
STATUTORY INSTRUMENTS

2009 No. 2206

**The Social Security (State Pension and
National Insurance Credits) Regulations 2009**

PART 3

State pension reform - amendment of secondary legislation

Amendment of the Social Security (Widow's Benefit and Retirement Pensions) Regulations 1979

13.—(1) Regulation 8 (substitution of former spouse's or former civil partner's contribution record to give entitlement to a Category A retirement pension) is amended in accordance with this regulation.

(2) In paragraph (1)(c), after "any person" insert " , other than one to whom regulation 8A applies,".

(3) In paragraph (2), for "to the Act" substitute "to the Social Security Contributions and Benefits Act 1992 ("the 1992 Act") or the contribution condition for such a pension specified in paragraph 5A of that Schedule to that Act".

(4) For paragraph (3), substitute—

“(3) The beneficiary shall be treated as satisfying the first contribution condition specified in paragraph 5 of Schedule 3 to the 1992 Act if his former spouse or former civil partner—

(a) had satisfied that condition; or

(b) would have satisfied that condition had paragraph 5A of Schedule 3 not been applicable,

as respects any year of his working life up to (inclusive) the year in which the marriage or civil partnership terminated.”.

(5) In paragraph (4), after "the second contribution condition" insert "specified in paragraph 5 of Schedule 3 to the 1992 Act or the contribution condition specified in paragraph 5A of that Schedule to that Act".

(6) In paragraph (5), after "regulation 6" insert "or 6A".

(7) Omit paragraph (6).

(8) The amendment in paragraph (7) does not apply where the person concerned attained pensionable age before 6th April 2010.