

*Status: Point in time view as at 13/03/2014.*

*Changes to legislation: Social Security Contributions and Benefits Act 1992, Paragraph 6A is up to date with all changes known to be in force on or before 25 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 5 **E+W+S**

#### [<sup>F1</sup>PENSION INCREASE OR LUMP SUM WHERE ENTITLEMENT TO RETIREMENT PENSION IS DEFERRED]

##### Textual Amendments

- F1** Sch. 5 heading substituted (18.11.2004 for specified purposes, 6.4.2005 in so far as not already in force) by Pensions Act 2004 (c. 35), s. 322(3)(a), **Sch. 11 para. 3**

##### Modifications etc. (not altering text)

- C1** Sch. 5 modified (6.4.2005) by The Social Security (Retirement Pensions etc.) (Transitional Provisions) Regulations 2005 (S.I. 2005/469), regs. 1(1), 2
- C1** Sch. 5 sums amended (with effect in accordance with arts. 1(3), 6 of the amending S.I.) by The Social Security Benefits Up Rating Order 2013 (S.I. 2013/574), arts. 1(2)(c), **4(4)(b)** (for up rating orders applicable to earlier years, see S.I. 1993/349; S.I. 1994/542; S.I. 1995/559; S.I. 1996/599; S.I. 1997/543; S.I. 1998/470; S.I. 1999/264; S.I. 2000/440; S.I. 2001/207; S.I. 2002/668; S.I. 2003/526; S.I. 2004/552; S.I. 2005/522; S.I. 2006/645; S.I. 2007/688; S.I. 2008/632; S.I. 2009/497; S.I. 2010/793; S.I. 2011/821; S.I. 2012/780)
- C1** Sch. 5: sums amended (with effect in accordance with arts. 1(2)(1)(3)(4), 6 of the amending S.I.) by The Social Security Benefits Up-rating Order 2014 (S.I. 2014/516), arts. 1(2)(c), **4(4)(b)**

*Increase of pension where pensioner's deceased  
spouse [<sup>F1</sup>or civil partner] has deferred entitlement*

##### Textual Amendments

- F1** Words in Sch. 5 para. 4 heading inserted (5.12.2005) by The Civil Partnership (Pensions and Benefit Payments) (Consequential, etc. Provisions) Order 2005 (S.I. 2005/2053), art. 1(3), **Sch. para. 5(7)(a)**

[<sup>F1</sup>6~~A~~<sup>F2</sup>(1) This paragraph applies where W (referred to in paragraph 5 above) is—

- (a) a woman whose deceased spouse was a woman,
- (b) a man whose deceased spouse was a man, or
- (c) a surviving civil partner.]

(2) The amounts referred to in paragraph 5(2)(c) above are the following—

- (a) one-half of the increase mentioned in paragraph 5(1)(b) above, so far as attributable to employment before 6th April 1988,
- (b) one-half of the appropriate amount <sup>F4</sup>... , and
- (c) one-half of any increase to which the deceased [<sup>F5</sup>spouse or] civil partner had been entitled under paragraph 5 above.]]

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### Textual Amendments

- F1** Sch. 5 para. 6A inserted (5.12.2005) by [The Civil Partnership \(Pensions and Benefit Payments\) \(Consequential, etc. Provisions\) Order 2005 \(S.I. 2005/2053\)](#), art. 1(3), **Sch. para. 5(9)**
- F2** Sch. 5 para. 6A(1) substituted (E.W.) (13.3.2014) by [The Marriage \(Same Sex Couples\) Act 2013 \(Consequential and Contrary Provisions and Scotland\) Order 2014 \(S.I. 2014/560\)](#), art. 1(2), **Sch. 3 para. 4(5)(a)**
- F3** Sch. 5 paras. 5, 5A, 6, 6A, 7 omitted (6.4.2012 for specified purposes) by virtue of [Pensions Act 2011 \(c. 19\)](#), **ss. 2(5), 38(4)** (with s. 2(7)); S.I. 2011/3034, art. 4(b) (note that this amending provision is itself repealed (6.4.2016) by [Pensions Act 2014 \(c. 19\)](#), s. 56(4), **Sch. 12 para. 97(a)**)
- F4** Words in Sch. 5 para. 6A(2)(b) repealed (with effect in relation to the tax year 2010-2011 and subsequent tax years) by [Pensions Act 2007 \(c. 22\)](#), ss. 27(7), 30(1)(a)(3), Sch. 1 para. 20, **Sch. 7 Pt. 3** (with s. 5(3)-(7)); S.I. 2010/2650
- F5** Words in Sch. 5 para. 6A(2)(c) inserted (E.W.) (13.3.2014) by [The Marriage \(Same Sex Couples\) Act 2013 \(Consequential and Contrary Provisions and Scotland\) Order 2014 \(S.I. 2014/560\)](#), art. 1(2), **Sch. 3 para. 4(5)(b)**

### Modifications etc. (not altering text)

- C1** Sch. 5 paras. 4-7 modified (6.10.2002) by [The Social Security \(Inherited SERPS\) Regulations 2001 \(S.I. 2001/1085\)](#), regs. 1(1), 2, **Sch.** (as amended (5.12.2005) by S.I. 2005/3030, regs. 1, 2)

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