

SCHEDULES

SCHEDULE 5

BENEFITS AND PENSIONS

PART 2

STATE BENEFITS

Shared additional pension

- 9 (1) Any question—
- (a) whether the person is entitled to a shared additional pension (under section 55A of the 1992 Act) for any period after the certificate is issued, and
 - (b) (if so) the rate at which the person is so entitled for the period,
- is to be decided on the basis of the person attaining pensionable age on the same date as someone of the acquired gender (and the same age).
- (2) Accordingly, if (immediately before the certificate is issued) the person—
- (a) is a woman entitled to a shared additional pension, but
 - (b) has not attained the age of 65,
- the person ceases to be so entitled when it is issued.
- (3) And, conversely, if (immediately before the certificate is issued) the person—
- (a) is a man who has attained the age at which a woman of the same age attains pensionable age, but
 - (b) has not attained the age of 65,
- the person is to be treated for the purposes of section 55A of the 1992 Act as attaining pensionable age when it is issued.
- (4) Paragraph 10 makes provision about deferment of shared additional pensions.