (1) and (3) included the sums mentioned in subsection (13).

- (13) Those sums are lump sums to which surviving spouses or civil partners will become entitled, by virtue of regulations made under section 62(1)(c) of the Contributions and Benefits Act, on becoming entitled to—
- (a) a Category A or Category B retirement pension; or
- (b) graduated retirement benefit.]

Textual Amendments

- F1** S. 150(1)(a)(i)(ii) substituted (with effect in relation to the tax year 2010-11 and subsequent tax years) by Pensions Act 2007 (c. 22), ss. 6(2)(a), 30(1)(a)(3) (with ss. 5(3)-(7), 6(7)); S.I. 2010/2650
- F2** S. 150(1)(aa) inserted (18.11.1994) by Social Security (Incapacity for Work) Act 1994 (c. 18), ss 2(3), 16(3); S.I. 1994/2926, art. 2(1), Sch. Pt. 1
- F3** S. 150(1)(ab) inserted (with effect in relation to the tax year 2010-11 and subsequent tax years) by Pensions Act 2007 (c. 22), ss. 6(2)(b), 30(1)(a)(3) (with ss. 5(3)-(7), 6(7)); S.I. 2010/2650
- F4** S. 150(1)(ac) inserted (6.4.2016) by Pensions Act 2014 (c. 19), s. 56(4), Sch. 12 para. 70 (with Sch. 12 para. 87)
- F5** S. 150(1)(ca) inserted (1.12.2000) by Welfare Reform and Pensions Act 1999 (c. 30), s. 89(1), Sch. 12 para. 24(a); S.I. 2000/1047, art. 2(2)(d), Sch. Pt. IV
- F6** S. 150(1)(dza) inserted (18.11.2004 for specified purposes, 6.4.2005 in so far as not already in force) by Pensions Act 2004 (c. 35), s. 322(3)(a), Sch. 11 para. 21(a)
- F7** Words in s. 150(1)(dza) inserted (5.12.2005) by The Civil Partnership (Pensions and Benefit Payments) (Consequential, etc. Provisions) Order 2005 (S.I. 2005/2053), art. 1(3), Sch. para. 8
- F8** S. 150(1)(da) inserted (1.12.2000) by Welfare Reform and Pensions Act 1999 (c. 30), s. 89(1), Sch. 12 para. 24(b); S.I. 2000/1047, art. 2(2)(d), Sch. Pt. IV
- F9** Words in s. 150(1)(da) substituted (18.11.2004 for specified purposes, 6.4.2005 in so far as not already in force) by Pensions Act 2004 (c. 35), s. 322(3)(a), Sch. 11 para. 21(b)
- F10** Words in s. 150(1)(e)(i) substituted (7.2.94) by Pension Schemes Act 1993 (c. 48), s. 193(2), Sch. 8 para. 28(a); S.I. 1994/86, art. 2
- F11** Words in s. 150(1)(e)(i) substituted (6.4.2012) by Pensions Act 2011 (c. 19), ss. 2(1)(a), 38(4); S.I. 2011/3034, art. 4(a)
- F12** S. 150(1)(f) repealed (6.4.2003) by Tax Credits Act 2002 (c. 21), s. 61, Sch. 6; S.I. 2003/938, art. 2, Sch. (with art. 3)
- F13** Words in s. 150(1)(h) inserted (6.4.2003) by Tax Credits Act 2002 (c. 21), s. 61, Sch. 3 para. 35; S.I. 2003/962, art. 2(3)(d)(iii)
- F14** Words in s. 150(1)(j) substituted (6.4.2003) by Employment Act 2002 (c. 22), s. 55(2), Sch. 7 para. 14; S.I. 2002/2866, art. 2(3), Sch. 1 Pt. 3

