
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

15.—(1) Schedule 1 (method of treating former spouse's or former civil partner's contributions as those of the beneficiary so as to entitle him to a Category A retirement pension) is amended in accordance with this regulation.

(2) At the end of sub-paragraph (b) of paragraph 1 insert—
“; and

(c) “qualifying year” means a year for which the former spouse's or former civil partner's earnings factor is sufficient to satisfy—

(i) paragraph 5(3)(b); or

(ii) paragraph 5A(2)(b),

of Schedule 3 to the Social Security Contributions and Benefits Act 1992 and does not include a year which is treated as such a year by virtue of regulation 8(4).”.

(3) The amendment in paragraph (2) does not apply so as to include in the definition of “qualifying year” any years credited by virtue of section 23A(5) of the Social Security Contributions and Benefits Act 1992⁽¹⁾ where the marriage or civil partnership terminated before 6th April 2010.

(1) 1992 c. 4. Section 23A was inserted by section 3 of the Pensions Act 2007 (c. 22).