



# PENSIONS INCREASE (ANNUAL REVIEW) ORDER 2018

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Statutory Document No. 2018/0055



*Social Security Pensions Act 1975*

## **PENSIONS INCREASE (ANNUAL REVIEW) ORDER 2018**

*Laid before Tynwald:* 20 March 2018  
*Coming into Operation:* 9 April 2018

Under section 150 of the Social Security Administration Act 1992<sup>1</sup> (an Act of Parliament) the Secretary of State for Work and Pensions has conducted a review and concluded 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, and has laid before Parliament the draft of an up-rating order as required by that section.

The Secretary of State for Work and Pension has given a direction under section 151(1) of that Act that the sums mentioned in section 150(1)(c) of that Act are to be increased.

Accordingly the Treasury makes the following Order under section 59 of Social Security Pensions Act 1975 (an Act of Parliament)<sup>2</sup> as it has effect in the Isle of Man<sup>3</sup>.

### **1 Title**

This Order is the Pensions Increase (Annual Review) Order 2018.

### **2 Commencement**

This Order comes into operation on 9 April 2018.

### **3 Interpretation**

(1) In this Order —

“**the 1974 Act**” means Pensions (Increase) Act 1974;

“**basic rate**” and “**derivative pension**” have the meanings given by section 11 of the 1974 Act;

“**an existing order**” means an order made earlier than this Order made (or treated as made) under the same enabling powers as this Order and which makes provision corresponding to that made by this Order;

<sup>1</sup> 1992 c.5

<sup>2</sup> 1975 c.60

<sup>3</sup> GC 137/77

“**official pension**” has the meaning given by section 5(1) of the 1974 Act;  
“**pension authority**” has the meaning given by section 11 of the 1974 Act;  
“**qualifying condition**” has the meaning given by section 3 of the 1974 Act; and  
“**relevant injury pension**” and “**substituted pension**” have the meanings given by section 11 of the 1974 Act.

- (2) For the purposes of this Order the time when a pension begins is that stated in section 7(2) of the 1974 Act, and “**beginning date**” shall be construed accordingly.
- (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.

#### **4 Pensions increase**

The annual rate of an official pension may, if a qualifying condition is satisfied or the pension is a derivative or substituted pension or a relevant injury pension, be increased by the pension authority in respect of any period beginning on or after 9th April 2018 as follows —

- (a) a pension beginning before 10th April 2017 may be increased by 3.0% of the basic rate as increased under section 1 of the 1974 Act or under an existing order; and
- (b) a pension beginning on or after 10th April 2017 and before 9th April 2018 may be increased by 3.0%, multiplied by the number of complete months in the period between the beginning date of the pension and 9th April 2018, divided by 12.

#### **5 Increase in certain lump sums**

In respect of any lump sum or instalment of a lump sum which became payable before 9th April 2018 but on or after 10th April 2017 there may be paid an increase of 3.0% of the amount of the lump sum or instalment (as increased under section 1 of the 1974 Act or under the existing orders), multiplied by the number of complete months in the period between the beginning date for the lump sum or, if later, 10th April 2017 and the date on which it became payable, divided by 12.

#### **6 Reduction in respect of guaranteed minimum pensions**

- (1) In the case of a person —
  - (a) who is entitled to a guaranteed minimum pension on 9th April 2018; and
  - (b) whose entitlement to that guaranteed minimum pension arises from an employment from which (either directly or by virtue of

the payment of a transfer credit) entitlement to the official pension also arises,

the amount by reference to which any increase in the rate of an official pension provided for by this Order is to be calculated shall be reduced by an amount equal to the rate of the guaranteed minimum pension unless the Civil Service Commission otherwise directs in accordance with section 59A of the 1975 Act.

- (2) The amount by reference to which any increase in the rate of a surviving spouse's pension or a surviving civil partner's pension provided for by this Order is to be calculated shall, where the pensioner becomes entitled on the death of the deceased spouse or civil partner to a guaranteed minimum pension, be reduced in accordance with section 59(5ZA) of the 1975 Act.
- (3) In this article "the 1975 Act" means the Social Security Pensions Act 1975 (an Act of Parliament), as it has effect in the Isle of Man.

MADE 28<sup>th</sup> FEBRUARY 2018

**A L CANNAN**  
*Minister for the Treasury*

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

This Order is made under provisions of the Social Security Pensions Act 1975 (an Act of Parliament) as it has effect in the Isle of Man), which requires the Treasury to increase public service pensions in line with increases in the cost of living. For pensions which began before 10th April 2017 the increase is 3.0%. For pensions which began on or after 10th April 2017 the increases are as follows —

<b>Pensions Beginning</b>	<b>Pensions Increase</b>
10 <sup>th</sup> April 2017 to 24 <sup>th</sup> April 2017	3.00%
25 <sup>th</sup> April 2017 to 24 <sup>th</sup> May 2017	2.75%
25 <sup>th</sup> May 2017 to 24 <sup>th</sup> June 2017	2.50%
25 <sup>th</sup> June 2017 to 24 <sup>th</sup> July 2017	2.25%
25 <sup>th</sup> July 2017 to 24 <sup>th</sup> August 2017	2.00%
25 <sup>th</sup> August 2017 to 24 <sup>th</sup> September 2017	1.75%
25 <sup>th</sup> September 2017 to 24 <sup>th</sup> October 2017	1.50%
25 <sup>th</sup> October 2017 to 24 <sup>th</sup> November 2017	1.25%
25 <sup>th</sup> November 2017 to 24 <sup>th</sup> December 2017	1.00%
25 <sup>th</sup> December 2017 to 24 <sup>th</sup> January 2018	0.75%
25 <sup>th</sup> January 2018 to 24 <sup>th</sup> February 2018	0.50%
25 <sup>th</sup> February 2018 to 24 <sup>th</sup> March 2018	0.25%

Article 5 of the Order provides for increases on certain deferred lump sums which became payable on or after 10th April 2017 and before 9th April 2018.