
Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Pensions Act (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 12

Section 23.

STATE PENSION: AMENDMENTS

PART 1

AMENDMENTS TO DO WITH NEW STATE PENSION SYSTEM

The Forfeiture (Northern Ireland) Order 1982 (NI 14)

1. In Article 6 of the Forfeiture (Northern Ireland) Order 1982 (Commissioner to decide whether forfeiture rule applies to social security benefits), in the definition of “relevant enactment” in paragraph (5), after the entry relating to the Pension Schemes (Northern Ireland) Act 1993 insert— “ Part 1 of the Pensions Act (Northern Ireland) 2015, ”.

Annotations:

Commencement Information

- I1** [Sch. 12](#) in operation at 6.4.2016 so far as not brought into operation earlier by an order, see [s. 53\(1\)\(3\)](#)

The Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7)

2. The Contributions and Benefits Act is amended as follows.

Annotations:

Commencement Information

- I2** [Sch. 12](#) in operation at 6.4.2016 so far as not brought into operation earlier by an order, see [s. 53\(1\)\(3\)](#)

3. In section 1 (outline of contributory system), in subsection (1)(a), after “this Act” insert “ or any other Act or Northern Ireland legislation ”.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Pensions Act (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Annotations:

Commencement Information

- I3** Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

4. In section 13 (Class 3 contributions), in subsection (2), omit “contribution”.

Annotations:

Commencement Information

- I4** Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

5. After section 19A insert—

“Extended meaning of benefit” etc. in Part 1

19B. In this Part references to “benefit” or “contributory benefit” include benefit under Part 1 of the Pensions Act (Northern Ireland) 2015.”.

Annotations:

Commencement Information

- I5** Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

- 6.—(1) Section 22 (earnings factors) is amended as follows.

- (2) In subsection (2)—

(a) in paragraph (a), omit the final “and”;

(b) after paragraph (b) insert “; and

(c) establishing entitlement to a state pension under Part 1 of the Pensions Act (Northern Ireland) 2015 and, where relevant, calculating the rate of a state pension under that Part.”.

- (3) After subsection (5) insert—

“(5ZA) Regulations may provide for crediting—

(a) for 1987-88 or any subsequent tax year, earnings or Class 2 or Class 3 contributions, or

(b) for any earlier tax year, contributions of any class,

for the purposes of bringing an earnings factor for that tax year to a figure which will make that year a “qualifying year”, “pre-commencement

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Pensions Act (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

qualifying year” or “post-commencement qualifying year” of a person for the purposes of Part 1 of the Pensions Act (Northern Ireland) 2015 (see sections 2(4) and 4(4) of that Act).

(5ZB) Regulations under subsection (5ZA) must provide for crediting a person with such contributions as may be specified in respect of periods on or after 6 April 1975 during which the person was—

- (a) a spouse or civil partner of a member of Her Majesty's forces,
- (b) accompanying the member on an assignment outside the United Kingdom, and
- (c) not of a description specified in the regulations.”.

Annotations:

Commencement Information

- I6** [Sch. 12](#) in operation at 6.4.2016 so far as not brought into operation earlier by an order, see [s. 53\(1\)\(3\)](#)

7. In section 121(1) (interpretation), in the definition of “benefit”, after paragraph (c) insert— “ (For the meaning of benefit” in Part 1, see also section 19B). ”.

Annotations:

Commencement Information

- I7** [Sch. 12](#) in operation at 6.4.2016 so far as not brought into operation earlier by an order, see [s. 53\(1\)\(3\)](#)

The Social Security Administration (Northern Ireland) Act 1992 (c. 8)

8. The Administration Act is amended as follows.

Annotations:

Commencement Information

- I8** [Sch. 12](#) in operation at 6.4.2016 so far as not brought into operation earlier by an order, see [s. 53\(1\)\(3\)](#)

9. In section 1 (entitlement to benefit dependent on claim), in subsection (4), before paragraph (a) insert—

- “(zb) state pension or a lump sum under Part 1 of the Pensions Act (Northern Ireland) 2015;”.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Pensions Act (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Annotations:**Commencement Information**

- I9** Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

10. In section 5 (regulations about claims for and payments of benefits), in subsection (2), before paragraph (a) insert—

“(zb) state pension or a lump sum under Part 1 of the Pensions Act (Northern Ireland) 2015;”.

Annotations:**Commencement Information**

- I10** Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

11. In section 69 (overpayments - general), in subsection (11), before paragraph (a) insert—

“(za) state pension or a lump sum under Part 1 of the Pensions Act (Northern Ireland) 2015;”.

Annotations:**Commencement Information**

- I11** Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

12. In section 71 (overlapping benefits - general)—

(a) in subsection (1), after “adjusting” insert “ state pension under Part 1 of the Pensions Act (Northern Ireland) 2015 or ”;

(b) in subsection (4), before paragraph (a) insert—

“(za) state pension under Part 1 of the Pensions Act (Northern Ireland) 2015;”.

Annotations:**Commencement Information**

- I12** Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

13. In section 115CA (interpretation of Part 6), in subsection (1), before paragraph (i) insert—

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Pensions Act (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

“(hl) Part 1 of the Pensions Act (Northern Ireland) 2015;”.

Annotations:

Commencement Information

I13 [Sch. 12](#) in operation at 6.4.2016 so far as not brought into operation earlier by an order, see [s. 53\(1\)\(3\)](#)

14. In section 116B (supply of other government information for fraud prevention and verification), in subsection (3)(b), before “or this Act” insert “, Part 1 of the Pensions Act (Northern Ireland) 2015 ”.

