

**2010 No. 1221 (C. 78)**

**PENSIONS**

**The Pensions Act 2008 (Commencement No. 8) Order 2010**

Made - - - -

7th April 2010

The Secretary of State for Work and Pensions makes the following Order in exercise of the powers conferred by sections 144(4) and 149(1) of the Pensions Act 2008(a).

**Citation**

1. This Order may be cited as the Pensions Act 2008 (Commencement No. 8) Order 2010.

**Commencement of provisions**

2. The following provisions of the Pensions Act 2008 come into force on 8th April 2010—
  - (a) section 103(1), in so far as it is for the purposes of paragraph (b), and
  - (b) section 103(3) (effect of entitlement to guaranteed minimum pension), to the extent that it inserts section 46A(5) to (7) (retirement in tax year after 5th April 2020) into the Pension Schemes Act 1993.

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

7th April 2010

*Angela Eagle*  
Minister of State,  
Department for Work and Pensions

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order brings into force those parts of section 103(3) which insert section 46A(5) to (7) (retirement in tax year after 5th April 2020) into the Pension Schemes Act 1993 (c.48). Section 46A provides for a reduction in the amount of retirement pension or widowed parent's allowance where a person is also entitled to a guaranteed minimum pension, where that person retires after 5th April 2020. Subsections (5), (6) and (7) of that section provide that the Secretary of State must require the Government Actuary or the Deputy Government Actuary ('the Actuary') to produce a report on how actuarial equivalence should be determined for the purposes of that section, that in preparing the report the Actuary consult such persons as the Actuary considers appropriate, and that the Secretary of State lay the report before Parliament.

A full impact assessment has not been produced for this Order as it has no impact on the private or voluntary sectors.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the Pensions Act 2008 are brought into force by Statutory Instruments which were made before this Order was made.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
sections 62 to 64	26th January 2009	2009/82
section 74	1st July 2009	2009/1566
section 75 (for all remaining purposes)	5th July 2010	2010/10
section 76	5th July 2010	2010/10
section 99	5th July 2010	2010/10
section 100	6th April 2009	2009/82
section 101 (partially)	6th April 2009	2009/82
section 101 (for all other purposes)	6th April 2009	2009/809
section 122 (partially)	1st April 2009	2009/809
section 124(2) and (6) (partially)	19th December 2008	2008/3241
section 124(2) and (6) (for remaining purposes)	31st March 2010	2010/1145
section 126 (for all remaining purposes)	29th June 2009	2009/1566
section 128	26th January 2009	2009/82
section 129 (partially)	26th February 2010	2010/467
section 130	6th April 2009	2009/82
section 132	26th January 2009	2009/82
section 138	26th January 2009	2009/82
section 139	6th April 2009	2009/82
section 148 (partially)	6th April 2009	2009/82
Schedule 1 (for all remaining purposes)	5th July 2010	2010/10
Schedule 2 Parts 1 and 3	6th April 2009	2009/82
Schedule 2 Part 2	6th April 2009	2009/809
Schedule 8 (partially)	1st April 2009	2009/809
Schedule 9 (for all remaining purposes)	29th June 2009	2009/1566
Schedule 10 (partially)	26th February 2010	2010/467
Schedule 11 Part 2	6th April 2009	2009/82

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