



Social Security Contributions and Benefits Act 1992

1992 CHAPTER 4

PART II

CONTRIBUTORY BENEFITS

Retirement pensions (Categories A and B)

[^{F1}][^{F2}48A] Category B retirement pension for married person or civil partner

- (1) A married person is entitled to a Category B retirement pension by virtue of the contributions of his or her spouse if—
 - (a) the person attained pensionable age before 6 April 2016, and
 - (b) the spouse—
 - (i) has attained pensionable age, and
 - (ii) satisfies the relevant contribution condition.
- (2) But subsection (1) does not confer a right to a Category B retirement pension on—
 - (a) a man whose spouse was born before 6 April 1950, or
 - (b) a woman whose wife was born before 6 April 1950.
- (3) A person who is a civil partner is entitled to a Category B retirement pension by virtue of the contributions of his or her civil partner (“the contributing civil partner”) if—
 - (a) the person attained pensionable age before 6 April 2016, and
 - (b) the contributing civil partner—
 - (i) was born on or after 6 April 1950,
 - (ii) has attained pensionable age, and
 - (iii) satisfies the condition in paragraph 5A of Schedule 3.
- (4) A Category B retirement pension payable under this section is payable at the weekly rate specified in paragraph 5 of Part 1 of Schedule 4.

Status: Point in time view as at 06/04/2016. This version of this provision has been superseded.

Changes to legislation: Social Security Contributions and Benefits Act 1992, Section 48A is up to date with all changes known to be in force on or before 26 July 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)

- (5) A person ceases to be entitled to a Category B retirement pension under this section if—
- (a) the person's spouse or civil partner dies (but see sections 48B and 51), or
 - (b) the person otherwise ceases to be married or in the civil partnership (but see section 48AA).
- (6) In subsection (1)(b)(ii) “the relevant contribution condition” means—
- (a) in a case where the spouse was born before 6 April 1945, the conditions in paragraph 5 of Schedule 3;
 - (b) in any other case, the condition in paragraph 5A of Schedule 3.
- (7) For the purposes of any provision of this Act as it applies in relation to this section, no account is to be taken of any earnings factors of the spouse or contributing civil partner for the tax year beginning with 6 April 2016 or any later tax year.
- (8) Section 51ZA contains special rules for cases involving changes in gender.]]

Textual Amendments

- F1** Ss. 48A-48C substituted for ss. 49, 50 (19.7.1995) by Pensions Act 1995 (c. 26), s. 180(2)(a), **Sch. 4 para. 3(1)** (with Sch. 4 para. 3(2)(3))
- F2** Ss. 48A, 48AA substituted for s. 48A (6.4.2016) by Pensions Act 2014 (c. 19), s. 56(4), **Sch. 12 para. 60** (with ss. 8, 9, Sch. 5 paras. 2-4)

Status:

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