



2015 CHAPTER 5

PART 1

STATE PENSION

Prisoners and overseas residents

Prisoners

19.—(1) Regulations may provide that a person is not to be paid a state pension under this Part for any period during which the person is a prisoner.

(2) “Prisoner” means a person (in Northern Ireland or elsewhere) who is—

- (a) imprisoned or detained in legal custody, or
- (b) unlawfully at large.

(3) In the case of a person remanded in custody for an offence, regulations under subsection (1) may be made so as to apply only if a sentence of a specified description is later imposed on the person for the offence.

Commencement Information

- I1** S. 19 in operation at 16.7.2015 for specified purposes by [S.R. 2015/307](#), [art. 2\(2\)\(g\)](#)
- I2** S. 19 in operation at 6.4.2016 so far as not brought into operation earlier by an order, see [s. 53\(1\)\(3\)](#)

Overseas residents

20.—(1) Regulations may provide that an overseas resident who is entitled to a state pension under this Part is not entitled to up-rating increases.

Changes to legislation: Pensions Act (Northern Ireland) 2015, Cross Heading: Prisoners and overseas residents is up to date with all changes known to be in force on or before 06 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(2) In this section “overseas resident” means a person who is not ordinarily resident in Northern Ireland or any other territory specified in the regulations.

(3) Regulations under this section do not affect the rate of an overseas resident's state pension for any period during which he or she is in Northern Ireland or a territory specified in the regulations (but once the overseas resident ceases to be in Northern Ireland or a specified territory the rate reverts to what it would have been had he or she not been in Northern Ireland or a specified territory).

(4) Regulations under this section do not affect the rate of a person's state pension once the person stops being an overseas resident.

Commencement Information

- I3** S. 20 in operation at 25.2.2016 for specified purposes by [S.R. 2016/68, art. 2\(d\)](#)
- I4** S. 20 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:

Pensions Act (Northern Ireland) 2015, Cross Heading: Prisoners and overseas residents is up to date with all changes known to be in force on or before 06 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- specified provision(s) transitional provisions for effects of commencing S.I. 2017/297, art. 2 by [S.R. 2017/58](#) Order