

Status: Point in time view as at 06/04/2016.

Changes to legislation: There are currently no known outstanding effects for the Pensions Act 2014, Cross Heading: Introduction. (See end of Document for details)

SCHEDULES

SCHEDULE 9

PENSION SHARING: UP-RATING STATE PENSION UNDER SECTION 13

Introduction

- 1 This Schedule sets out how to up-rate the rate of a person's state pension under section 13.

Commencement Information

I1 Sch. 9 para. 1 in force at 6.4.2016, see s. 56(1)(4)

- 2 In this Schedule a reference to the rate of a person's state pension is to the rate—
- (a) ignoring any reduction under section 7(4) (in the case of a state pension under section 7),
 - (b) taking into account any reduction under section 14 (in the case of a state pension under section 4), and
 - (c) ignoring any increase under section 17.

Commencement Information

I2 Sch. 9 para. 2 in force at 6.4.2016, see s. 56(1)(4)

- 3 (1) In this Schedule “the total amount of any state pension that has priority”, in relation to a person's state pension under section 13, means the sum of—
- (a) the rate of any state pension to which the person is entitled under section 2, 4 or 12,
 - (b) the rate of any state pension to which the person is entitled under section 7,
F1 ...
 - [F2(ba) the rate of any state pension to which the person is entitled under regulations made under section 10 which make provision corresponding or similar to section 7 and Schedules 3 and 4, and]
 - (c) the rate of any earlier state pension to which the person is entitled under section 13 (see sub-paragraph (2)).
- (2) Where a person is entitled to two or more state pensions under section 13 because he or she has become entitled to two or more state scheme pension credits, a pension arising because of an earlier credit is an “earlier” state pension for the purposes of sub-paragraph (1)(c).

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Textual Amendments

- F1** Word in Sch. 9 para. 3(1)(b) omitted (6.4.2016) by virtue of [The State Pension and Occupational Pension Schemes \(Miscellaneous Amendments\) Regulations 2016 \(S.I. 2016/199\)](#), **reg. 1(4), 5(3)(a)** (with reg. 1(5))
- F2** Sch. 9 para. 3(1)(ba) inserted (6.4.2016) by [The State Pension and Occupational Pension Schemes \(Miscellaneous Amendments\) Regulations 2016 \(S.I. 2016/199\)](#), **reg. 1(4), 5(3)(b)** (with reg. 1(5))

Commencement Information

- I3** Sch. 9 para. 3 in force at 6.4.2016, see s. 56(1)(4)

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