
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 195

**The Pensions (2015 Act) (Transitional and
Transitory Provisions) Order (Northern Ireland) 2016**

Transitional provisions

3.—(1) This Article applies to a case in which the spouse or civil partner mentioned in paragraph 3(1) of Schedule 3 to the Pensions Act (Northern Ireland) 2015 (survivor’s pension: inherited amount where dead spouse or civil partner was in the old state pension) died—

- (a) on or after 6th April 2016; but
- (b) before the day on which section 29 of the Pensions Act (Northern Ireland) 2015 comes fully into operation.

(2) In a case to which this Article applies—

- (a) paragraph 3(1)(d) of Schedule 3 to the Pensions Act (Northern Ireland) 2015 is to be read as if it provides—

“(d) the pensioner would, on reaching pensionable age, have been entitled to a Category B retirement pension under section 48BB of the Contributions and Benefits Act⁽¹⁾ if in subsections (1) and (3) of that section the words “before 6 April 2016” were omitted.”; and

- (b) paragraph 3(2) of that Schedule is to be read as if it provides—

“(2) The inherited amount is equal to the weekly rate at which that Category B retirement pension would have been payable on the day on which the pensioner reached pensionable age if any element of the rate attributable to the basic pension were ignored.”.

(1) Section 48BB was inserted by Article 53 of the Welfare Reform and Pensions (Northern Ireland) Order 1999 and amended by sections 33(11) and 35 of the [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c.4 \(N.I.\)\)](#), paragraph 81 of Schedule 24 to the [Civil Partnership Act 2004](#), paragraph 9 of Schedule 3 to the [Pensions \(No. 2\) Act \(Northern Ireland\) 2008 \(c. 13 \(N.I.\)\)](#) and paragraph 54 of Schedule 12 to the Pensions Act (Northern Ireland) 2015