Annotations:

Commencement Information

I14 [Sch. 12](#) in operation at 6.4.2016 so far as not brought into operation earlier by an order, see [s. 53\(1\)\(3\)](#)

15. In section 118 (regulations as to notification of deaths), in subsection (1), before “and this Act” insert “, Part 1 of the Pensions Act (Northern Ireland) 2015 ”.

Annotations:

Commencement Information

I15 [Sch. 12](#) in operation at 6.4.2016 so far as not brought into operation earlier by an order, see [s. 53\(1\)\(3\)](#)

16. After section 130AB insert—

“Revaluation for transitional pensions under Pensions Act (Northern Ireland) 2015

130AC.—(1) Whenever the Secretary of State makes an order under section 148AC of the Great Britain Administration Act (revaluation for transitional pensions under Pensions Act 2014), the Department may make a corresponding order for Northern Ireland.

(2) The percentage specified in an order under subsection (1) is the “revaluing percentage” for the purposes of paragraph 6(5) of Schedule 1 to the Pensions Act (Northern Ireland) 2015.”.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Pensions Act (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Annotations:**Commencement Information**

- I16** Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

17. After section 132A insert—**“Up-rating of transitional state pensions under Pensions Act (Northern Ireland) 2015**

132B. Whenever the Secretary of State makes an order under section 151A of the Great Britain Administration Act (up-rating of transitional state pensions under Pensions Act 2014), the Department may make a corresponding order for Northern Ireland.”

Annotations:**Commencement Information**

- I17** Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

18.—(1) Section 135A (power to anticipate pensions up-rating order) is amended as follows.

(2) In subsection (1)(a)—

- (a) for “150 or 150A” substitute “ 150, 150A or 151A ”;
- (b) in sub-paragraph (i), after “by way of” insert “ state pension under the Pensions Act (Northern Ireland) 2015, ”.

(3) In subsection (2), after “an award is made of” insert “ a state pension, ”.

Annotations:**Commencement Information**

- I18** Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

19.—(1) Section 143 (general financial arrangements) is amended as follows.

(2) In subsection (1), before paragraph (a) insert—

- “(za) state pension and lump sums under Part 1 of the Pensions Act (Northern Ireland) 2015;”.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Pensions Act (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

(3) In subsection (2)(a), after “Contributions and Benefits Act” insert “, Part 1 of the Pensions Act (Northern Ireland) 2015”.

(4) In subsection (3)(b), after “that Act” insert “ or Part 1 of the Pensions Act (Northern Ireland) 2015”.

Annotations:

Commencement Information

I19 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

20. In section 149 (Social Security Advisory Committee), in subsection (5) in the definition of “the relevant enactments”, before paragraph (b) insert—

“(am) the provisions of Part 1 of the Pensions Act (Northern Ireland) 2015;”.

Annotations:

Commencement Information

I20 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

21.—(1) Section 155 (reciprocal agreements) is amended as follows.

(2) In subsection (3)(a), before “and the Contributions and Benefits Act” insert “, Part 1 of the Pensions Act (Northern Ireland) 2015”.

(3) In subsection (4), before paragraph (b) insert—

“(ag) to Part 1 of the Pensions Act (Northern Ireland) 2015;”.

(4) In subsection (5)—

(a) after “Act 2007” insert “ or Part 1 of the Pensions Act (Northern Ireland) 2015”;

(b) after paragraph (ac) insert—

“(ad) state pension under Part 1 of the Pensions Act (Northern Ireland) 2015;”.

Annotations:

Commencement Information

I21 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Pensions Act (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

22. In section 163 (inalienability), in subsection (1), before paragraph (a) insert

“(zb) state pension under Part 1 of the Pensions Act (Northern Ireland) 2015;”.

Annotations:

Commencement Information

I22 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

23. In section 166 (Assembly control of orders and regulations), in subsection (2) (b) after “132A,” insert “ 132B, ”.

Annotations:

Commencement Information

I23 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

24. In section 167(1) (interpretation), in the definition of “benefit”, before “a jobseeker's allowance” insert “ state pension under Part 1 of the Pensions Act (Northern Ireland) 2015, ”.

Annotations:

Commencement Information

I24 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

The Social Security (Northern Ireland) Order 1993 (NI 2)

25. In Article 4 of the Social Security (Northern Ireland) Order 1993 (payments into National Insurance Fund out of appropriated money) in paragraph (1) in the definition of “estimated benefit expenditure”, in paragraph (a) after “paragraphs” insert “ (za), ”.

Annotations:

Commencement Information

I25 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Pensions Act (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

The Pensions (Northern Ireland) Order 1995 (NI 22)

26. In Schedule 2 to the 1995 Order (pensionable age), in paragraph 1, for “and Part 1 of the Welfare Reform Act (Northern Ireland) 2007” substitute “, Part 1 of the Welfare Reform Act (Northern Ireland) 2007 and the Pensions Act (Northern Ireland) 2015”.

Annotations:

Commencement Information

I26 [Sch. 12](#) in operation at 6.4.2016 so far as not brought into operation earlier by an order, see [s. 53\(1\)\(3\)](#)

The Social Security (Northern Ireland) Order 1998 (NI 10)

27. The Social Security (Northern Ireland) Order 1998 is amended as follows.

Annotations:

Commencement Information

I27 [Sch. 12](#) in operation at 6.4.2016 so far as not brought into operation earlier by an order, see [s. 53\(1\)\(3\)](#)

28. In Article 4 (use of computers), in paragraph (2) at the end insert “or (m) Part 1 of the Pensions Act (Northern Ireland) 2015.”.

