*Status:* Point in time view as at 13/01/2020. This version of this provision has been superseded.
*Changes to legislation:* Pension Schemes (Northern Ireland) Act 1993, Section 20D is up to date with all changes known
to be in force on or before 04 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)

# Pension Schemes (Northern Ireland) Act 1993

## 1993 CHAPTER 49

### PART III

### <sup>F1</sup>[<sup>F1</sup>SCHEMES THAT WERE CONTRACTED-OUT ETC.]
AND EFFECTS ON MEMBERS' STATE SCHEME RIGHTS ...

### CHAPTER I

### [<sup>F1</sup>SCHEMES THAT WERE CONTRACTED-OUT: GUARANTEED
MINIMUM PENSIONS AND ALTERATION OF SCHEME RULES ETC.]

### [<sup>F1</sup>*Guaranteed minimum pensions*]

## [<sup>F1</sup>20D   Survivors' benefits

(1) This section specifies the benefits mentioned in Condition 4 of section 20B.

(2) The first benefit is that if the earner [<sup>F2</sup>is a man married to a woman or a woman married to a woman in a relevant gender change case, and the earner] dies (whether before or after attaining normal pension age) leaving a widow, she is entitled to a pension of at least half the value of the pension to which the earner would have been entitled by reference to employment during the period—

    (a)   beginning with 6th April 1978, and

    (b)   ending with 5th April 1997.

(3) The second benefit is that if the earner [<sup>F3</sup>is a married woman (other than in a relevant gender change case), a man married to a man, or a civil partner, and the earner] dies (whether before or after attaining normal pension age) leaving a widower [<sup>F4</sup>, widow] or surviving civil partner, he or she is entitled to a pension of at least half the value of

2                                    *Pension Schemes (Northern Ireland) Act 1993 (c. 49)*
*Part III – Schemes that were contracted-out etc. and Effects on Members' State Scheme Rights ...*
*Chapter I – Schemes that were contracted-out: guaranteed minimum pensions and alteration of scheme*
*rules etc.*
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the pension to which the earner would have been entitled by reference to employment during the period—

    (a)    beginning with 6th April 1988, and

    (b)    ending with 5th April 1997.

**[** In relation to an earner who is a woman, a reference in this section to a relevant gender
**F5**(4) change case is a reference to a case where—

    (a)    the earner is a woman by virtue of a full gender recognition certificate having been issued under the Gender Recognition Act 2004, and

    (b)    the marriage of the earner and her widow (that ends with the earner's death) subsisted before the time when the certificate was issued.

(5) This section is subject to regulations under section 34A.**]]**

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**Textual Amendments**

  **F1**    Ss. 20A-20H inserted (3.3.2009 for specified purposes, 6.4.2009 in so far as not already in force) by Pensions Act (Northern Ireland) 2008 (c. 1), **ss. 12(3)**, 21(1); S.R. 2009/75, art. 2(a)(b)

  **F2**    Words in s. 20D(2) inserted (13.1.2020) by The Marriage (Same-sex Couples) and Civil Partnership (Opposite-sex Couples) (Northern Ireland) Regulations 2019 (S.I. 2019/1514), regs. 1(2), **68(4)(a)** (with regs. 6-9)

  **F3**    Words in s. 20D(3) inserted (13.1.2020) by The Marriage (Same-sex Couples) and Civil Partnership (Opposite-sex Couples) (Northern Ireland) Regulations 2019 (S.I. 2019/1514), regs. 1(2), **68(4)(b)(i)** (with regs. 6-9)

  **F4**    Word in s. 20D(3) inserted (13.1.2020) by The Marriage (Same-sex Couples) and Civil Partnership (Opposite-sex Couples) (Northern Ireland) Regulations 2019 (S.I. 2019/1514), regs. 1(2), **68(4)(b)(ii)** (with regs. 6-9)

  **F5**    S. 20D(4)(5) inserted (13.1.2020) by The Marriage (Same-sex Couples) and Civil Partnership (Opposite-sex Couples) (Northern Ireland) Regulations 2019 (S.I. 2019/1514), regs. 1(2), **68(4)(c)** (with regs. 6-9)

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