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STATUTORY INSTRUMENTS

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**1990 No. 1509**

**The Pensions (Miscellaneous Provisions)  
(Northern Ireland) Order 1990**

Pensions increase

**Guaranteed minimum pensions: abolition of double indexation for surviving spouses**

7.—(1) In Article 69 of the Pensions Order (increase of official pensions), after paragraph (5) (deduction of guaranteed minimum pension for purpose of calculating increase) there shall be inserted the following paragraph—

“(5ZA) In the application of paragraph (5) in relation to a widow's or widower's pension in a case where the pensioner becomes entitled on the death of the deceased spouse to such a guaranteed minimum pension as is there mentioned—

- (a) the pensioner shall be treated as having been entitled to that guaranteed minimum pension at all times during the period beginning with the date on which the deceased spouse became entitled to a guaranteed minimum pension and ending with the date of the death;
- (b) the rate of the guaranteed minimum pension to which the pensioner is treated as so entitled at any time during that period shall be taken to be one half of the rate of the deceased spouse's guaranteed minimum pension at that time; and
- (c) the amount by reference to which any increase in the widow's or widower's pension is to be calculated shall, subject to any directions under Article 69A (whether made before or after the coming into operation of this paragraph), be accordingly reduced under that paragraph by an amount equal to the rate, as determined under sub#paragraph ( b ), of the guaranteed minimum pension to which the pensioner is treated as entitled;

but this paragraph 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 the coming into operation of this paragraph.” .

(2) In paragraph (7) of that Article (interpretation), after the definition of lump sum there shall be inserted the following definition—

“widower's pension means a pension payable in respect of the services of the pensioner's deceased wife;” .

**Changes to legislation:**

There are currently no known outstanding effects for the The Pensions (Miscellaneous Provisions) (Northern Ireland) Order 1990, Section 7.