Annotations:

Commencement Information

I28 [Sch. 12](#) in operation at 6.4.2016 so far as not brought into operation earlier by an order, see [s. 53\(1\)\(3\)](#)

29. In Article 9 (decisions by the Department)—

(a) in paragraph (3), before sub-paragraph (b) insert—

“(ab) state pension or a lump sum under Part 1 of the Pensions Act (Northern Ireland) 2015;”;

(b) in paragraph (4), before “other than” insert “ or Part 1 of the Pensions Act (Northern Ireland) 2015 ”.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Pensions Act (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Annotations:**Commencement Information**

I29 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

30. In Article 12 (regulations with respect to decisions), in paragraph (3), in the definition of “the current legislation”, at the end insert “ and Part 1 of the Pensions Act (Northern Ireland) 2015 ”.

Annotations:**Commencement Information**

I30 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

31. In Article 27 (restrictions on entitlement to benefit in certain cases of error), in paragraph (7), in the definition of “benefit”, after paragraph (f) insert “and
(g) state pension or a lump sum under Part 1 of the Pensions Act (Northern Ireland) 2015.”.

Annotations:**Commencement Information**

I31 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

32. In Article 28 (correction of errors in decisions etc.), in paragraph (3) at the end insert “or
(j) Part 1 of the Pensions Act (Northern Ireland) 2015.”.

Annotations:**Commencement Information**

I32 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

33. In Schedule 3 (decisions against which an appeal lies), before paragraph 7 insert—

“State pension: prisoners and overseas residents

6C. A decision that a state pension under Part 1 of the Pensions Act (Northern Ireland) 2015 is not payable by reason of section 19 of that Act (prisoners).

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Pensions Act (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

6D. A decision that a person is not entitled to increases in the rate of a state pension under Part 1 of the Pensions Act (Northern Ireland) 2015 by reason of regulations under section 20 of that Act (overseas residents).”.

Annotations:

Commencement Information

I33 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

The Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4)

34.—(1) Section 38 of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (disclosure of state pension information) is amended as follows.

(2) In subsection (7), after paragraph (a) insert—

“(aa) the amount of any state pension under Part 1 of the Pensions Act (Northern Ireland) 2015 a present or future entitlement to which has already accrued to that individual;

(ab) a projection of the amount of any state pension under Part 1 of the Pensions Act (Northern Ireland) 2015 to which that individual is likely to become entitled, or might become entitled in particular circumstances;”.

(3) In subsection (11), in the definition of “lump sum”, after “under” insert “section 8 of the Pensions Act (Northern Ireland) 2015 or”.

Annotations:

Commencement Information

I34 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

The Social Security Fraud Act (Northern Ireland) 2001 (c. 17)

35. The Social Security Fraud Act (Northern Ireland) 2001 is amended as follows.

Annotations:

Commencement Information

I35 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Pensions Act (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

36. In section 5A (definitions), in the definition of “disqualifying benefit”, before paragraph (a) insert—

“(zb) state pension or a lump sum under Part 1 of the Pensions Act (Northern Ireland) 2015 or under Part 1 of the Pensions Act 2014;”.

Annotations:

Commencement Information

I36 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

37. In section 9 (power to supplement and mitigate loss of benefit provisions), in subsection (3), before paragraph (c) insert—

“(bf) state pension or a lump sum under Part 1 of the Pensions Act (Northern Ireland) 2015 or under Part 1 of the Pensions Act 2014;”.

Annotations:

Commencement Information

I37 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

The State Pension Credit Act (Northern Ireland) 2002 (c. 14)

38. The State Pension Credit Act (Northern Ireland) 2002 is amended as follows.

Annotations:

Commencement Information

I38 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

39. In section 7 (fixing of claimant's retirement provision for assessed income period), in subsection (6)(a), after “benefit under” insert “ Part 1 of the Pensions Act (Northern Ireland) 2015 or ”.

Annotations:

Commencement Information

I39 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

40. In section 16 (meaning of “retirement pension income”), in subsection (1), before paragraph (a) insert—

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Pensions Act (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

“(za) a state pension under Part 1 of the Pensions Act (Northern Ireland) 2015 or under Part 1 of the Pensions Act 2014;”.

Annotations:

Commencement Information

I40 [Sch. 12](#) in operation at 6.4.2016 so far as not brought into operation earlier by an order, see [s. 53\(1\)\(3\)](#)

The Gender Recognition Act 2004 (c. 7)

41. The Gender Recognition Act 2004 is amended as follows.

Annotations:

Commencement Information

I41 [Sch. 12](#) in operation at 6.4.2016 so far as not brought into operation earlier by an order, see [s. 53\(1\)\(3\)](#)

42. In section 23(3) and (4) of that Act (power to modify statutory provisions) “enactment” includes sections 11 and 12 of, and Schedules 6 and 7 to, this Act.

Annotations:

Commencement Information

I42 [Sch. 12](#) in operation at 6.4.2016 so far as not brought into operation earlier by an order, see [s. 53\(1\)\(3\)](#)

43.—(1) Schedule 5 (benefits and pensions) is amended as follows.

(2) After paragraph 6A insert—

“Pension under Part 1 of the Pensions Act (Northern Ireland) 2015

6B.—(1) Any question—

(a) whether the person is entitled to a state pension under Part 1 of the Pensions Act (Northern Ireland) 2015 for any period after the certificate is issued, and

(b) (if so) the rate at which the person is so entitled for the period, is to be decided as if the person's gender were the acquired gender.

