



2008 CHAPTER 13

PART 5

MISCELLANEOUS

Official pensions

Official pensions: adjustment of increases in survivors' pensions

110.—(1) Article 69 of the [Social Security Pensions \(Northern Ireland\) Order 1975 \(NI 15\)](#) (increase of official pensions) is amended as follows.

(2) Paragraph (5ZA) is amended as follows.

(3) In the words before sub-paragraph (a)—

(a) for “or widower's” substitute “, widower’s or surviving civil partner's”;

(b) after “spouse” insert “or civil partner”.

(4) In sub-paragraph (a), after “spouse” insert “or civil partner”.

(5) In sub-paragraph (b)—

(a) after “period” insert “(“the relevant time”);”;

(b) for the words from “one half” to the end substitute “the rate provided for in paragraph (5ZB);”.

(6) In sub-paragraph (c), for “or widower's” substitute “, widower’s or surviving civil partner's”.

(7) Omit the words from “but this paragraph” to the end.

(8) After paragraph (5ZA) insert—

“(5ZB) The rate referred to in paragraph (5ZA)(b) is—

- (a) in the case of a widow's pension, one half of the rate of the deceased husband's guaranteed minimum pension at the relevant time;
 - (b) in the case of a widower's pension, one half of so much of the rate of the deceased wife's guaranteed minimum pension at the relevant time as is attributable to earnings factors for the tax year 1988–89 and subsequent tax years;
 - (c) in the case of a surviving civil partner's pension, one half of so much of the rate of the deceased civil partner's guaranteed minimum pension at the relevant time as is attributable to earnings factors for the tax year 1988–89 and subsequent tax years.
- (5ZC) Paragraph (5ZA)—
- (a) does not apply to a widow's or widower's pension in respect of any service of the deceased spouse if the deceased spouse's pension in respect of that service became payable before 24th September 1990;
 - (b) applies to a surviving civil partner's pension only in respect of amounts payable after the coming into operation of this paragraph.”.