

SCHEDULE 3

Consequential and related amendments

PART 1

Primary legislation

Social Security Contributions and Benefits Act 1992

14.—(1) The Social Security Contributions and Benefits Act 1992⁽¹⁾ is amended as follows.

(2) In each of the following provisions, for “as a married couple” substitute “as if they were a married couple or civil partners”—

- (a) section 37(4)(b)⁽²⁾;
- (b) section 38(3)(c);
- (c) section 39A(5)(b);
- (d) in section 137(1), in the definition of “couple”, paragraph (b);
- (e) in Schedule 7, paragraph 4(3)(a)(ii).

(3) In section 77(9)⁽³⁾—

- (a) for “a husband and wife are residing together” substitute “a man and woman are married to, or civil partners of, each other and are residing together.”;
- (b) for “the wife” substitute “the woman”.

(4) In section 145A⁽⁴⁾—

- (a) in subsection (2)(b), for “an unmarried couple or a cohabiting same-sex couple” substitute “a cohabiting couple”;
- (b) in subsection (5)—
 - (i) in the definition of “civil partnership”, omit “of the same sex”;
 - (ii) for the definition of “cohabiting same-sex couple” substitute—

““cohabiting couple” means two people who are not married to, or civil partners, of each other but are living together as if they were a married couple or civil partners.”;
 - (iii) omit the definition of “unmarried couple”;

(c) omit subsection (6).

(5) In Schedule 10—

- (a) for paragraph 3 substitute—

“Opposite-sex spouses or civil partners

3. Subject to paragraphs 1 and 2 above, as between a man and woman who are married to, or civil partners of, each other and are residing together, the woman shall be entitled.”;

(1) 1992 c. 4.

(2) Sections 37(4)(b), 38(3)(c), 39A(5)(b), the definition of “couple” in section 137(1), and Schedule 7, paragraph 4(3)(a)(ii) were amended by S.I. 2014/560 and 3229.

(3) Section 77(9) was amended by the Child Benefit Act 2005 (c. 6), Schedule 1, paragraph 4.

(4) Section 145A was added by the Tax Credits Act 2002 (c. 21), section 55(1)(a). Relevant amendments were made by the Civil Partnership Act 2004, Schedule 24, paragraph 48.

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- (b) in paragraph 4(2)(5), for “not husband and wife” substitute “do not fall within paragraph 3”.

(5) Paragraph 4(2) was amended by the Child Benefit Act 2005, Schedule 1, paragraph 18.