(2) Accordingly, if (immediately before the certificate is issued) the person

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Pensions Act (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

(a) is a woman entitled to a state pension under Part 1 of the Pensions Act (Northern Ireland) 2015, but

(b) has not attained the age of 65,

the person ceases to be so entitled when it is issued.

(3) And, conversely, if (immediately before the certificate is issued) the person—

(a) is a man who has attained the age at which a woman of the same age attains pensionable age, but

(b) has not attained the age of 65,

the person is to be treated for the purposes of Part 1 of the Pensions Act (Northern Ireland) 2015 as attaining pensionable age when it is issued.

(4) But sub-paragraph (1) does not apply if and to the extent that the decision of any question to which it refers is affected by the payment or crediting of contributions, or the crediting of earnings, in respect of a period ending before the certificate is issued.

(5) If the person's acquired gender is the male gender, sections 11 and 12 of, and Schedules 6 and 7 to, the Pensions Act (Northern Ireland) 2015 (effect of reduced rate elections) apply in relation to the person as they apply in relation to a woman (but only once the person has reached pensionable age for a man).

(6) Paragraph 10 makes provision about deferment of state pensions under Part 1 of the Pensions Act (Northern Ireland) 2015.”.

(3) In paragraph 10, in sub-paragraph (1), after paragraph (za) insert—

“(zb) a state pension under Part 1 of the Pensions Act (Northern Ireland) 2015;”.

Annotations:

Commencement Information

I43 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

The Welfare Reform Act (Northern Ireland) 2015

44. In section 97 of the Welfare Reform Act (Northern Ireland) 2015 (benefit cap), in subsection (8), before paragraph (a) insert—

“(za) state pension under Part 1 of the Pensions Act (Northern Ireland) 2015;”.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Pensions Act (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Annotations:**Commencement Information**

I44 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

PART 2**AMENDMENTS TO DO WITH OLD STATE PENSION SYSTEM***Graduated retirement benefit*

45.—(1) Section 35 of the National Insurance Act (Northern Ireland) 1966 (graduated retirement benefit), so far as continuing in operation, is amended as follows.

(2) In subsection (7), for “has attained pensionable age” substitute “attained pensionable age before 6 April 2016”.

(3) In subsection (8), in the definition of “retirement pension”, after “any category” insert “under the Social Security Contributions and Benefits (Northern Ireland) Act 1992”.

Annotations:**Commencement Information**

I45 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

Category A retirement pensions

46. The Contributions and Benefits Act is amended as follows.

Annotations:**Commencement Information**

I46 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

47. In section 44(1) (Category A retirement pension), for paragraph (a) substitute

“(a) the person attained pensionable age before 6 April 2016.”.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Pensions Act (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Annotations:**Commencement Information**

I47 [Sch. 12](#) in operation at 6.4.2016 so far as not brought into operation earlier by an order, see [s. 53\(1\)\(3\)](#)

48.—(1) Section 48 (use of former spouse's contributions) is amended as follows.

(2) In subsection (1), after “person” insert “ who attained pensionable age before 6 April 2016 ”.

(3) After subsection (2) insert—

“(2A) Regulations under subsection (1) may not provide for contributions of a person in respect of times on or after 6 April 2016 to be treated as contributions of another person.”.

Annotations:**Commencement Information**

I48 [Sch. 12](#) in operation at 6.4.2016 so far as not brought into operation earlier by an order, see [s. 53\(1\)\(3\)](#)

Category B retirement pensions

49. The Contributions and Benefits Act is amended as follows.

Annotations:**Commencement Information**

I49 [Sch. 12](#) in operation at 6.4.2016 so far as not brought into operation earlier by an order, see [s. 53\(1\)\(3\)](#)

50. In section 23A (contributions credits for relevant parents and carers) in subsection (1)(b), after “section 48A” insert “ or 48AA ”.

Annotations:**Commencement Information**

I50 [Sch. 12](#) in operation at 6.4.2016 so far as not brought into operation earlier by an order, see [s. 53\(1\)\(3\)](#)

51. In section 46 (modification of section 45 for calculating additional pension in certain benefits), in subsection (2), omit “48A(4) or” (in both places).

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Pensions Act (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Annotations:

Commencement Information

I51 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

52. For section 48A substitute—

“Category B retirement pension for married person or civil partner

48A.—(1) A married person is entitled to a Category B retirement pension by virtue of the contributions of his or her spouse if—

- (a) the person attained pensionable age before 6 April 2016, and
- (b) the spouse—
 - (i) has attained pensionable age, and
 - (ii) satisfies the relevant contribution condition.

(2) But subsection (1) does not confer a right to a Category B retirement pension on a man whose spouse was born before 6 April 1950.

(3) A person who is a civil partner is entitled to a Category B retirement pension by virtue of the contributions of his or her civil partner (“the contributing civil partner”) if—

- (a) the person attained pensionable age before 6 April 2016, and
- (b) the contributing civil partner—
 - (i) was born on or after 6 April 1950,
 - (ii) has attained pensionable age, and
 - (iii) satisfies the condition in paragraph 5A of Schedule 3.

(4) A Category B retirement pension payable under this section is payable at the weekly rate specified in paragraph 5 of Part 1 of Schedule 4.

(5) A person ceases to be entitled to a Category B retirement pension under this section if—

- (a) the person's spouse or civil partner dies (but see sections 48B and 51), or
- (b) the person otherwise ceases to be married or in the civil partnership (but see section 48AA).

