



## 2015 CHAPTER 5

### **PART 1** **N.I.**

#### STATE PENSION

##### *Definitions*

##### **“Old state pension”** **N.I.**

**21.—(1)** In this Part “old state pension” means a Category A retirement pension or a Category B retirement pension.

(2) A reference in this Part to the rate of an old state pension (however expressed) does not include—

- (a) graduated retirement benefit under the National Insurance Act (Northern Ireland) 1966, or
- (b) any increase in the rate because of Schedule 5 to the Contributions and Benefits Act (deferral increases).

##### **Commencement Information**

**II** S. 21 in operation at 6.4.2016, see s. 53(1)(3)

##### **General definitions etc.** **N.I.**

**22.—(1)** In this Part—

“Category A retirement pension” means a Category A retirement pension under Part 2 of the Contributions and Benefits Act;

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*Changes to legislation: Pensions Act (Northern Ireland) 2015, Cross Heading: Definitions is up to date with all changes known to be in force on or before 24 June 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) View outstanding changes*

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“Category B retirement pension” means a Category B retirement pension under Part 2 of the Contributions and Benefits Act;

“full rate” means the rate mentioned in section 3(1);

“old state pension” has the meaning given by section 21 (and references to the rate of an old state pension are to be read in accordance with that section);

“pensionable age” has the meaning given by section 121(1) of the Contributions and Benefits Act; and a person is “over” pensionable age if the person has reached that age (and is otherwise “under” that age);

“post-commencement qualifying year” has the meaning given by section 4(4);

“pre-commencement qualifying year” is to be read in accordance with section 4(4) and (5);

“qualifying earnings factor” has the meaning given by section 121(1) of the Contributions and Benefits Act;

“qualifying year” has the meaning given by section 2(4);

“reduced rate” means the rate mentioned in section 3(2);

“regulations” means regulations made by the Department;

“state scheme pension credit”, and related expressions, have the meanings given by section 13;

“state scheme pension debit”, and related expressions, have the meanings given by section 14;

“tax year” has the meaning given by section 121(1) of the Contributions and Benefits Act;

“transitional rate” means the rate mentioned in section 5;

“up-rating increase”, in relation to a state pension under this Part, means—

- (a) an increase in the rate of the state pension because of an increase in the amount specified in regulations under section 3(1), <sup>F1</sup> . . .
- (b) an increase in the rate of the state pension because of section 9(3), 12(3) or 17(6) or Schedule 2, 4 or 9; <sup>F2</sup>, or
- (c) an increase in the rate of the state pension because of regulations under section 10 which make provision corresponding or similar to section 9(3) or Schedule 4;]

“working life” has the meaning given by section 121(1) of the Contributions and Benefits Act.

(2) For the purposes of any other provision of this Part two people are to be treated as if they are not married to each other in relation to times when either of them is married to a third person.

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**Changes to legislation:** Pensions Act (Northern Ireland) 2015, Cross Heading: Definitions is up to date with all changes known to be in force on or before 24 June 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) [View outstanding changes](#)

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### Textual Amendments

- F1** Word in art. 22(1) omitted (6.4.2016) by virtue of [The State Pension \(Amendment\) Regulations \(Northern Ireland\) 2016 \(S.R. 2016/80\)](#), **regs. 1, 3(2)(a)**
- F2** Words in art. 22(1) inserted (6.4.2016) by [The State Pension \(Amendment\) Regulations \(Northern Ireland\) 2016 \(S.R. 2016/80\)](#), **regs. 1, 3(2)(b)**
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### Commencement Information

- I2** S. 22(1) in operation at 16.7.2015 for specified purposes by [S.R. 2015/307](#), **art. 2(2)(h)**
- I3** S. 22 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see [s. 53\(1\)\(3\)](#)

**Changes to legislation:**

Pensions Act (Northern Ireland) 2015, Cross Heading: Definitions is up to date with all changes known to be in force on or before 24 June 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.

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**Changes and effects yet to be applied to :**

- specified provision(s) transitional provisions for effects of commencing S.I. 2017/297, art. 2 by [S.R. 2017/58](#) Order