

SCHEDULE 3

Article 5(2)

CONSEQUENTIAL MODIFICATIONS TO ENACTMENTS ETC. AS A RESULT OF CONTRARY PROVISION MADE BY SCHEDULE 2

ENACTMENTS ETC. (GENERAL)

Pensions (Increase) Act 1971

1.—(1) The Pensions (Increase) Act 1971(1) is amended as follows.

(2) In section 3(7) (qualifying conditions), in paragraph (a), for “husband’s” substitute “male spouse’s”.

(3) In section 17(1) (interpretation), in the definition of “widow’s pension”—

- (a) in the opening words after “payable” insert “to a woman”; and
- (b) for “husband” in both places it occurs, substitute “male spouse”.

Pensions Increase (Review) Orders 1979 to 1990

2. In article 2 (interpretation) of each of—

- (a) the Pensions Increase (Review) Order 1979;
- (b) the Pensions Increase (Review) Order 1980;
- (c) the Pensions Increase (Review) Order 1981;
- (d) the Pensions Increase (Review) Order 1982;
- (e) the Pensions Increase (Review) Order 1983;
- (f) the Pensions Increase (Review) Order 1984;
- (g) the Pensions Increase (Review) Order 1985;
- (h) the Pensions Increase (Review) Order 1986;
- (i) the Pensions Increase (Review) Order 1987;
- (j) the Pensions Increase (Review) Order 1988;
- (k) the Pensions Increase (Review) Order 1989; and
- (l) the Pensions Increase (Review) Order 1990,

in the definition of “widow’s pension”, for “in respect” to the end substitute “to a woman in respect of the services of her deceased male spouse.”(2).

Occupational Pension Schemes (Contracting-out) Regulations 1996

3.—(1) The Occupational Pension Schemes (Contracting-out) Regulations 1996(3) are amended as follows.

(2) In regulation 55(1) (scheme rules about guaranteed minimum pensions)—

(1) [1971 c.56](#). Sections 3(7) and 17(1) were amended by [S.I. 2014/560](#).
(2) The orders listed in paragraph 2 of this Schedule are cited at paragraph 6 of Schedule 2 to this Order. Article 2 of each of the Orders was amended by [S.I. 2014/560](#).
(3) [S.I. 1996/1172](#); paragraph (1)(c) of regulation 55 was amended by [S.I. 1997/786](#) and [S.I. 2005/2050](#), and regulation 69B was inserted by [S.I. 2009/846](#). There are other amendments to these Regulations not relevant to this Order.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: *The Marriage and Civil Partnership (Scotland) Act 2014 and Civil Partnership Act 2004 (Consequential Provisions and Modifications) Order 2014 No. 3229*

- (a) in sub-paragraph (b), for the words from “widow” to “appointed day” substitute “widow of the earner under the scheme in respect of the earner’s service before the principal appointed day, in a case where the earner is a man,”; and
 - (b) in sub-paragraph (c), for the words from “widower” to “appointed day” substitute “widower or surviving civil partner of the earner under the scheme in respect of the earner’s service before the principal appointed day, or to any widow of the earner under the scheme in respect of that service in a case where the earner is a woman,”.
- (3) In regulation 69B(3) (conversion of guaranteed minimum pensions into other benefits: survivors’ benefits)—
- (a) in sub-paragraph (c), for “widows” substitute “widows whose spouse was a man”; and
 - (b) in sub-paragraph (d), for “widowers” substitute “widowers, widows whose spouse was a woman”.

Occupational Pension Schemes (Modification of Schemes) Regulations 2006

4.—(1) The Occupational Pension Schemes (Modification of Schemes) Regulations 2006(4) are amended as follows.

(2) In regulation 3(i) (non-application of the subsisting rights provisions), for “widow or widower”, in both places it occurs, substitute “woman whose deceased spouse was a man, or a man whose deceased spouse was a woman”.

(3) In regulation 7(1) (modification of schemes: surviving civil partners), for “widow or widower”, in both places it occurs, substitute “woman whose deceased spouse was a man, or a man whose deceased spouse was a woman”.

(4) [S.I. 2006/759](#); to which there are amendments not relevant to this Order.