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STATUTORY RULES OF NORTHERN IRELAND

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**2015 No. 411**

**The Pensions (2015 Act) (Consequential, Supplementary and Incidental Amendments) Order (Northern Ireland) 2015**

**Amendment of the Social Security (Widow's Benefit and Retirement Pensions) Regulations**

5.—(1) The Social Security (Widow's Benefit and Retirement Pensions) Regulations (Northern Ireland) 1979<sup>(1)</sup> are amended in accordance with paragraphs (2) to (6).

(2) In regulation 1(2) (citation, commencement and interpretation) in the definition of “shared additional pension”<sup>(2)</sup> after “section 55A” insert “or 55AA”.

(3) After regulation 8(3)<sup>(3)</sup> (substitution of former spouse's or former civil partner's contribution record to give entitlement to a Category A retirement pension) insert—

“(3A) The beneficiary shall be treated as satisfying the first contribution condition specified in paragraph 5 of Schedule 3 to the Contributions and Benefits Act (contribution conditions for entitlement to benefit) if his former spouse or former civil partner would have satisfied that condition had Part 1 of the Pensions Act (Northern Ireland) 2015 not been applicable, as respects any year of his working life up to the year ending on 5th April 2016 (inclusive).”.

(4) For regulation 8A(1)(e)<sup>(4)</sup> substitute—

“(e) whose former spouse or former civil partner—

(i) satisfied the contribution condition specified in paragraph 5A(2) of Schedule 3 to the Contributions and Benefits Act; or

(ii) would have satisfied the contribution condition specified in paragraph 5A(2) of Schedule 3 to the Contributions and Benefits Act in respect of contributions paid before 6th April 2016 had Part 1 of the Pensions Act (Northern Ireland) 2015 not been applicable.”.

(5) In regulation 11(3) (Category C retirement pension for widows of men over pensionable age on 5th July 1948)<sup>(5)</sup> for “higher rate specified in relation to a Category C retirement pension in Part III of Schedule 4 to the Act” substitute “weekly rate of £69.50”.

(6) In paragraph 1(a)<sup>(6)</sup> of Schedule 1 (method of treating former spouse's or former civil partner's contributions as those of the beneficiary so as to entitle him to a Category A retirement pension) at the end insert “but where Part 1 of the Pensions Act (Northern Ireland) 2015 applies to the former spouse or former civil partner, A is the number of his qualifying years up to the year ending 5th April 2016 (inclusive)”.

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(1) [S.R. 1979 No. 243](#); relevant amending Rules are [S.R. 1987 No. 404](#); [S.R. 1989 No. 373](#); [S.R. 2005 Nos. 299](#) and [536](#) and [S.R. 2010 No. 56](#)

(2) The definition of “shared additional pension” was inserted by regulation 5(2) of [S.R. 2005 No. 299](#)

(3) Regulation 8(3) was substituted by regulation 3(10)(c) of [S.R. 2010 No. 56](#)

(4) Regulation 8A was inserted by regulation 3(12) of [S.R. 2010 No. 56](#)

(5) Regulation 11(3) was amended by regulation 2(4)(b) of [S.R. 1987 No. 404](#) and regulation 8(7) of [S.R. 1989 No. 373](#)

(6) Sub-paragraph (a) was amended by paragraph 10(5)(b) of Schedule 3 to [S.R. 2005 No. 536](#)

**Status:** Point in time view as at 06/04/2016.

**Changes to legislation:** There are currently no known outstanding effects for the The Pensions (2015 Act) (Consequential, Supplementary and Incidental Amendments) Order (Northern Ireland) 2015, Section 5. (See end of Document for details)

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**Commencement Information**

**II** [Art. 5](#) in operation at 6.4.2016, see [art. 1\(b\)](#)

**Status:**

Point in time view as at 06/04/2016.

**Changes to legislation:**

There are currently no known outstanding effects for the The Pensions (2015 Act) (Consequential, Supplementary and Incidental Amendments) Order (Northern Ireland) 2015, Section 5.