(6) In subsection (1)(b)(ii) “the relevant contribution condition” means

- (a) in a case where the spouse was born before 6 April 1945, the conditions in paragraph 5 of Schedule 3;
- (b) in any other case, the condition in paragraph 5A of Schedule 3.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Pensions Act (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

(7) For the purposes of any provision of this Act as it applies in relation to this section, no account is to be taken of any earnings factors of the spouse or contributing civil partner for the tax year beginning with 6 April 2016 or any later tax year.

Category B retirement pension for divorcee or former civil partner

48AA.—(1) A person who has been in a marriage that has been dissolved is entitled to a Category B retirement pension by virtue of the contributions of his or her former spouse if—

- (a) the person attained pensionable age—
 - (i) before 6 April 2016, and
 - (ii) before the marriage was dissolved, and
- (b) the former spouse—
 - (i) attained pensionable age before the marriage was dissolved, and
 - (ii) satisfied the relevant contribution condition.

(2) But subsection (1) does not confer a right to a Category B retirement pension on a man whose former spouse was born before 6 April 1950.

(3) A person who has been in a civil partnership that has been dissolved is entitled to a Category B retirement pension by virtue of the contributions of his or her former civil partner if—

- (a) the person attained pensionable age—
 - (i) before 6 April 2016, and
 - (ii) before the civil partnership was dissolved, and
- (b) the former civil partner—
 - (i) was born on or after 6 April 1950,
 - (ii) attained pensionable age before the civil partnership was dissolved, and
 - (iii) satisfied the condition in paragraph 5A of Schedule 3.

(4) During any period when the person's former spouse or civil partner is alive, a Category B retirement pension payable under this section is payable at the weekly rate specified in paragraph 5 of Part 1 of Schedule 4.

(5) During any period after the person's former spouse or civil partner is dead, a Category B retirement pension payable under this section is payable at the weekly rate of the basic pension specified in section 44(4).

(6) In subsection (1)(b)(ii) “the relevant contribution condition” means

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Pensions Act (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

(a) in a case where the former spouse was born before 6 April 1945, the conditions in paragraph 5 of Schedule 3;

(b) in any other case, the condition in paragraph 5A of Schedule 3.

(7) For the purposes of any provision of this Act as it applies in relation to this section, no account is to be taken of any earnings factors of the former spouse or civil partner for the tax year beginning with 6 April 2016 or any later tax year.

(8) A voidable marriage or civil partnership which has been annulled is to be treated for the purposes of this section as if it had been a valid marriage or civil partnership which was dissolved at the date of annulment.”.

Annotations:

Commencement Information

I52 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

53.—(1) Section 48B (Category B retirement pension for widows and widowers) is amended as follows.

(2) For subsections (1) to (1A) substitute—

“(1) A person (“the pensioner”) whose spouse died while they were married is entitled to a Category B retirement pension by virtue of the contributions of his or her spouse if—

(a) the pensioner attained pensionable age—

(i) before 6 April 2016, and

(ii) before the spouse died, and

(b) the spouse satisfied the relevant contribution condition.

(1ZA) But subsection (1) does not confer a right to a Category B retirement pension on a man who attained pensionable age before 6 April 2010.

(1ZB) In subsection (1)(b) “the relevant contribution condition” means

—
(a) in a case where the spouse—

(i) died before 6 April 2010, or

(ii) died on or after that date having attained pensionable age before that date,

the conditions in paragraph 5 of Schedule 3, and

(b) in any other case, the condition in paragraph 5A of Schedule 3.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Pensions Act (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

(1A) A person (“the pensioner”) whose civil partner died while they were civil partners of each other is entitled to a Category B retirement pension by virtue of the contributions of his or her civil partner if—

- (a) the pensioner attained pensionable age—
 - (i) on or after 6 April 2010 but before 6 April 2016, and
 - (ii) before the civil partner died, and
- (b) the civil partner satisfied the relevant contribution condition.

(1B) In subsection (1A)(b) “the relevant contribution condition” means—

- (a) in a case where the deceased civil partner attained pensionable age before 6 April 2010, the conditions in paragraph 5 of Schedule 3, and
- (b) in any other case, the condition in paragraph 5A of Schedule 3.”.

(3) After subsection (3) insert—

“(3A) For the purposes of any provision of this Act as it applies in relation to this section, no account is to be taken of any earnings factors of the deceased for the tax year beginning with 6 April 2016 or any later tax year.”.

(4) For subsection (4) substitute—

“(4) A woman (“the pensioner”) whose husband died before she attained pensionable age is entitled to a Category B retirement pension by virtue of the contributions of her husband if—

- (a) she attained pensionable age before 6 April 2016, and
- (b) the condition in subsection (5) is satisfied.

(4A) A man (“the pensioner”) whose wife died before he attained pensionable age is entitled to a Category B retirement pension by virtue of the contributions of his wife if—

- (a) he attained pensionable age on or after 6 April 2010 but before 6 April 2016, and
- (b) the condition in subsection (5) would have been satisfied on the assumption mentioned in subsection (7).”.

(5) In subsection (6), after “subsection (4)” insert “ or (4A) ”.

(6) In subsection (7), for “(4)” substitute “ (4A) ”.

Annotations:

Commencement Information

I53 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Pensions Act (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

54.—(1) Section 48BB (Category B retirement pension: entitlement by reference to widowed parent's allowance or bereavement allowance where no dependent children) is amended as follows.

(2) In subsection (1), for “who has attained pensionable age” substitute “ who attained pensionable age before 6 April 2016 ”.

(3) In subsection (3), for “who has attained pensionable age” substitute “ who attained pensionable age before 6 April 2016 ”.