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- F15** Word in s. 150(1)(j) inserted (6.4.2010) by Work and Families Act 2006 (c. 18), s. 19(2), **Sch. 1 para. 26**; S.I. 2010/495, art. 4(d)
- F16** Words in s. 150(1)(j) substituted (5.4.2015) by Children and Families Act 2014 (c. 6), s. 139(6), **Sch. 7 para. 26**; S.I. 2014/1640, art. 7(j) (with art. 16)
- F17** Words in s. 150(1)(j) substituted (18.1.2020) by Parental Bereavement (Leave and Pay) Act 2018 (c. 24), s. 2(2), **Sch. para. 17**; S.I. 2020/45, reg. 2
- F18** S. 150(1)(k) inserted (11.6.96) by Jobseekers Act 1995 (c. 18), s. 41(2), **Sch. 2 para. 64(2)**; S.I. 1996/1509, art. 2, Sch.
- F19** S. 150(1)(l) inserted (2.7.2002 for specified purposes, 6.10.2003 in so far as not already in force) by State Pension Credit Act 2002 (c. 16), s. 22(3), **Sch. 2 para. 16(2)**; S.I. 2002/1691, art. 2(1); S.I. 2003/1766, art. 2(a)
- F20** Words in s. 150(1)(l) inserted (with effect in relation to the tax year 2007-08 and subsequent tax years) by Pensions Act 2007 (c. 22), **ss. 6(2)(c), 30(1)(a)(3)** (with s. 6(8))
- F21** S. 150(1)(m) inserted (27.10.2008) by Welfare Reform Act 2007 (c. 5), s. 70(2), **Sch. 3 para. 10(21)(a)**; S.I. 2008/787, art. 2(4)(f)
- F22** S. 150(1)(n) inserted (29.4.2013) by Welfare Reform Act 2012 (c. 5), s. 150(3), **Sch. 2 para. 22(a)**; S.I. 2013/983, art. 3(1)(b)(ii)
- F23** S. 150(1)(o) inserted (8.4.2013 for specified purposes, 10.6.2013 in so far as not already in force) by Welfare Reform Act 2012 (c. 5), s. 150(3), **Sch. 9 para. 17(a)**; S.I. 2013/358, art. 7(1)(2)(k), Sch. 3; S.I. 2013/1250, art. 2
- F24** S. 150(1)(p) inserted (6.4.2016) by Pensions Act 2014 (c. 19), s. 56(4), **Sch. 12 para. 18**
- F25** S. 150(1)(q) inserted (6.4.2017) by Pensions Act 2014 (c. 19), s. 56(1), **Sch. 16 para. 30**; S.I. 2017/297, art. 3(2) (with arts. 4, 5)
- F26** S. 150(1A)(1B) inserted (6.4.2012) by Pensions Act 2011 (c. 19), **ss. 2(1)(b), 38(4)**; S.I. 2011/3034, art. 4(a)
- F27** Words in s. 150(3)(a) substituted (18.11.1994) by Social Security (Incapacity for Work) Act 1994 (c. 18), **ss 9(4), 16(3)**; S.I. 1994/2926, art. 2(1), Sch. Pt. 1
- F28** Words in s. 150(3)(a) substituted (with effect in relation to the tax year 2010-11 and subsequent tax years) by Pensions Act 2007 (c. 22), **ss. 6(3)(a), 30(1)(a)(3)** (with ss. 5(3)-(7), 6(7)); S.I. 2010/2650
- F29** Words in s. 150(3)(a) inserted (with effect in relation to the tax year 2010-11 and subsequent tax years) by Pensions Act 2007 (c. 22), **ss. 6(3)(a), 30(1)(a)(3)** (with ss. 5(3)-(7), 6(7)); S.I. 2010/2650
- F30** Word in s. 150(3) inserted (18.11.1994) by Social Security (Incapacity for Work) Act 1994 (c. 18), **ss 2(3), 16(3)**; S.I. 1994/2926, art. 2(1), Sch. Pt. 1
- F31** Word in s. 150(3)(b) inserted (with effect in relation to the tax year 2010-11 and subsequent tax years) by Pensions Act 2007 (c. 22), **ss. 6(3)(b), 30(1)(a)(3)** (with ss. 5(3)-(7), 6(7)); S.I. 2010/2650
- F32** Word in s. 150(3)(b) inserted (18.11.2004 for specified purposes, 6.4.2005 in so far as not already in force) by Pensions Act 2004 (c. 35), s. 322(3)(a), **Sch. 11 para. 21(c)**
- F33** Words in s. 150(3)(b) substituted (8.4.2013 for specified purposes, 10.6.2013 in so far as not already in force) by Welfare Reform Act 2012 (c. 5), s. 150(3), **Sch. 9 para. 17(b)**; S.I. 2013/358, art. 7(1)(2)(k), Sch. 3; S.I. 2013/1250, art. 2
- F34** Words in s. 150(7) inserted (11.6.96) by Jobseekers Act 1995 (c. 18), s. 41(2), **Sch. 2 para. 64(3)**; S.I. 1996/1509, art. 2, Sch.
- F35** Words in s. 150(7) substituted (27.10.2008) by Welfare Reform Act 2007 (c. 5), s. 70(2), **Sch. 3 para. 10(21)(b)**; S.I. 2008/787, art. 2(4)(f)
- F36** Words in s. 150(7) inserted (29.4.2013) by Welfare Reform Act 2012 (c. 5), s. 150(3), **Sch. 2 para. 22(b)**; S.I. 2013/983, art. 3(1)(b)(ii)
- F37** Words in s. 150(7) inserted (with effect in relation to the tax year 2007-08 and subsequent tax years) by Pensions Act 2007 (c. 22), **ss. 6(4), 30(1)(a)(3)** (with s. 6(8))
- F38** S. 150(7A) omitted (16.3.2016) by virtue of Welfare Reform and Work Act 2016 (c. 7), **ss. 9(7), 36(1)(a)**
- F39** Words in s. 150(10) inserted (26.11.2014 with effect in accordance with reg. 1(2) of the amending S.I.) by The Universal Credit and Miscellaneous Amendments (No.2) Regulations 2014 (S.I. 2014/2888), regs. 1(1), **7(1)(a)(i)**

