

Status: Point in time view as at 28/06/2010.

Changes to legislation: Social Security Contributions and Benefits (Northern Ireland) Act 1992, Cross Heading: Married couples and civil partners is up to date with all changes known to be in force on or before 15 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)

SCHEDULES

SCHEDULE 5

[^{F1}PENSION INCREASE OR LUMP SUM WHERE ENTITLEMENT TO RETIREMENT PENSION IS DEFERRED]

Textual Amendments

- F1** Sch. 5 heading substituted (17.2.2005 for specified purposes, 6.4.2005 in so far as not already in force) by *The Pensions (Northern Ireland) Order 2005 (S.I. 2005/255)*, art. 1(4), **Sch. 9 para. 2**

Modifications etc. (not altering text)

- C1** Sch. 5 modified (temp. from 1.12.1999 until 5.10.2002) by *The Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I. 1999/3147 (N.I. 11))*, arts. **1(4)(b)**, 49(7)(b) (the temp. modification lapsing on the coming into operation of S.R. 2001/441)
- C1** Sch. 5 modified (6.4.2005) by *The Social Security (Retirement Pensions etc.) (Transitional Provisions) Regulations (Northern Ireland) 2005 (S.R. 2005/123)*, regs. 1(1), **2**
- C1** Sch. 5: sums amended (with effect in accordance with arts.1(2), 6 of the amending Rule) by *The Social Security Benefits Up-rating Order (Northern Ireland) 2010 (S.R. 2010/118)*, arts. 1(1)(c), **4(4)(b)**

[^{F1}Married couples][^{F2}and civil partners]

Textual Amendments

- F1** Sch. 5 para. 8 cross-heading substituted (17.2.2005 for specified purposes, 6.4.2005 in so far as not already in force) by *The Pensions (Northern Ireland) Order 2005 (S.I. 2005/255)*, art. 1(4), **Sch. 9 para. 12**
- F2** Words in Sch. 5 para. 8 cross-heading added (5.12.2005) by *The Civil Partnership (Pensions and Benefit Payments) (Consequential, etc. Provisions) Order (Northern Ireland) 2005 (S.R. 2005/434)*, art. 1(3), **Sch. para. 6(1)(i)**

8 ^{F3}(1)

^{F3}(2)

^{F4}(3)

[^{F5}(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.

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(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.]

Textual Amendments

- F3** Sch. 5 para. 8(1)(2) repealed (with effect in accordance with Sch. 2 para. 6(5) of the amending S.I.) by The Pensions (Northern Ireland) Order 1995 (S.I. 1995/3213), Sch. 2 para. 6(4), **Sch. 5 Pt. 2** (as amended by S.I. 2005/255, **art. 273(3)**)
- F4** Sch. 5 para. 8(3) repealed (6.4.2010) by Pensions Act (Northern Ireland) 2008 (c. 1), s. 2(5), Sch. 1 para. 8, **Sch. 6 Pt. 1**
- F5** Sch. 5 para. 8(4)-(6) substituted for Sch. 5 para. 8(4) (17.2.2005 for specified purposes, 6.4.2005 in so far as not already in force) by The Pensions (Northern Ireland) Order 2005 (S.I. 2005/255), **art. 1(4)**, **Sch. 9 para. 13(b)**

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