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*Changes to legislation: There are currently no known outstanding effects for the Pensions Act 2014, Paragraph 9. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 15

#### OPTION TO BOOST OLD RETIREMENT PENSIONS

##### PART 1

##### GREAT BRITAIN

*Social Security Contributions and Benefits Act 1992 (c. 4)*

9 After section 61 insert—

**“61ZA Shortfall in contributions: people with units of additional pension**

- (1) This section applies to a person who has one or more units of additional pension if the person—
  - (a) is not entitled to a Category A retirement pension, but
  - (b) would be entitled to a Category A retirement pension if the relevant contribution conditions were satisfied.
- (2) The relevant contribution conditions are to be taken to be satisfied for the purposes of the person's entitlement to a Category A retirement pension.
- (3) But where a person is entitled to a Category A retirement pension because of this section, the only element of that pension to which the person is so entitled is the additional pension attributable to the units of additional pension.
- (4) For units of additional pension, see section 14A.

**61ZB Shortfall in contributions: people whose dead spouse had units of additional pension**

- (1) This section applies to a person whose spouse or civil partner died with one or more units of additional pension if the person—
  - (a) is not entitled to a Category B retirement pension as a result of the death, but
  - (b) would be entitled to a Category B retirement pension as a result of the death if the relevant contribution conditions were satisfied.
- (2) The relevant contribution conditions are to be taken to be satisfied for the purposes of the person's entitlement to that Category B retirement pension.
- (3) But where a person is entitled to a Category B retirement pension because of this section, the only element of that pension to which the person is so entitled is the additional pension attributable to the units of additional pension.

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(4) For units of additional pension, see section 14A.

**61ZC Entitlement to more than one pension: sections 61ZA and 61ZB**

- (1) Section 43 does not prevent a person from being entitled for the same period to both—
  - (a) a Category A retirement pension because of section 61ZA, and
  - (b) one Category B retirement pension.
- (2) Section 43 does not prevent a person from being entitled for the same period to both—
  - (a) a Category A retirement pension, and
  - (b) one Category B retirement pension because of section 61ZB (or, if there is more than one such Category B retirement pension, the most favourable of them).
- (3) Accordingly—
  - (a) in section 43(2)(a) the reference to “a Category A or a Category B retirement pension”, in a case in which subsection (1) or (2) of this section applies, includes “a Category A and a Category B retirement pension”,
  - (b) in sections 43(3)(a) and (aa), 51A and 52 “Category A retirement pension” does not include a pension to which a person is entitled because of section 61ZA, and
  - (c) in sections 43(3)(a) and 52 “Category B retirement pension” does not include a pension to which a person is entitled because of section 61ZB.”

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**Commencement Information**

**II** Sch. 15 para. 9 in force at 12.10.2015 by S.I. 2015/1475, art. 3(b)

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