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- F40** Words in s. 150(10)(a)(i) inserted (with effect in accordance with s. 5(3)-(7)) by Pensions Act 2007 (c. 22), s. 30(1)(a)(3), **Sch. 1 para. 21**; S.I. 2010/2650
- F41** Words in s. 150(10)(b) substituted (5.10.1999) by Tax Credits Act 1999 (c. 10), s. 20(2), Sch. 1 paras. 1, **3(e)**
- F42** S. 150(10ZA)(10ZB) inserted (26.11.2014 with effect in accordance with reg. 1(2) of the amending S.I.) by The Universal Credit and Miscellaneous Amendments (No.2) Regulations 2014 (S.I. 2014/2888), regs. 1(1), **7(1)(a)(ii)**
- F43** S. 150(10A) inserted (7.2.94) by Pension Schemes Act 1993 (c. 48), s. 193(2), **Sch. 8 para 28(b)**; S.I. 1994/86, art. 2
- F44** Words in s. 150(10A) inserted (6.4.2012) by The Pensions Act 2007 (Abolition of Contracting-out for Defined Contribution Pension Schemes) (Consequential Amendments) (No. 2) Regulations 2011 (S.I. 2011/1724), regs. 1(2), **2(2)**
- F45** Words in s. 150(10A) substituted (6.4.2016) by Pensions Act 2014 (c. 19), s. 56(4), **Sch. 13 para. 56**
- F46** S. 150(10B)(10C) inserted (6.4.2012) by Pensions Act 2011 (c. 19), **ss. 2(2)**, 38(4); S.I. 2011/3034, art. 4(a)
- F47** Words in s. 150(11) substituted (19.7.1995) by Pensions Act 1995 (c. 26), **ss. 131(2)**, 180(2)
- F48** S. 150(12)(13) added (26.10.2006) by The Social Security (Graduated Retirement Benefit) (Consequential Provisions) Order 2006 (S.I. 2006/2839), arts. 1, **2**

Modifications etc. (not altering text)

