
STATUTORY INSTRUMENTS

1995 No. 3213

The Pensions (Northern Ireland) Order 1995

PART III

STATE PENSIONS

Up-rating of pensions increased under section 52 of Contributions and Benefits Act

127. For section 136 of the Administration Act substitute—

“136 Up-rating under section 132 of pensions increased under section 52(3) of Contributions and Benefits Act.

(1) This section applies in any case where a person is entitled to a Category A retirement pension with an increase, under section 52(3) of the Contributions and Benefits Act, in the additional pension on account of the contributions of a spouse who has died.

(2) Where in the case of any up-rating order under section 132 above—

(a) the spouse’s final relevant year is the tax year preceding the tax year in which the up-rating order comes into force, but

(b) the person’s final relevant year was an earlier tax year,

then the up-rating order shall not have effect in relation to that part of the additional pension which is attributable to the spouse’s contributions.

(3) Where in the case of any up-rating order under section 132 above—

(a) the person’s final relevant year is the tax year preceding the tax year in which the up-rating order comes into force, but

(b) the spouse’s final relevant year was an earlier tax year,

then the up-rating order shall not have effect in relation to that part of the additional pension which is attributable to the person’s contributions.”.