## STATUTORY INSTRUMENTS

# 2015 No. 173

# SOCIAL SECURITY

# The State Pension Regulations 2015

Made - - - - 9th February 2015
Coming into force 6th April 2016

# THE STATE PENSION REGULATIONS 2015

### PART 1

# General

1. Citation, commencement, application and interpretation

### PART 1A

Full rate of State Pension

1A Full rate of state pension

# PART 2

# Prisoners

- 2. Prisoners who are not to be paid state pension
- 3. Paying state pension to persons who are remanded in custody

### PART 3

# Deferral of State Pension

- 4. When a choice of lump sum or survivor's pension may be made
- 5. How a choice of lump sum or survivor's pension may be made
- 6. Changing a choice of lump sum or survivor's pension
- 7. How entitlement to a state pension may be suspended
- 8. Date from which a suspension of a state pension begins
- 9. Cancelling a suspension of a state pension
- 10. Percentage for the weekly rate of increases resulting from deferral of state pension
- 11. Days which are not included in determining the period of deferral
- 12. Part weeks treated as whole weeks in determining the amount of entitlement during deferral

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# 12A Modification of the amount of an increment for other cases during deferral

### PART 4

# Minimum Qualifying Period

13. Minimum number of qualifying years

#### PART 5

# Amendments to other legislation

14. Sharing of state pension scheme rights

### PART 6

### Graduated Retirement Benefit

- 15. Survivor's state pension based on inheritance of graduated retirement benefit
- 16. Survivor's state pension under regulation 15: inherited amount
- 17. Survivor's state pension under regulation 15: up-rating
- 18. Choice of lump sum or state pension based on inheritance of deferred graduated retirement benefit
- 19. Survivor's lump sum based on inheritance of deferred graduated retirement benefit
- 20. Survivor's state pension based on inheritance of deferred graduated retirement benefit

### PART 7

# Overseas Residents

- 21. Entitlement to state pension for overseas residents
- 22. Modification of the amount of an increment for an overseas resident
- 23. Modification of the amount of an increment where regulations 12A and 22 both apply

### PART8

# National Insurance Credits

# CHAPTER 1

### General

- 24. Interpretation
- 25. General provisions relating to the crediting of earnings or contributions

# CHAPTER 2

Crediting earnings or contributions in respect of a pre-commencement qualifying year

- 26. Credits under the 1975 Regulations
- 27. Credits for parents and carers
- 28. Credits for spouses and civil partners of members of Her Majesty's forces

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## CHAPTER 3

Crediting earnings or contributions in respect of a qualifying year or a post-commencement qualifying year

- 29. Credits under the 1975 Regulations
- 30. Credits for persons in receipt of working tax credit
- 31. Credits for persons entitled to universal credit
- 32. Credits for persons approaching pensionable age
- 33. Credits for spouses and civil partners of members of Her Majesty's forces
- 34. Credits in respect of an award of child benefit
- 35. Credits for persons providing care for a child under the age of 12
- 36. Credits for being a foster parent
- 37. Credits for persons engaged in caring
- 38. Credits for an additional period in respect of entitlement to carer's allowance or carer support payment and relevant benefits
- 39. Time limit for making an application under regulation 34(1)(b), 35, 36 or37Signature

SCHEDULE — Amendments to other legislation – sharing of state pension rights

- 1. Amendment of the Sharing of State Scheme Rights (Provision of Information and Valuation) (No.2) Regulations 2000
- 2. Amendment of the Pensions on Divorce etc. (Pension Sharing) (Scotland) Regulations 2000

**Explanatory Note** 

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# Changes and effects yet to be applied to:

- reg. 1A sum substituted by S.I. 2024/242 art. 6(1)
- reg. 21 applied by S.I. 2024/386 reg. 3
- reg. 30(1)(b) words omitted by S.I. 2024/377 reg. 8(22)(a)(i)
- reg. 30(1)(c) words substituted by S.I. 2024/377 reg. 8(22)(a)(ii)
- reg. 32(4)(a) words omitted by S.I. 2024/377 reg. 8(22)(b)(i)
- reg. 32(4)(b) words substituted by S.I. 2024/377 reg. 8(22)(b)(ii)