- C1** S. 150 modified (temp.) (18.11.1994) by Social Security (Incapacity for Work) Act 1994 (c. 18), **ss 2(7)**, 16(3); S.I. 1994/2926, art. 2(1), **Sch. Pt. 1**
- C2** S. 150 modified by The Social Security (Incapacity Benefit) (Transitional) Regulations 1995 (S.I. 1995/310), regs. 1(1), **18(3)(8)(d)**
- C3** S. 150 modified (20.1.2009) by The Employment and Support Allowance (Up-rating Modification) (Transitional) Regulations 2008 (S.I. 2008/3270), regs. 1, **2**
- C4** S. 150 modified (with effect for the tax year ending 5.4.2010) by Welfare Reform Act 2009 (c. 24), **ss. 23**, 61(1)
- C5** S. 150(1)(2) modified (temp.) (16.3.2016) by Welfare Reform and Work Act 2016 (c. 7), **ss. 11(3)(4)**, 36(1)(b)

Marginal Citations

- M1** 1965 c. 51.
M2 1975 c. 18.

[^{F49}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—
- [the amount specified in regulations under section 3(1) of the Pensions Act ^{F50}(za) 2014 (full rate of state pension);]
- (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

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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.
 - (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) [^{F51}Subject to subsection (7A),] 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.
- [An order under this section shall be framed so that any alteration to which the order
- ^{F52}(7A) relates comes into force, for the purposes of determining the amount of universal credit to which a person is entitled, on the relevant day.
 - (7B) In subsection (7A) “relevant day”, in relation to a person, means the first day of the first universal credit assessment period in respect of the person which begins on or after the Monday of the week specified in subsection (7).]
 - (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, ^{F53}...
 - (b) the [^{F54}amount specified in paragraph 7] of Part 3 of that Schedule [^{F55}, and
 - (c) any amount specified in regulations under section 78(9) of the Contributions and Benefits Act for a Category C retirement pension;]
 - “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.]

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Textual Amendments

- F49** S. 150A inserted (with effect for specified purposes in relation to the tax year 2007-08 and subsequent tax years and for remaining purposes in relation to the tax year 2010-11 and subsequent tax years) by Pensions Act 2007 (c. 22), ss. 5(1), 30(1)(a)(3) (with s. 5(3)-(7)); S.I. 2010/2650
- F50** S. 150A(1)(za) inserted (6.4.2016) by Pensions Act 2014 (c. 19), s. 56(4), Sch. 12 para. 19
- F51** Words in s. 150A(7) inserted (26.11.2014 with effect in accordance with reg. 1(2) of the amending S.I.) by The Universal Credit and Miscellaneous Amendments (No.2) Regulations 2014 (S.I. 2014/2888), regs. 1(1), 7(1)(b)(i)
- F52** S. 150A(7A)(7B) inserted (26.11.2014 with effect in accordance with reg. 1(2) of the amending S.I.) by The Universal Credit and Miscellaneous Amendments (No.2) Regulations 2014 (S.I. 2014/2888), regs. 1(1), 7(1)(b)(ii)
- F53** Word in s. 150A(10) omitted (6.4.2016) by virtue of Pensions Act 2014 (c. 19), s. 56(4), Sch. 12 para. 82(a) (with Sch. 12 para. 87)
- F54** Words in s. 150A(10) substituted (6.4.2016) by Pensions Act 2014 (c. 19), s. 56(4), Sch. 12 para. 82(b) (with Sch. 12 para. 87)
- F55** Words in s. 150A(10) inserted (6.4.2016) by Pensions Act 2014 (c. 19), s. 56(4), Sch. 12 para. 82(c) (with Sch. 12 para. 87)

Modifications etc. (not altering text)

- C6** S. 150A modified (with effect in relation to the tax year ending with 5.4.2021) by Social Security (Up-rating of Benefits) Act 2020 (c. 23), ss. 1, 2(2)
- C7** S. 150A modified (with effect in relation to the tax year ending with 5.4.2022) by Social Security (Up-rating of Benefits) Act 2021 (c. 32), ss. 1(2), 2(2)

