



Social Security Contributions and Benefits (Northern Ireland) Act 1992

1992 CHAPTER 7

PART III

NON-CONTRIBUTORY BENEFITS

Benefits for the aged

78 Category C and Category D retirement pensions and other benefits for the aged.

^{F1}(1)

^{F2}(2)

(3) A person who is over the age of 80 [^{F3}, who reached pensionable age before 6 April 2016 and who satisfies] such conditions as may be prescribed shall be entitled to a Category D retirement pension at the appropriate weekly rate if—

- (a) he is not entitled to a Category A, Category B or Category C retirement pension; or
- (b) he is entitled to such a pension, but it is payable at a weekly rate which, disregarding those elements specified in subsection (4) below, is less than the appropriate weekly rate.

(4) The elements referred to in subsection (3)(b) above are—

- (a) any additional pension;
- (b) any increase so far as attributable to—
 - (i) any additional pension, or
 - (ii) any increase in a guaranteed minimum pension;
- (c) any graduated retirement benefit; and
- ^{F4}(d)

^{F5}(5)

Status: Point in time view as at 08/04/2019.

Changes to legislation: Social Security Contributions and Benefits (Northern Ireland) Act 1992, Cross Heading: Benefits for the aged is up to date with all changes known to be in force on or before 18 September 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)

- (6) The appropriate weekly rate of a Category D retirement pension shall be that specified in Schedule 4, Part III, paragraph 7.
- (7) Entitlement to a ^{F6}... Category D retirement pension shall continue throughout the pensioner's life.
- (8) A ^{F7}... Category D retirement pension shall not be payable for any period falling before the day on which the pensioner's entitlement is to be regarded as commencing for that purpose by virtue of section 5(1)(l) of the Administration Act.
- (9) Regulations may provide for the payment—
- (a) to a widow whose husband was over pensionable age on 5th July 1948; or
 - (b) to a woman whose marriage to a husband who was over pensionable age on that date was terminated otherwise than by his death,
- of a Category C retirement pension or of benefit corresponding to a widow's pension or a widowed mother's allowance; and any such retirement pension or any such benefit shall be at the prescribed rate.

Textual Amendments

- F1** S. 78(1) omitted (6.4.2016) by virtue of [Pensions Act \(Northern Ireland\) 2015 \(c. 5\), s. 53\(3\)](#), **Sch. 12 para. 67(2)**
- F2** S. 78(2) omitted (6.4.2016) by virtue of [Pensions Act \(Northern Ireland\) 2015 \(c. 5\), s. 53\(3\)](#), **Sch. 12 para. 67(2)**
- F3** Words in s. 78(3) substituted (6.4.2016) by [Pensions Act \(Northern Ireland\) 2015 \(c. 5\), s. 53\(3\)](#), **Sch. 12 para. 69**
- F4** S. 78(4)(d) repealed (6.4.2010 with savings until 6.4.2020) by [Pensions Act \(Northern Ireland\) 2008 \(c. 1\), s. 4\(4\), Sch. 1 para. 13](#), **Sch. 6 Pt. 2** (with s. 4(5)-(8))
- F5** S. 78(5) omitted (6.4.2016) by virtue of [Pensions Act \(Northern Ireland\) 2015 \(c. 5\), s. 53\(3\)](#), **Sch. 12 para. 67(2)**
- F6** Words in s. 78(7) omitted (6.4.2016) by virtue of [Pensions Act \(Northern Ireland\) 2015 \(c. 5\), s. 53\(3\)](#), **Sch. 12 para. 67(3)**
- F7** Words in s. 78(8) omitted (6.4.2016) by virtue of [Pensions Act \(Northern Ireland\) 2015 \(c. 5\), s. 53\(3\)](#), **Sch. 12 para. 67(3)**

79 Age addition.

- (1) A person who is over the age of 80 and entitled to a retirement pension of any category [^{F8}under this Act] shall be entitled to an increase of the pension, to be known as "age addition".
- (2) Where a person is in receipt of a pension or allowance payable by virtue of any prescribed enactment or instrument (whether passed or made before or after this Act) and—
- (a) he is over the age of 80; and
 - (b) he fulfils such other conditions as may be prescribed,
- he shall be entitled to an increase of that pension or allowance, also known as age addition.
- (3) Age addition shall be payable for the life of the person entitled, at the weekly rate specified in Schedule 4, Part III, paragraph 8.

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Textual Amendments

F8 Words in s. 79(1) inserted (6.4.2016) by [Pensions Act \(Northern Ireland\) 2015 \(c. 5\), s. 53\(3\)](#), [Sch. 12 para. 70](#)

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