

Status: Point in time view as at 06/04/1995.

Changes to legislation: Social Security Contributions and Benefits (Northern Ireland) Act 1992, Cross Heading: Widowed mother's allowance and widow's pension; retirement pensions (Categories A and B) is up to date with all changes known to be in force on or before 21 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 3

CONTRIBUTION CONDITIONS FOR ENTITLEMENT TO BENEFIT

PART I

THE CONDITIONS

Widowed mother's allowance and widow's pension; retirement pensions (Categories A and B)

- 5 (1) The contribution conditions for a widowed mother's allowance, a widow's pension or a Category A or Category B retirement pension are the following.
- (2) The first condition is that—
- (a) the contributor concerned must in respect of any one relevant year have actually paid contributions of a relevant class; and
 - (b) the earnings factor derived—
 - (i) if that year is 1987-88 or any subsequent year, from earnings upon which such of those contributions as are primary Class 1 contributions were paid or treated as paid and any Class 2 or Class 3 contributions, or
 - (ii) if that year is an earlier year, from the contributions referred to in paragraph (a) above,must be not less than the qualifying earnings factor for that year.
- (3) The second condition is that—
- (a) the contributor concerned must, in respect of each of not less than the requisite number of years of his working life, have paid or been credited with contributions of a relevant class; and
 - (b) in the case of each of those years, the earnings factor derived as mentioned in sub-paragraph (4) below must be not less than the qualifying earnings factor for that year.
- (4) For the purposes of paragraph (b) of sub-paragraph (3) above, the earnings factor—
- (a) in the case of 1987-88 or any subsequent year, is that which is derived from—
 - (i) any earnings upon which such of the contributions mentioned in paragraph (a) of that sub-paragraph as are primary Class 1 contributions were paid or treated as paid or earnings credited; and
 - (ii) any Class 2 or Class 3 contributions for the year; or
 - (b) in the case of any earlier year, is that which is derived from the contributions mentioned in paragraph (a) of that sub-paragraph.

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- (5) For the purposes of the first condition, a relevant year is any year ending before that in which the contributor concerned attained pensionable age or died under that age; and the following table shows the requisite number of years for the purpose of the second condition, by reference to a working life of a given duration—

<i>Duration of working life</i>	<i>Requisite number of years</i>
10 years or less	The number of years of the working life, minus 1.
20 years or less (but more than 10)	The number of years of the working life, minus 2.
30 years or less (but more than 20)	The number of years of the working life, minus 3.
40 years or less (but more than 30)	The number of years of the working life, minus 4.
More than 40 years	The number of years of the working life, minus 5.

- (6) The first condition shall be taken to be satisfied if the contributor concerned was entitled to an invalidity pension at any time during—
- (a) the year in which he attained pensionable age or died under that age, or
 - (b) the year immediately preceding that year.
- (7) The second condition shall be taken to be satisfied notwithstanding that paragraphs (a) and (b) of sub-paragraph (3) above are not complied with as respects each of the requisite number of years if—
- (a) those paragraphs are complied with as respects at least half that number of years (or at least 20 of them, if that is less than half); and
 - (b) in each of the other years the contributor concerned was, within the meaning of regulations, precluded from regular employment by responsibilities at home.
- (8) For the purposes of this paragraph a person's working life is the period between—
- (a) (inclusive) the tax year in which he attained the age of 16; and
 - (b) (exclusive) the tax year in which he attained pensionable age or died under that age.

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