151 Up-rating—supplementary

- (1) Any increase under section 150 above of the sums mentioned in subsection (1)(c) of that section shall take the form of a direction that those sums shall be increased by a specified percentage of their amount apart from the order and shall apply [^{F56}subject to section 156 and] only in relation to additional pensions calculated under section 45 of the Contributions and Benefits Act by reference to final relevant years which are—
- earlier than the tax year preceding that in which the order comes into force; or
 - if the order comes into force on or after 6th May in any tax year, earlier than that year.
- (2) Any increase under section 150 above of the sums mentioned in [^{F57}subsection (1)(d), [^{F58}(dza), (e) or (p)]] of that section shall take the form of a direction that those sums shall be increased by a specified percentage of their amount apart from the order and [^{F59}—
- [^{F60}in the case of the sums mentioned in subsection (1)(d) or (e) of that section,] shall apply only in relation to sums calculated under Schedule 5 to the Contributions and Benefits Act by reference to periods of deferment which have ended before the coming into force of the order [^{F61}, and
 - in the case of the sums mentioned in subsection (1)(p) of that section, shall apply only in relation to sums calculated under section 17 of the Pensions Act 2014 by reference to periods which have ended before the coming into force of the order.]
- (3) An increase in a sum such as is specified in section 150(1)(e)(ii) above shall form part of the Category A or Category B retirement pension of the person to whom it is paid

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and an increase in a sum such as is specified in section 150(1)(e)(i) above shall be added to and form part of that pension but shall not form part of the sum increased.

- (4) Where an increment under [^{F62}section 15(1)] of the Pensions Act—
- (a) is increased in any tax year by an order under [^{F62}section 109] of that Act; and
 - (b) in that year also falls to be increased by an order under section 150 above,
- the increase under that section shall be the amount that would have been specified in the order, but for this subsection, less the amount of the increase under [^{F62}section 109].

^{F63}(5)

- (6) Any increase under section 150 above of any of the sums which are additions to income support mentioned in section 150(7) above shall take the form of a direction that any such sum shall be increased by a specified percentage of its amount apart from the order.

Textual Amendments

- F56** Words in s. 151(1) inserted (19.7.1995) by Pension Act 1995 (c. 26), ss. 130(2), 180(2)
- F57** Words in s. 151(2) substituted (18.11.2004 for specified purposes, 6.4.2005 in so far as not already in force) by Pensions Act 2004 (c. 35), s. 322(3)(a), Sch. 11 para. 22(a)
- F58** Words in s. 151(2) substituted (6.4.2016) by Pensions Act 2014 (c. 19), s. 56(4), Sch. 12 para. 20(a)
- F59** Words in s. 151(2) inserted (6.4.2016) by Pensions Act 2014 (c. 19), s. 56(4), Sch. 12 para. 20(b)
- F60** Words in s. 151(2) inserted (18.11.2004 for specified purposes, 6.4.2005 in so far as not already in force) by Pensions Act 2004 (c. 35), s. 322(3)(a), Sch. 11 para. 22(b)
- F61** Words in s. 151(2) inserted (6.4.2016) by Pensions Act 2014 (c. 19), s. 56(4), Sch. 12 para. 20(c)
- F62** Words in s. 151(4) substituted (7.2.1994) by Pension Schemes Act 1993 (c. 48), s. 193(2), Sch. 8 para. 29(a); S.I. 1994/86, art. 2
- F63** S. 151(5) omitted (6.4.2012 with savings for persons who became entitled to a Category A or Category B retirement pension before that day) by virtue of Pensions Act 2011 (c. 19), ss. 2(3), 38(4) (with s. 2(4)); S.I. 2011/3034, art. 4(a)

[^{F64}151A] Up-rating of transitional state pensions under Pensions Act 2014

- (1) The Secretary of State must, in each tax year, review the general level of prices in Great Britain and any changes which have taken place.
- (2) If on a review it appears to the Secretary of State that the general level of prices has increased during the review period, the Secretary of State must make an order specifying a percentage by which the amounts mentioned in the following provisions of the Pensions Act 2014 are to be increased—
 - (a) section 9;
 - (b) paragraph 4(3) of Schedule 2;
 - (c) paragraphs 5(3) and 6 of Schedule 4;
 - (d) paragraphs 5(3) and 6 of Schedule 9.
- (3) The percentage specified in the order must not be less than the percentage by which the general level of prices has increased during the review period.
- (4) This section does not require the Secretary of State to make an order if it appears to the Secretary of State that the effect of the order on the amounts referred to in subsection (2) would be inconsiderable.

