

---

STATUTORY INSTRUMENTS

---

**2009 No. 2206**

**The Social Security (State Pension and  
National Insurance Credits) Regulations 2009**

**PART 3**

State pension reform - amendment of secondary legislation

**Amendment of the Social Security (Widow's Benefit and Retirement Pensions) Regulations  
1979**

**14.** After regulation 8 insert—

“**8A.**—(1) This regulation applies to a person—

- (a) whose marriage or civil partnership terminated otherwise than by the death of that person's spouse or civil partner;
- (b) whose marriage or civil partnership terminated after—
  - (i) that person; and
  - (ii) that person's former spouse or former civil partner, attained pensionable age;
- (c) who attained pensionable age on or after 6th April 2010;
- (d) whose former spouse or former civil partner attained pensionable age on or after 6th April 2010; and
- (e) whose former spouse or former civil partner satisfied the contribution condition specified in paragraph 5A(2) of Schedule 3 (contribution conditions for entitlement to benefit) to the Social Security Contributions and Benefits Act 1992 (“the 1992 Act”).

(2) Where a person to whom this regulation applies does not satisfy the contribution condition specified in paragraph 5A(2) of Schedule 3 to the 1992 Act, that person shall be treated as having satisfied that condition by virtue of the contributions of the former spouse or civil partner.”.