Annotations:

Commencement Information

I54 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

55.—(1) Section 48C (Category B retirement pension: general) is amended as follows.

(2) In subsection (3), for “sections 48A(4)(b) and” substitute “ section ”.

(3) In subsection (4), omit “48A(4),”.

Annotations:

Commencement Information

I55 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

56. For section 51 substitute—

“Category B retirement pension for widowers and surviving civil partners who attained pensionable age before 6 April 2010

51.—(1) A man (the pensioner) whose wife died while they were married is entitled to a Category B retirement pension if—

- (a) they were both over pensionable age at the time of the death,
- (b) the pensioner attained pensionable age before 6 April 2010, and
- (c) the wife satisfied the relevant contribution condition.

(2) But subsection (1) does not confer a right to a Category B retirement pension on a man whose wife died before 6 April 1979.

(3) In subsection (1)(c) “the relevant contribution condition” means—

- (a) in a case where the spouse attained pensionable age before 6 April 2010, the conditions in paragraph 5 of Schedule 3, and

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Pensions Act (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

(b) in a case where the spouse attained pensionable age on or after 6 April 2010, the condition in paragraph 5A of Schedule 3.

(4) A person (“the pensioner”) whose civil partner died while they were civil partners of each other is entitled to a Category B retirement pension if—

- (a) they were both over pensionable age at the time of the death,
- (b) the pensioner attained pensionable age before 6 April 2010, and
- (c) the deceased civil partner satisfied the relevant contribution condition.

(5) In subsection (4)(c) “the relevant contribution condition” means—

- (a) in a case where the deceased civil partner attained pensionable age before 6 April 2010, the conditions in paragraph 5 of Schedule 3, and
- (b) in a case where the deceased civil partner attained pensionable age on or after 6 April 2010, the condition in paragraph 5A of Schedule 3.

(6) The weekly rate of a person's Category B retirement pension under this section is to be determined in accordance with sections 44 to 45AA and Schedule 4A as they apply in the case of a Category A retirement pension taking references in those sections to the pensioner as references to the spouse or deceased civil partner.

(7) But in the case of—

- (a) a man whose wife dies after 5 October 2002, or
- (b) a surviving civil partner,

any amount of additional pension falling to be calculated under subsection (6) is to be halved.

(8) For the purposes of any provision of this Act as it applies in relation to this section, no account is to be taken of any earnings factors of the spouse or deceased civil partner for the tax year beginning with 6 April 2016 or any later tax year.

(9) Subject to the provisions of this Act, a person becomes entitled to a Category B retirement pension under this section on the day on which the conditions of entitlement become satisfied and the entitlement continues throughout the person's life.”.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Pensions Act (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Annotations:**Commencement Information**

I56 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

57. In section 52(3) (special provision for surviving spouses) for “prescribed maximum” substitute “ maximum amount specified in regulations ”.

Annotations:**Commencement Information**

I57 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

58.—(1) Schedule 3 (contribution conditions for entitlement to benefit) is amended as follows.

(2) In paragraph 5, for sub-paragraph (1) substitute—

“(1) This paragraph sets out the contribution conditions for—

- (a) a widowed mother's allowance, a widowed parent's allowance or a widow's pension;
- (b) a Category A retirement pension (other than one in relation to which paragraph 5A applies);
- (c) a Category B retirement pension in the cases provided for by any of sections 48A to 51.”.

(3) In paragraph 5A(1), for paragraphs (b) and (c) substitute—

“(b) a Category B retirement pension in the cases provided for by any of sections 48A to 51.”.

Annotations:**Commencement Information**

I58 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

59. In Part 1 of Schedule 4 (rates of certain benefits), in paragraph 5, for “section 48A(3)” substitute “ section 48A(4) or 48AA(4) ”.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Pensions Act (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Annotations:

Commencement Information

I59 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

60. In Schedule 4A (additional pension: accrual rates for purposes of section 45(2)(c)), in paragraph 1(2), omit “, 48A(4)” (in both places).

Annotations:

Commencement Information

I60 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

61. In section 42 of the Pension Schemes Act (effect of entitlement to guaranteed minimum pensions on payment of social security benefits), in subsection (6), omit “48A.”.

Annotations:

Commencement Information

I61 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

62. In Article 125 of the 1995 Order (additional pension: calculation of surpluses), in paragraph (6), omit “48A.”.

Annotations:

Commencement Information

I62 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

63. In Schedule 2 to the 1995 Order (equalisation of, and increase in, pensionable age for men and women), omit paragraph 3(2) and (3).

Annotations:

Commencement Information

I63 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Pensions Act (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

64. In Schedule 24 to the Civil Partnership Act 2004, omit paragraphs 79(6) and 82(6).

Annotations:

Commencement Information

I64 [Sch. 12](#) in operation at 6.4.2016 so far as not brought into operation earlier by an order, see [s. 53\(1\)\(3\)](#)

Category C retirement pensions: repeal of spent provisions

65. The Contributions and Benefits Act is amended as follows.

Annotations:

Commencement Information

I65 [Sch. 12](#) in operation at 6.4.2016 so far as not brought into operation earlier by an order, see [s. 53\(1\)\(3\)](#)

66. In section 63(f)(i) (descriptions of non-contributory benefits), for the words from “payable” to “widows” substitute “ payable in certain cases to a widow whose husband was over pensionable age on 5 July 1948 or to a woman whose marriage to a husband who was over pensionable age on that date was terminated otherwise than by his death ”.