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- (5) [^{F65}Subject to subsection (5A),] an order under this section must 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.
- [An order under this section must be framed so that any alteration to which the order ^{F66}(5A) relates comes into force, for the purposes of determining the amount of universal credit to which a person is entitled, on the relevant day.
- (5B) In subsection (5A) “relevant day”, in relation to a person, means the first day of the first universal credit assessment period in respect of the person which begins on or after the Monday of the week specified in subsection (5).]
- (6) The Secretary of State must 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.
- (7) If a draft order under this section is combined with a draft up-rating order under section 150 or 150A, the report required by virtue of subsection (6) may be combined with that required by virtue of section 150(8) or 150A(5).
- (8) For the purposes of any review under this section the Secretary of State may estimate the general level of prices in such manner as the Secretary of State thinks fit.]

Textual Amendments

- F64** S. 151A inserted (6.4.2016) by [Pensions Act 2014 \(c. 19\), s. 56\(4\), Sch. 12 para. 21](#)
- F65** Words in s. 151A(5) inserted (3.11.2015 with effect in accordance with reg. 1(3)(4) of the amending S.I.) by [The Universal Credit and Miscellaneous Amendments Regulations 2015 \(S.I. 2015/1754\), regs. 1\(1\), 10\(2\)](#)
- F66** S. 151A(5A)(5B) inserted (3.11.2015 with effect in accordance with reg. 1(3)(4) of the amending S.I.) by [The Universal Credit and Miscellaneous Amendments Regulations 2015 \(S.I. 2015/1754\), regs. 1\(1\), 10\(3\)](#)

152 Rectification of mistakes in orders under section 150 [^{F67}or 150A]

- (1) If the Secretary of State is satisfied that a mistake (whether in computation or otherwise) has occurred in the preparation of the previous order under section 150 above, he may by order vary the amount of any one or more of the sums specified in an enactment mentioned in subsection (1)(a) of that section by increasing or reducing it to the level at which it would have stood had the mistake not occurred.
- [^{F68}(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.]
- (2) Where the amount of any such sum is varied under this section, then, for the purposes of the next review and order under that section, the amount of the sum shall be taken to be, and throughout the period under review to have been, its amount as so varied.

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Textual Amendments

- F67** Words in s. 152 heading inserted (with effect in accordance with s. 5(3)-(7) of the amending Act) by Pensions Act 2007 (c. 22), s. 30(1)(a)(3), **Sch. 1 para. 22(b)**
- F68** S. 152(1A) inserted (with effect in accordance with s. 5(3)-(7) of the amending Act) by Pensions Act 2007 (c. 22), s. 30(1)(a)(3), **Sch. 1 para. 22(a)**

[153 Annual review of child benefit

The Secretary of State shall review the level of child benefit in April of each year, taking account of increases in the Retail Price Index and other relevant external factors.]

Modifications etc. (not altering text)

- C8** S. 153 omitted (1.7.1992 until a day to be appointed) by Social Security (Consequential Provisions) Act 1992 (c. 6), s. 6, Sch. 4 paras. 1, 16

154 Social security benefit in respect of children

- (1) Regulations may, with effect from any day on or after that on which there is an increase in the rate or any of the rates of child benefit, reduce any sum specified in any of the provisions mentioned in subsection (2) below to such extent as the Secretary of State thinks appropriate having regard to that increase.
- (2) The provisions referred to in subsection (1) above are the following provisions of Schedule 4 to the Contributions and Benefits Act—
- (a) paragraph 6 of Part I (child's special allowance);
 - ^{F69}(b)
 - ^{F69}(c)
 - (d) paragraph 7 of Part V (increase of weekly rate of disablement pension in respect of child dependants);
 - (e) paragraph 12 of Part V (allowance in respect of deceased's children).

