



# Welfare Reform and Pensions Act 1999

## 1999 CHAPTER 30

### PART IV

#### PENSION SHARING

#### CHAPTER I

##### SHARING OF RIGHTS UNDER PENSION ARRANGEMENTS

##### *Indexation*

### **39 Public service pension schemes.**

- (1) The <sup>M1</sup>Pensions (Increase) Act 1971 shall be amended as follows.
- (2) In section 3 (qualifying conditions), after subsection (2) there shall be inserted—

“(2A) A pension attributable to the pensioner having become entitled to a pension credit shall not be increased unless the pensioner has attained the age of fifty-five years.”
- (3) In section 8, in subsection (1) (definition of “pension”), in paragraph (a), the words from “(either” to “person)” shall be omitted.
- (4) In that section, in subsection (2) (when pension deemed for purposes of the Act to begin), after “pension”, in the first place, there shall be inserted “ which is not attributable to a pension credit ”, and after that subsection there shall be inserted—

“(2A) A pension which is attributable to a pension credit shall be deemed for purposes of this Act to begin on the day on which the order or provision on which the credit depends takes effect.”
- (5) In section 17(1) (interpretation)—

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*Changes to legislation: There are currently no known outstanding effects for the Welfare Reform and Pensions Act 1999, Section 39. (See end of Document for details)*

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- (a) for the definitions of “derivative pension” and “principal pension” there shall be substituted—

““derivative pension” means a pension which—

- (a) is not payable in respect of the pensioner’s own services, and  
 (b) is not attributable to the pensioner having become entitled to a pension credit;”

- (b) after the definition of “pension” there shall be inserted—

““pension credit” means a credit under section 29(1)(b) of the Welfare Reform and Pensions Act 1999 or under corresponding Northern Ireland legislation;

“principal pension” means a pension which—

- (a) is payable in respect of the pensioner’s own services, or  
 (b) is attributable to the pensioner having become entitled to a pension credit;”, and

- (c) for the definition of “widow’s pension” there shall be substituted—

““widow’s pension” means a pension payable—

- (a) in respect of the services of the pensioner’s deceased husband, or  
 (b) by virtue of the pensioner’s deceased husband having become entitled to a pension credit.”

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**Commencement Information**

**II** S. 39 wholly in force at 1.12.2000; s. 39 in force for certain purposes at Royal Assent see s. 89(1); s. 39 in force at 1.12.2000 insofar as not already in force by [S.I. 2000/1047](#), art. 2(2)(d), [Sch. Pt. IV](#)

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**Marginal Citations**

**M1** 1971 c. 56.

**Changes to legislation:**

There are currently no known outstanding effects for the Welfare Reform and Pensions Act 1999, Section 39.