
DRAFT STATUTORY INSTRUMENTS

2014 No.

The Marriage and Civil Partnership (Scotland) Act
2014 and Civil Partnership Act 2004 (Consequential
Provisions and Modifications) Order 2014

PART 4

STATE PENSIONS

Category B retirement pension for widowers

10.—(1) Section 51(1ZA) of the 1992 Act⁽¹⁾ (category B retirement pension for widowers) does not confer a right to a Category B retirement pension on a person if the person attains pensionable age on or after 6th April 2010.

(2) Section 51(1ZA) of the 1992 Act does not confer a right to a Category B retirement pension on a woman by reason of her marriage to another woman (“the spouse”) if—

- (a) the spouse was, at the time of her death, a woman by virtue of a full gender recognition certificate having been issued under the 2004 Act; and
- (b) the marriage subsisted before the time when that certificate was issued.

⁽¹⁾ Section 51(1ZA) was inserted by the 2013 Act, Schedule 4(5), paragraph 13.