Annotations:

Commencement Information

I66 [Sch. 12](#) in operation at 6.4.2016 so far as not brought into operation earlier by an order, see [s. 53\(1\)\(3\)](#)

67.—(1) Section 78 (Category C retirement pensions etc.) is amended as follows.

(2) Omit subsections (1), (2) and (5).

(3) In subsections (7) and (8), omit “Category C or”.

Annotations:

Commencement Information

I67 [Sch. 12](#) in operation at 6.4.2016 so far as not brought into operation earlier by an order, see [s. 53\(1\)\(3\)](#)

68. In Part 3 of Schedule 4—

(a) omit paragraph 6 (rate of Category C retirement pension);

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Pensions Act (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

- (b) in paragraph 7 (rate of Category D retirement pension), for the text in the second column substitute the amount specified in paragraph 6 as the higher rate for a Category C retirement pension immediately before 6 April 2016.

Annotations:

Commencement Information

- I68** Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

Category D retirement pensions

- 69.** In section 78(3) of the Contributions and Benefits Act (entitlement to a Category D retirement pension), for “and satisfies” substitute “ , who reached pensionable age before 6 April 2016 and who satisfies ”.

Annotations:

Commencement Information

- I69** Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

Age addition

- 70.** In sections 63(g) and 79(1) of the Contributions and Benefits Act (age addition), after “retirement pension of any category” insert “ under this Act ”.

Annotations:

Commencement Information

- I70** Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

Christmas bonus

- 71.** In section 146(2) of the Contributions and Benefits Act (Christmas bonus: interpretation), for the definition of “retirement pension” substitute—

“retirement pension” means—

- (a) a state pension under Part 1 of the Pensions Act (Northern Ireland) 2015,
- (b) a retirement pension under this Act, or
- (c) graduated retirement benefit.”.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Pensions Act (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Annotations:**Commencement Information**

- I71 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

PART 3**AMENDMENTS TO DO WITH STATE PENSION CREDIT**

72. The State Pension Credit Act (Northern Ireland) 2002 is amended as follows.

Annotations:**Commencement Information**

- I72 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

73. In section 3 (savings credit), for subsection (1) substitute—

“(1) The first of the conditions mentioned in section 1(2)(c)(ii) is that the claimant—

- (a) has attained pensionable age before 6 April 2016 and has attained the age of 65 (before, on or after that date), or
- (b) is a member of a couple, the other member of which falls within paragraph (a).”.

Annotations:**Commencement Information**

- I73 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

74. After that section insert—

“Power to limit savings credit for certain mixed-age couples

3ZA.—(1) Regulations may provide that, in prescribed cases, a person who is a member of a mixed-age couple is not entitled to a savings credit.

(2) For example, the regulations could provide that a member of a mixed-age couple is not entitled to a savings credit unless—

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Pensions Act (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

(a) the person has been awarded a savings credit with effect from a day before 6 April 2016 and was entitled to a savings credit immediately before that date, and

(b) the person remained entitled to state pension credit at all times since the beginning of 6 April 2016.

(3) In this section “mixed-age couple” means a couple (whenever formed) one member of which had attained pensionable age before 6 April 2016 and the other had not.”.

Annotations:

Commencement Information

I74 [Sch. 12](#) in operation at 6.4.2016 so far as not brought into operation earlier by an order, see [s. 53\(1\)\(3\)](#)

75. In Schedule 1 to the Pensions Act (Northern Ireland) 2008, omit paragraph 41.

Annotations:

Commencement Information

I75 [Sch. 12](#) in operation at 6.4.2016 so far as not brought into operation earlier by an order, see [s. 53\(1\)\(3\)](#)

PART 4

OTHER AMENDMENTS TO DO WITH PART 1

The Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7)

76. The Contributions and Benefits Act is amended as follows.

Annotations:

Commencement Information

I76 [Sch. 12](#) in operation at 6.4.2016 so far as not brought into operation earlier by an order, see [s. 53\(1\)\(3\)](#)

77.—(1) Section 39C (rate of widowed parent's allowance and bereavement allowance) is amended as follows.

(2) In subsection (1), for the words from “45AA” to “as they apply” substitute “45AA and Schedules 4A and 4B below as they apply”.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Pensions Act (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

(3) In subsection (3), for the words from “45AA” to “by virtue of subsection (1) above” substitute “ 45AA and Schedules 4A and 4B below by virtue of subsection (1) above ”.

(4) In subsection (4), for the words from “45AA” to “below” substitute “ 45AA and Schedules 4A and 4B below ”.

Annotations:

Commencement Information

I77 [Sch. 12](#) in operation at 6.4.2016 so far as not brought into operation earlier by an order, see [s. 53\(1\)\(3\)](#)

78.—(1) Schedule 5 (pension increase or lump sum where entitlement to retirement pension is deferred) is amended as follows.

(2) In the following provisions omit “(as those provisions have effect by virtue of section 3(7) of the Pensions Act (Northern Ireland) 2012)”—

paragraph 4(1A)(a), (b) and (c);

paragraph 7B(5)(b)(i).

(3) After paragraph 7 insert—

“**7ZA.—(1)** This paragraph modifies paragraphs 5A to 6A in cases where

(a) W became entitled to a Category A or Category B retirement pension before 7 June 2012, and

(b) S died before 7 June 2012.

(“W” and “S” have the same meaning as in paragraph 5.)

(2) Paragraph 5A applies as if—

(a) in sub-paragraph (2), after paragraph (a), there were inserted—

“(b) the appropriate amount; and”;

(b) in sub-paragraph (3), after “following—”, there were inserted—

“(a) one half of the appropriate amount; and”.

