
STATUTORY RULES OF NORTHERN IRELAND

2017 No. 218

**The Social Security (Miscellaneous Amendments
No. 2) Regulations (Northern Ireland) 2017**

Amendment of the State Pension Regulations

14. In regulation 35 of the State Pension Regulations (Northern Ireland) 2015⁽¹⁾ (credits for persons providing care for a child under the age of 12)—

(a) for paragraphs (3) and (4) substitute—

“(3) A is not entitled to be credited with a Class 3 contribution unless—

(a) child benefit was awarded to another person (“B”) in respect of—

(i) the child, or each child, for whom A provided care, and

(ii) the week in which A provided that care;

(b) B’s earnings factors, other than those derived from a Class 3 contribution credit awarded under regulation 34, exceed the qualifying earnings factor for the year in which the relevant week falls; and

(c) A makes an application to the Department to be so credited in accordance with paragraph (5) and regulation 39.

(4) Where the requirements relating to the provision of care by A in paragraph (3)(a) (i) can be satisfied by more than one person in respect of a week in which B was awarded child benefit—

(a) those persons shall elect, with the agreement of B, which of them is to be credited with a Class 3 contribution credit (and then only the elected person is to be so credited), or

(b) the Department is to exercise its discretion to determine which of those persons is to be credited with that contribution, in default of the agreement referred to in sub-paragraph (a).”; and

(b) in paragraph (5)—

(i) for “(4)(c)” substitute “(3)(c).”, and

(ii) in sub-paragraphs (a) and (c) after “the child” insert “, or each child.”.

⁽¹⁾ S.R. 2015 No. 315; regulation 35 was inserted by regulation 2(2) of S.R. 2016 No. 100