

Status: Point in time view as at 04/05/1994. This version of this provision has been superseded.

Changes to legislation: Social Security Contributions and Benefits (Northern Ireland) Act 1992, Paragraph 8 is up to date with all changes known to be in force on or before 16 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

INCREASE OF PENSION WHERE ENTITLEMENT IS DEFERRED

Modifications etc. (not altering text)

- C1** Sch. 5 amended (12.4.1993) by S.R. 1993/150, **arts. 1(d), 4(1)(4)(b), 6**
Sch. 5 amended (11.4.1994 with effect as mentioned in art. 6 of the amending S.R.) by S.R. 1994/74, **arts. 1(1), 4(1)(4)**
Sch. 5 amended (10.4.1995 with effect as mentioned in art. 6 of the amending S.R.) by S.R. 1995/71, **arts. 1(1), 4(1)(4)**
Sch. 5 amended (8.4.1996 with effect as mentioned in art. 6 of the amending S.R.) by S.R. 1996/73, **arts. 1(1), 4(1)(4)**
Sch. 5 amended (7.4.1997 with effect as mentioned in art. 6 of the amending S.R.) by S.R. 1997/113, **arts. 1(1), 4(1)(4)**
Sch. 5 amended (6.4.1998 with effect as mentioned in art. 6 of the amending S.R.) by S.R. 1998/59, **arts. 1(1), 4(1)(4)**
Sch. 5 amended (12.4.1999 with effect as mentioned in art. 6 of the amending S.R.) by S.R. 1999/50, **arts. 1(1), 4(1)(4)**
Sch. 5 amended (10.4.2000 with effect as mentioned in art. 6 of the amending S.R.) by S.R. 2000/38, **arts. 1(1), 4(1)(4)**
Sch. 5 amended (9.4.2001 with effect as mentioned in art. 6 of the amending S.R.) by S.R. 2001/41, **arts. 1(1), 4(1)(4)** (which S.R. was revoked (11.4.2002) by S.R. 2002/99, **arts. 1(1)(g), 23**)
Sch. 5 amended (8.4.2002 with effect as mentioned in art. 6 of the amending S.R.) by S.R. 2002/99, **arts. 1(1)(d)(2), 4(4)(b)**
- C1** Sch. 5 modified (temp. from 1.12.1999 until 5.10.2002) by 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)

Married women

- 8 (1) For the purposes of paragraphs 1 to 3 above in their application to a Category B retirement pension to which a married woman is entitled by virtue of her husband's contributions, a married woman who would have become entitled to such a pension on an earlier day if her husband's entitlement to his Category A retirement pension had not been deferred shall be treated as having (in addition to any other period of enhancement) a period of enhancement which begins on that earlier day and ends on the same day as her husband's period of enhancement.
- (2) The reference in sub-paragraph (1) above to the day on which the woman's husband's period of enhancement ends shall, where the marriage is terminated before that day, be construed as a reference to the day on which the marriage is terminated.
- (3) In the case of—

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- (a) a Category B retirement pension to which a married woman is entitled by virtue of her husband's contributions; or
- (b) a married woman's Category A retirement pension with an increase under section 53(2) above attributable to her husband's contributions,

the reference in paragraph 2(3) above to the pension to which a person would have been entitled if his entitlement had not been deferred shall be construed as a reference to the pension to which she would have been entitled if neither her nor her husband's entitlement to a retirement pension had been deferred.

- (4) Paragraph 4(2)(c) above shall not apply to a Category B retirement pension to which the wife was or would have been entitled by virtue of the man's contributions; and where the Category A retirement pension to which the wife was or would have been entitled includes an increase under section 53(2) above attributable to his contributions, the increase to which he is entitled under that paragraph shall be calculated as if there had been no increase under that section.

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