(3) Paragraph 6 applies as if—

(a) in sub-paragraph (2), after paragraph (a), there were inserted—

“(b) the appropriate amount; and”;

(b) in sub-paragraph (3), after paragraph (b), there were inserted—

“(c) the appropriate amount reduced by the amount of any increases under section 105 of the Pensions Act; and”;

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Pensions Act (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

(c) in sub-paragraph (4), after paragraph (a), there were inserted—
“(b) one half of the appropriate amount; and”.

(4) Paragraph 6A applies as if in sub-paragraph (2), after paragraph (a), there were inserted—

“(b) one half of the appropriate amount; and”.

(5) In paragraphs 5A to 6A as modified by this paragraph, the “appropriate amount” means the greater of—

(a) the amount by which the deceased person's Category A or Category B retirement pension had been increased under section 132 of the Administration Act; or

(b) the amount by which his or her Category A or Category B retirement pension would have been so increased had he or she died immediately before the surviving spouse or civil partner became entitled to a Category A or Category B retirement pension.

(6) In sub-paragraph (1)(a) the reference to becoming entitled to a pension before 7 June 2012 includes a reference to becoming entitled on or after that day to the payment of a pension in respect of a period before that day.”.

Annotations:

Commencement Information

I78 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

The Pension Schemes (Northern Ireland) Act 1993 (c. 49)

79. Section 42A of the Pension Schemes Act (retirement in tax year after 5 April 2020) is repealed.

Annotations:

Commencement Information

I79 Sch. 12 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see s. 53(1)(3)

The Deregulation and Contracting Out (Northern Ireland) Order 1996 (NI 11)

80. In Article 17 of the Deregulation and Contracting Out (Northern Ireland) Order 1996 (social security: amendments following certain orders), at the end of paragraph (2) add “ the Pensions Act 2014 ”.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Pensions Act (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Annotations:

Commencement Information

I80 [Sch. 12](#) in operation at 6.4.2016 so far as not brought into operation earlier by an order, see [s. 53\(1\)\(3\)](#)

The Pensions (No. 2) Act (Northern Ireland) 2008 (c. 13)

81. In the Pensions (No2) Act, the following are repealed—

- (a) sections 81 and 82 (consolidation of additional pension);
- (b) Schedule 2 (consolidation of additional pension);
- (c) in Schedule 3 (minor and consequential amendments)—
 - paragraph 4(2)(b) and (3)(b);
 - paragraph 6(3);
 - paragraph 7(a);
 - paragraph 8(a);
 - paragraph 9(2)(c);
 - paragraph 10;
 - paragraphs 13 to 22.

Annotations:

Commencement Information

I81 [Sch. 12](#) in operation at 6.4.2016 so far as not brought into operation earlier by an order, see [s. 53\(1\)\(3\)](#)

The Pensions Act (Northern Ireland) 2012 (c. 3)

82. In the Pensions Act (Northern Ireland) 2012, the following are repealed—

- (a) section 3(5) to (9) and Schedule 2 (abolition of certain additions to the state pension);
- (b) section 4 and Schedule 3 (consolidation of additional pension).

Annotations:

Commencement Information

I82 [Sch. 12](#) in operation at 6.4.2016 so far as not brought into operation earlier by an order, see [s. 53\(1\)\(3\)](#)

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Pensions Act (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations.

Changes and effects yet to be applied to :

- Sch. 12 para. 81 coming into force by [S.R. 2015/307 art. 2\(1\)\(k\)](#)
- Sch. 12 para. 82(b) coming into force by [S.R. 2015/307 art. 2\(1\)\(k\)](#)
- Sch. 12 para. 8 coming into force by [S.R. 2015/329 art. 2\(2\)\(a\)](#)
- Sch. 12 para. 21 coming into force by [S.R. 2015/329 art. 2\(2\)\(c\)](#)
- Sch. 12 para. 72 coming into force by [S.R. 2015/329 art. 2\(2\)\(a\)](#)
- Sch. 12 para. 74 coming into force by [S.R. 2015/329 art. 2\(2\)\(c\)](#)
- Sch. 12 para. 2 coming into force by [S.R. 2016/68 art. 2\(e\)](#)
- Sch. 12 para. 6(1) coming into force by [S.R. 2016/68 art. 2\(e\)](#)
- Sch. 12 para. 6(3) coming into force by [S.R. 2016/68 art. 2\(f\)](#)
- Sch. 12 para. 44 repealed by [S.I. 2015/2006 \(N.I.\) art. 102\(3\)](#)
- specified provision(s) transitional provisions for effects of commencing S.I. 2017/297, art. 2 by [S.R. 2017/58 Order](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 22(1)(a) word omitted by [S.R. 2016/80 reg. 3\(2\)\(a\)](#)
- s. 22(1)(c) inserted and preceding word by [S.R. 2016/80 reg. 3\(2\)\(b\)](#)
- Sch. 4 para. 5(3)(6) sums amended by [S.R. 2018/58 art. 6\(4\)\(c\)](#)
- Sch. 9 para. 3(1)(ba) inserted by [S.R. 2016/80 reg. 3\(3\)\(b\)](#)
- Sch. 9 para. 5(3)(6) sums amended by [S.R. 2018/58 art. 6\(4\)\(d\)](#)
- Sch. 20 para. 2 coming into force by [S.R. 2017/44 art. 5\(b\)](#)
- Sch. 20 para. 3 coming into force by [S.R. 2017/44 art. 5\(b\)](#)
- Sch. 20 para. 4 coming into force by [S.R. 2017/44 art. 5\(b\)](#)