

*These notes refer to the Pensions Act (Northern Ireland)  
2012 (c.3) which received Royal Assent on 1 June 2012*

# Pensions Act (Northern Ireland) 2012

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### ***Schedule 1: Equalisation of and increase in pensionable age for men and women: consequential amendments***

*Schedule 1* amends the definition of “pensionable age” in sections 2A, 2AA and 2D of the Social Security Administration (Northern Ireland) Act 1992. Those provisions contain regulation-making powers under which regulations may be made requiring a person, or the partner of a person, claiming one of a specified list of social security benefits to attend a work-focused interview or engage in work-related activity to prepare them for returning to work, if that person (or the partner of that person) is under pensionable age, as defined.

*Paragraphs 1, 2 and 3* amend the definition of “pensionable age” in the above provisions where, for the purposes of ensuring that the relevant provisions apply equally to men and women, a man born before 6th April 1955 is deemed to be of pensionable age if he is the same age as a woman who has reached State Pension age. With the acceleration in the timetable for State Pension age equalisation, only men born before 6th December 1953 will have a higher state pension age than a woman born on the same day.

*Paragraph 4* amends Article 123 of the 1995 Order which gives effect to Schedule 2 to that Order. The amendment modifies the descriptive words introducing the Schedule.

*Paragraph 5(a)* makes an equivalent amendment to section 11 of the Pensions Act (Northern Ireland) 2008 to amend the period over which the State Pension age will increase from 65 to 68.

*Paragraph 5(b)* amends the date from which a number of consequential amendments made by the Pensions Act (Northern Ireland) 2008 were to have taken effect. These amendments replace age 65 with “pensionable age” for the purposes of:

- the upper age for qualification for Disability Living Allowance;
- the minimum age for entitlement to Attendance Allowance;
- the maximum age for entitlement to Widow’s Pension;

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- the minimum age for entitlement to the savings credit element of Pension Credit; and
- the minimum age for eligibility for the £10 Christmas Bonus where the sole qualifying benefit is War Disablement Pension.

These age thresholds will change in line with State Pension age once it exceeds 65. The amendment made by *paragraph 5(b)* inserts the new date from which that will take place.