
STATUTORY RULES OF NORTHERN IRELAND

2010 No. 56

The Social Security (State Pension and National Insurance Credits) Regulations (Northern Ireland) 2010

PART 2

Graduated retirement benefit – amendment of secondary legislation

Amendment of the Social Security (Graduated Retirement Benefit) (No. 2) Regulations

2.—(1) Schedule 1 to the Social Security (Graduated Retirement Benefit) (No. 2) Regulations (Northern Ireland) 1978⁽¹⁾ (which sets out sections 35 and 36 of the National Insurance Act (Northern Ireland) 1966 as continued in force by those regulations) is amended in accordance with paragraphs (2) to (5).

(2) In section 35(2) (graduated retirement benefit), for “the units” to the end substitute “, a unit of graduated contributions shall be £7.50”.

(3) The amendment in paragraph (2) does not apply—

- (a) in relation to a woman who attained pensionable age before 6th April 2010; or
- (b) for the purposes of the reference to the graduated retirement benefit of a deceased person in section 36(1) (as amended by paragraph (4)), where the deceased person was a woman who would have attained pensionable age before 6th April 2010.

(4) In section 36 (special provisions as to graduated retirement benefit for widows, widowers and surviving civil partners), in subsection (1)⁽²⁾—

(a) for paragraphs (a) to (c) and the dash preceding them substitute—

“, where a person, having paid graduated contributions as an insured person, dies leaving a widow, widower or surviving civil partner and the survivor—

- (a) has attained pensionable age at the time of the death; or
- (b) remains that person’s widow, widower or surviving civil partner (as the case may be) when attaining pensionable age,”;

(b) omit from “; and where a man” to the end of the subsection.

(5) The amendment in paragraph (4)(a) does not apply where the survivor attained pensionable age before 6th April 2010 (and it is immaterial for this purpose when the deceased person died).

(1) [S.R. 1978 No. 105](#); sections 35 and 36 of the National Insurance Act (Northern Ireland) 1966 c. 6 (N.I.) were repealed by the Social Security Act 1973 (c. 38) but are continued in force by regulation 2 of [S.R. 1978 No. 105](#); relevant amending Regulations are [S.R. 1989 No. 373](#) and [S.R. 2005 Nos. 121 and 541](#)

(2) Subsection (1) was amended by regulation 5(2)(b)(i) of [S.R. 1989 No. 373](#), regulation 2(3) of [S.R. 2005 No. 121](#) and regulation 2(4)(a) of [S.R. 2005 No. 541](#)