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*Changes to legislation: There are currently no known outstanding effects for the Gender Recognition Act 2004, Cross Heading: Shared additional pension. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 5

#### BENEFITS AND PENSIONS

#### PART 2

#### STATE BENEFITS

#### *Shared additional pension*

- 9 (1) Any question—
- (a) whether the person is entitled to a shared additional pension (under section 55A [<sup>F1</sup>or 55AA ] of the 1992 Act) 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 on the basis of the person attaining pensionable age on the same date as someone of the acquired gender (and the same age).
- (2) Accordingly, if (immediately before the certificate is issued) the person—
- (a) is a woman entitled to a shared additional pension, 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 section 55A [<sup>F2</sup>or 55AA ] of the 1992 Act as attaining pensionable age when it is issued.
- (4) Paragraph 10 makes provision about deferment of shared additional pensions.

#### **Textual Amendments**

- F1** Words in Sch. 5 para. 9(1)(a) inserted (6.4.2016 unless brought into force earlier by an order under s. 56(1) of the amending Act) by [Pensions Act 2014 \(c. 19\), s. 56\(4\), Sch. 11 para. 16](#)
- F2** Words in Sch. 5 para. 9(3) inserted (6.4.2016 unless brought into force earlier by an order under s. 56(1) of the amending Act) by [Pensions Act 2014 \(c. 19\), s. 56\(4\), Sch. 11 para. 16](#)

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