



2000 CHAPTER 4

PART II

PENSIONS

CHAPTER I

STATE PENSIONS

State second pension

Supplementary

- 33.**—(1) The Contributions and Benefits Act shall be amended as follows.
- (2) In section 21(5A)(b) (contribution conditions)—
- (a) after 22(1)(a) there shall be inserted “, (2A)”; and
 - (b) for 44(6)(a) there shall be substituted “44(6)(za) and (a)”.
- (3) ^{F1}
- (4) In section 39C (rate of widowed parent's allowance and bereavement allowance)—
- (a) in subsections (1) and (4), after sections 44 to 45A below there shall be inserted “and Schedule 4A to this Act”; and
 - (b) in subsection (3), after 45A there shall be inserted “below and Schedule 4A to this Act”.
- (5) In section 44 (Category A retirement pension), in subsection (5A), after section 45 below there shall be inserted “and Schedule 4A to this Act”.
- (6) In that subsection, for the words from that year, to surplus there shall be substituted “that year,

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- (b) the amount of the surplus is the amount of that excess, and
- (c) for the purposes of section 45(1) and (2)(a) and (b) below, the adjusted amount of the surplus” .

(7) In subsection (6) of that section, after section 45 below there shall be inserted “or Schedule 4A to this Act”.

(8) In section 45 (the additional pension in a Category A retirement pension)

- (a) in subsections (1) and (2)(a) and (b), before amount there shall be inserted “adjusted”; and
- (b) in subsection (6), for the amount of any surpluses there shall be substituted “any amount”.

(9) In section 48A(4) (Category B retirement pension for married person), after sections 44 to 45B above there shall be inserted “and Schedule 4A to this Act”.

(10) In section 48B (Category B retirement pension for widows and widowers), in subsections (2) and (3), after sections 44 to 45B above there shall be inserted “and Schedule 4A to this Act”.

(11) In section 48BB (Category B retirement pension: entitlement by reference to benefits under section 39A or 39B), in subsections (5) and (6), after sections 44 to 45A above there shall be inserted “and Schedule 4A to this Act”.

(12) In section 48C(4) (Category B retirement pension: general), after sections 44 to 45B above there shall be inserted “and Schedule 4A to this Act”.

(13) In section 51 (Category B retirement pension for widowers), in subsections (2) and (3), after sections 44 to 45A above there shall be inserted “and Schedule 4A to this Act”.

(14) In section 121(1) (interpretation of Parts I to VI and supplementary provisions), after the definition of entitled there shall be inserted—

“first appointed year means such tax year, no earlier than 2002-03, as may be appointed by order, and second appointed year means such subsequent tax year as may be so appointed;” .

(15) In section 172 (Assembly, etc. control of regulations and orders)—

- (a) in subsection (4), for subsection (7) there shall be substituted “subsections (4A) and (7)”; and

(b) after subsection (4) there shall be inserted—

“(4A) Subsection (4) above does not apply to a statutory rule which contains an order appointing the first or second appointed year (within the meaning of section 121(1) above).” .

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F1 S. 33(3) repealed (11.2.2008) by [Pensions Act \(Northern Ireland\) 2008 \(c. 1\), s. 19\(2\)\(3\)\(c\), Sch. 6 Pt. 4](#)

Changes to legislation:

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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):

- Sch. 7 para. 1(2)(c) added by [2007 c. 2 \(N.I.\) Sch. 5 para. 6](#)
- Sch. 7 para. 6(5A)-(5C) inserted by [S.I. 2015/2006 \(N.I.\) Sch. 11 para. 10\(3\)](#)