



Social Security Contributions and Benefits (Northern Ireland) Act 1992

1992 CHAPTER 7

PART III **N.I.**

NON-CONTRIBUTORY BENEFITS

Benefits for the aged

- 78** **Category C and Category D retirement pensions and other benefits for the aged.** **N.I.**
- (1) A person who was over pensionable age on 5th July 1948 and who satisfies such conditions as may be prescribed shall be entitled to a Category C retirement pension at the appropriate weekly rate.
 - (2) If a woman whose husband is entitled to a Category C retirement pension—
 - (a) is over pensionable age; and
 - (b) satisfies such other conditions as may be prescribed,she shall be entitled to a Category C retirement pension at the appropriate weekly rate.
 - (3) A person who is over the age of 80 and satisfies such conditions as may be prescribed shall be entitled to a Category D retirement pension at the appropriate weekly rate if—
 - (a) he is not entitled to a Category A, Category B or Category C retirement pension; or
 - (b) he is entitled to such a pension, but it is payable at a weekly rate which, disregarding those elements specified in subsection (4) below, is less than the appropriate weekly rate.
 - (4) The elements referred to in subsection (3)(b) above are—
 - (a) any additional pension;
 - (b) any increase so far as attributable to—
 - (i) any additional pension, or

Status: Point in time view as at 10/04/2006. This version of this provision has been superseded.

Changes to legislation: *Social Security Contributions and Benefits (Northern Ireland) Act 1992, Section 78 is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (ii) any increase in a guaranteed minimum pension;
 - (c) any graduated retirement benefit; and
 - (d) any increase (for dependants) under section ^{F1}... 83 or 85 below.
- (5) The appropriate weekly rate of a Category C retirement pension—
- (a) shall be the lower rate specified in Schedule 4, Part III, paragraph 6, where—
 - (i) the pensioner is a married woman, and
 - (ii) she has not, at any time since she became entitled to her pension, ceased to be a married woman; and
 - (b) shall be the higher rate so specified in any other case.
- (6) The appropriate weekly rate of a Category D retirement pension shall be that specified in Schedule 4, Part III, paragraph 7.
- (7) Entitlement to a Category C or Category D retirement pension shall continue throughout the pensioner's life.
- (8) A Category C or Category D retirement pension shall not be payable for any period falling before the day on which the pensioner's entitlement is to be regarded as commencing for that purpose by virtue of section 5(1)(l) of the Administration Act.
- (9) Regulations may provide for the payment—
- (a) to a widow whose husband was over pensionable age on 5th July 1948; or
 - (b) to a woman whose marriage to a husband who was over pensionable age on that date was terminated otherwise than by his death,
- of a Category C retirement pension or of benefit corresponding to a widow's pension or a widowed mother's allowance; and any such retirement pension or any such benefit shall be at the prescribed rate.

Textual Amendments

- F1** Word in s. 78(4)(d) repealed (6.4.2003) by [Tax Credits Act 2002 \(c. 21\)](#), s. 61, [Sch. 6](#); [S.I. 2003/962](#), [art. 2\(3\)\(e\)](#), [Sch. 1](#) (with savings in [S.R. 2003/212](#), [art. 2](#))

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