

---

DRAFT STATUTORY INSTRUMENTS

---

**2015 No.**

**The State Pension Regulations 2015**

**PART 2**

**Prisoners**

**Paying state pension to persons who are remanded in custody**

**3.—**(1) Where a person is remanded in custody for an offence, regulation 2(1) does not apply unless a sentence described in paragraph (2) is later imposed on the person for the offence.

(2) Subject to paragraph (3), the described sentences for the purposes of paragraph (1) are—

- (a) a sentence of imprisonment or detention in legal custody as a result of criminal proceedings;
- (b) a sentence of detention where the provisions mentioned in regulation 2(2)(c)(i) or (d) apply;
- (c) a suspended sentence within the meaning in section 189 of the Criminal Justice Act 2003 (suspended sentences of imprisonment)<sup>(1)</sup>.

(3) A sentence described in paragraph (2)(a) which is imposed outside Great Britain is not a described sentence for the purposes of paragraph (1) if, in similar circumstances in Great Britain, a sentence described in paragraph (2)(a) would not have been imposed.

---

(1) 2003 c.44. Section 189 was amended by section 68 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c.10) and S.I. 2005/643.