
STATUTORY RULES OF NORTHERN IRELAND

2017 No. 44

**The Pensions (2015 Act) (Commencement
No. 5) Order (Northern Ireland) 2017**

Later commencement for abolition of bereavement payment and bereavement allowance

3.—(1) Section 30(5) and Schedule 16 do not come into operation in accordance with Article 2(2) for a person to whom this Article applies.

(2) This Article applies to a person who, on 5th April 2017—

(a) was entitled to—

(i) a bereavement payment under section 36 of the Contributions and Benefits Act (bereavement payment)(1); or

(ii) a bereavement allowance under section 39B of that Act (bereavement allowance where no dependent children)(2), or

(b) would have been entitled to such a benefit if the person made a claim for it.

(3) This Article ceases to apply to a person if—

(a) the person was entitled to a benefit in accordance with paragraph (2)(a) and the person is no longer entitled to that benefit; or

(b) the person would have been entitled to a benefit in accordance with paragraph (2)(b) and the person would no longer be entitled to that benefit if the person made a claim for it.

(4) On the date this Article ceases to apply to a person, section 30(5) and Schedule 16 come into operation for that person to the extent that they are not already in operation.

(1) 1992 c. 7; section 36 was substituted by Article 51(1) of the Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I. 1999/3147 (N.I. 11)) and amended by paragraph 70 of Schedule 24 to the Civil Partnership Act 2004 (c. 33); see also Article 2 of S.R. 2016 No. 195

(2) Section 39B was inserted by Article 52(2) of the Welfare Reform and Pensions (Northern Ireland) Order 1999 and amended by paragraph 75 of Schedule 24 to the Civil Partnership Act 2004