

*Status: Point in time view as at 13/05/2014.*

*Changes to legislation: Social Security Contributions and Benefits Act 1992, Paragraph 8 is up to date with all changes known to be in force on or before 20 August 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

#### [<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(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)**

*[<sup>F1</sup>Married couples [<sup>F1</sup>and civil partners]]*

##### Textual Amendments

- F1** Sch. 5 para. 8 cross-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. 13**
- F1** Words in Sch. 5 para. 8 cross-heading added (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(13)(a)**

8 <sup>F1</sup>(1) .....

<sup>F1</sup>(2) .....

<sup>F2</sup>(3) .....

[<sup>F3</sup>(4) The conditions in paragraph 3C(1)(c) and 4(1)(a) are not satisfied by a Category B retirement pension to which S was or would have been entitled by virtue of W's contributions.

(5) Where the Category A retirement pension to which S was or would have been entitled includes an increase under section 51A(2) attributable to W's contributions, the increase or lump sum to which W is entitled under paragraph 4(1A) or 7A(2) is to be calculated as if there had been no increase under that section.

(6) In sub-paragraphs (4) and (5), "W" and "S" have the same meaning as in paragraph 3C, 4 or 7A, as the case requires.]

**Status:** Point in time view as at 13/05/2014.

**Changes to legislation:** *Social Security Contributions and Benefits Act 1992, Paragraph 8 is up to date with all changes known to be in force on or before 20 August 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)*

### **Textual Amendments**

- F1** Sch. 5 para. 8(1)(2) repealed (with effect in relation to incremental periods beginning on or after 6.4.2010 in accordance with Sch. 4 para. 6(5) of the amending Act) by [Pensions Act 1995 \(c. 26\), s. 180\(2\)\(a\)](#), [Sch. 4 para. 6\(4\)](#), [Sch. 7](#)
- F2** Sch. 5 para. 8(3) repealed (6.4.2010) by [Pensions Act 2007 \(c. 22\), ss. 2\(5\), 27\(4\)\(a\)](#), [Sch. 1 para. 8](#), [Sch. 7 Pt. 1](#)
- F3** Sch. 5 para. 8(4)-(6) substituted for Sch. 5 para. 8(4) (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. 14\(b\)](#)

**Status:**

Point in time view as at 13/05/2014.

**Changes to legislation:**

Social Security Contributions and Benefits Act 1992, Paragraph 8 is up to date with all changes known to be in force on or before 20 August 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.