

2006 No. 2839

SOCIAL SECURITY

**The Social Security (Graduated Retirement Benefit)
(Consequential Provisions) Order 2006**

Made - - - - - *25th October 2006*

Coming into force in accordance with Article 1

This Order is made in exercise of the powers conferred by section 319(2)(a) of the Pensions Act 2004^(a).

A draft of this instrument was laid before Parliament in accordance with section 316(2)(q) of that Act and approved by resolution of each House of Parliament.

Accordingly, the Secretary of State for Work and Pensions makes the following Order:

Citation and commencement

1. This Order may be cited as the Social Security (Graduated Retirement Benefit) (Consequential Provisions) Order 2006 and shall come into force on the day after the day on which it is made.

Amendment of the Social Security Administration Act 1992

2. In section 150 of the Social Security Administration Act 1992^(b) (annual up-rating of benefits), after subsection (11) add—

“(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.”.

^(a) 2004 c.35.
^(b) 1992 c.5.

Signed by authority of the Secretary of State for Work and Pensions.

25th October 2006

James Purnell
Minister of State,
Department for Work and Pensions

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends section 150 of the Social Security Administration Act 1992 (c.5). It allows the lump sum payable to a surviving spouse or civil partner whose spouse or civil partner died while they were deferring entitlement to graduated retirement benefit, to be up-rated in line with the annual Up-rating Orders made under that section for the years that the surviving spouse or civil partner was below State Pension age.

A Regulatory Impact Assessment has not been produced for this instrument as it has no impact on the costs of business, charities or the voluntary sector.

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