Textual Amendments

- F69** S. 154(2)(b)(c) repealed (1.4.2003) by Tax Credits Act 2002 (c. 21), s. 61, **Sch. 6**; S.I. 2003/392, art. 2 (with savings in S.I. 2003/962, art. 3; S.I. 2003/938, art. 5)

Changes to legislation:

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[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied (with modifications) by [S.I. 2018/1125 reg. 8](#) (This amendment not applied to legislation.gov.uk. S.I. 2018/1125, reg. 8 omitted (31.12.2020) by virtue of Private International Law (Implementation of Agreements) Act 2020 (c. 24), s. 4(3), Sch. 5 para. 4(4))
- Act modified by [S.I. 2019/1302 art. 2](#) (This amendment not applied to legislation.gov.uk S.I. 2019/1302 revoked (17.12.2020) by The Social Security (Iceland, Liechtenstein and Norway) (Citizens' Rights Agreement) (Revocation) Order 2020 (S.I. 2020/1569), arts. 1(2), 2)
- Act modified by [S.I. 2019/1303 art. 2](#) (This amendment not applied to legislation.gov.uk. S.I. 2019/1303 revoked (17.12.2020) by The Social Security (Switzerland) (Citizens' Rights Agreement) (Revocation) Order 2020 (S.I. 2020/1570), arts. 1(2), 2)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 2G(1)(d) inserted by [2012 c. 5 s. 59\(5\)](#)
- s. 5(1A)-(1C) inserted by [2009 c. 24 s. 22\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. S. 22 repealed (1.4.2013) by 2012 c. 5, s. 101(2); S.I. 2013/358, art. 4(2))
- s. 78A inserted by [2009 c. 24 s. 16\(2\)](#) (This amendment not applied to legislation.gov.uk. Ss. 16-21 repealed (1.4.2013) by 2012 c. 5, s. 73; S.I. 2012/3090, art. 2(1)(b))
- s. 121B(1)(aa) inserted by [2007 asp 3 Sch. 5 para. 19\(a\)](#) (S. 121B repealed by Finance Act 2008 (c. 9), Sch. 43 para. 14)
- s. 121B(4) words inserted by [2007 asp 3 Sch. 5 para. 19\(b\)](#) (S. 121B repealed by Finance Act 2008 (c. 9), Sch. 43 para. 14)
- s. 122F(5) inserted by [2012 c. 5 Sch. 4 para. 12\(4\)](#)
- s. 122G inserted by [2009 c. 24 s. 18](#) (This amendment not applied to legislation.gov.uk. Ss. 16-21 repealed (1.4.2013) by 2012 c. 5, s. 73; S.I. 2012/3090, art. 2(1)(b))
- s. 122H inserted by [2009 c. 24 s. 20\(3\)](#) (This amendment not applied to legislation.gov.uk. Ss. 16-21 repealed (1.4.2013) by 2012 c. 5, s. 73; S.I. 2012/3090, art. 2(1)(b))
- s. 134(2)-(2B) substituted for s. 134(2) by [2007 c. 5 s. 37](#)
- s. 148AB inserted by [2008 c. 30 Sch. 4 para. 14](#) (This amendment not applied to legislation.gov.uk. Sch. 4 paras. 13-22 repealed (1.10.2014) without ever being in force by 2014 c. 19, Sch. 12 para. 96(c); S.I. 2014/2377, art. 2(1)(a)(ii)(3)(c))
- s. 148AB(1)(2) words substituted by [2011 c. 19 Sch. 3 para. 8\(2\)](#)
- s. 148AB(9) inserted by [2011 c. 19 Sch. 3 para. 8\(3\)](#)
- s. 151(10)(b)(i)(ii) repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 160C inserted by [2012 c. 5 Sch. 2 para. 24](#)
- s. 165(1)(b)(viii) and word inserted by [2023 c. 20 Sch. para. 19\(2\)\(b\)](#)
- s. 190(1)(ac) inserted by [2009 c. 24 s. 21](#) (This amendment not applied to legislation.gov.uk. Ss. 16-21 repealed (1.4.2013) by 2012 c. 5, s. 73; S.I. 2012/3090, art. 2(1)(b))
- Sch. 4 Pt. 3 para. 5 word substituted by [S.I. 2010/978 art. 2](#)