
STATUTORY INSTRUMENTS

2014 No. 3229

The Marriage and Civil Partnership (Scotland) Act 2014 and Civil Partnership Act 2004 (Consequential Provisions and Modifications) Order 2014

PART 4

STATE PENSIONS

Category B retirement pension for married person

8.—(1) Section 48A of the 1992 Act⁽¹⁾ (Category B retirement pension for married person) does not confer a right to a Category B retirement pension on a person by reason of the person being married to a person of the same sex who was born before 6th April 1950.

(2) But that does not prevent section 48A from conferring a right to such a pension on a woman by reason of her marriage to another woman (“the spouse”) if—

- (a) the spouse is a woman by virtue of a full gender recognition certificate having been issued under the 2004 Act; and
- (b) the marriage subsisted before the time when that certificate was issued.

Commencement Information

II Art. 8 in force at 16.12.2014, see [art. 1\(2\)](#)

⁽¹⁾ Section 48A was inserted by the Pensions Act 1995 (c.26) (“the 1995 Act”), Schedule 4, paragraph 3(1) and was amended by the Civil Partnership Act 2004 (c.33), Schedule 24(3), paragraph 25; the Pensions Act 2007 (c.22) (“the 2007 Act”), Schedule 1(1), paragraph 2(3) and Schedule 2(3), paragraph 7; and the 2013 Act, Schedule 4(5), paragraph 11.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Marriage and Civil Partnership (Scotland) Act 2014 and Civil Partnership Act 2004 (Consequential Provisions and Modifications) Order 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- art. 8 revoked by [S.I. 2015/1985 art. 44\(a\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- art. 6(1A) inserted by [S.I. 2019/1514 reg. 10\(3\)\(b\)](#)