
Changes to legislation: There are currently no known outstanding effects for the Marriage (Same Sex Couples) Act 2013, Paragraph 14. (See end of Document for details)

SCHEDULES

SCHEDULE 4

EFFECT OF EXTENSION OF MARRIAGE: FURTHER PROVISION

PART 5

STATE PENSIONS

Graduated retirement benefit

- 14 (1) Section 62 of the Social Security Contributions and Benefits Act 1992 (graduated retirement benefit) is amended as follows.
- (2) Subsection (1): after paragraph (ac) insert—
- “(ad) for extending section 37 of that Act (increase of woman's retirement pension by reference to her late husband's graduated retirement benefit) to—
- (i) men and their late husbands, and
- (ii) women and their late wives,
- and for that section (except subsection (5)) so to apply as it applies to women and their late husbands;
- (ae) for extending section 37 of that Act (increase of woman's retirement pension by reference to her late husband's graduated retirement benefit) to—
- (i) men and their late husbands, and
- (ii) women and their late wives,
- who attained pensionable age before 6th April 2010 and for that section (except subsection (5)) so to apply as it applies to men and their late wives;”.
- (3) After subsection (2) insert—
- “(3) In relevant gender change cases, women and their late wives are to be treated for the purposes of sections 36 and 37 of the National Insurance Act 1965 in the same way as women and their late husbands.
- (4) For that purpose “relevant gender change case”, in relation to a woman (“the pensioner”) and her late wife, means a case where—
- (a) the late wife was, at the time of her death, a woman by virtue of a full gender recognition certificate having been issued under the Gender Recognition Act 2004, and
- (b) the marriage of the pensioner and her late wife subsisted before the time when the certificate was issued.”

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Commencement Information

- I1** Sch. 4 para. 14 in force at 31.10.2013 for specified purposes by S.I. 2013/2789, **art. 2(b)**
- I2** Sch. 4 para. 14 in force at 13.3.2014 for specified purposes by S.I. 2014/93, **art. 3(j)(ii)**
- I3** Sch. 4 para. 14 in force at 10.12.2014 in so far as not already in force by S.I. 2014/3169, **art. 2**

Changes to legislation:

There are currently no known outstanding effects for the Marriage (Same Sex Couples) Act 2013, Paragraph 14.