
STATUTORY INSTRUMENTS

2015 No. 1985

**The Pensions Act 2014 (Consequential, Supplementary
and Incidental Amendments) Order 2015**

Amendment of the Social Security (Claims and Payments) Regulations 1987

9.—(1) The Social Security (Claims and Payments) Regulations 1987⁽¹⁾ are amended as follows.

(2) In regulation 2 (interpretation)—

- (a) in paragraph (1) in the definition of “shared additional pension”⁽²⁾, after “section 55A” insert “or 55AA”; and
- (b) in paragraph (2)(b)⁽³⁾, after “section 32(2A) of that Act” insert “, state pension under Part 1 of the Pensions Act 2014”.

(3) In regulation 3(1) (claims not required for entitlement to benefit in certain cases)⁽⁴⁾—

- (a) in sub-paragraph (cb) in each of paragraphs (i), (ii) and (iii), after “Category A retirement pension” insert “or a state pension under section 4 of the Pensions Act 2014”;
- (b) in sub-paragraph (d), after “retirement pension” insert “or a state pension under Part 1 of the Pensions Act 2014”;
- (c) in sub-paragraph (da), after “retirement pension” insert “or a state pension under Part 1 of the Pensions Act 2014”; and
- (d) after sub-paragraph (j), insert—
 - “(ja) in the case of a state pension under any section of Part 1 of the Pensions Act 2014 where the beneficiary is entitled to—
 - (i) a state pension under a different section of Part 1 of that Act; or
 - (ii) another state pension under the same section of Part 1 of that Act.”.

(4) In regulation 4 (making a claim for benefit)⁽⁵⁾—

- (a) in paragraph (6A)(a)(ii), after “retirement pension of any category” insert “, a state pension under Part 1 of the Pensions Act 2014”;
- (b) in paragraph (6A)(b), after “retirement pension” insert “, a state pension under Part 1 of the Pensions Act 2014”; and
- (c) in paragraph (11), after “retirement pension,” insert “a state pension under Part 1 of the Pensions Act 2014,”.

(1) [S.I. 1987/1968](#).

(2) The definition of “shared additional pension” was inserted by [S.I. 2005/1551](#).

(3) Paragraph (2)(b) was amended by S.I.s [1988/1725](#), [1996/1460](#), [1999/2572](#), [2002/3019](#), [2005/1551](#) and [2008/1554](#).

(4) Paragraph (1) of regulation 3 was renumbered by [S.I. 2015/437](#). Sub-paragraph (cb) was inserted by [S.I. 2007/2470](#), substituted by [S.I. 2008/441](#) and amended by [S.I. 2009/1490](#). Sub-paragraph (d) was amended by [S.I. 2000/1483](#). Sub-paragraph (da) was inserted by [S.I. 2007/2470](#) and substituted by [S.I. 2008/2667](#). Sub-paragraph (j) was inserted by [S.I. 2008/1554](#) and substituted by [S.I. 2015/437](#).

(5) Paragraph (6A) of regulation 4 was inserted by [S.I. 2003/1632](#) and amended by S.I.s [2005/1551](#), [2006/832](#), [2007/2911](#) and [2009/1490](#) and paragraph (11) was inserted by [S.I. 2005/34](#) and amended by S.I.s [2005/1551](#), [2010/1676](#) and [2014/591](#).

(5) In regulation 4ZC(2) (electronic claims for benefit)(6), after “retirement pension” insert “, state pension under Part 1 of the Pensions Act 2014”.

(6) In regulation 13(3) (advance claims and awards)(7), after “retirement pension or increase,” insert “state pension under Part 1 of the Pensions Act 2014.”.

(7) In regulation 15 (advance notice of retirement and claim for and award of pension)(8)—

(a) in paragraph (1), after “in any such pension,” insert “or a state pension under Part 1 of the Pensions Act 2014”; and

(b) in paragraph (7)—

(i) after “retirement pension” the first two times it appears, insert “or a state pension under Part 1 of the Pensions Act 2014”;

(ii) for “retirement pension” the third time it appears, substitute “pension”; and

(iii) after “the Act”, insert “or the Pensions Act 2014”.

(8) In regulation 15B (advance claim for pension following deferment)(9)—

(a) the existing wording becomes paragraph (1); and

(b) after paragraph (1), insert—

“(2) Where a person’s entitlement to a state pension under Part 1 of the Pensions Act 2014 is deferred in accordance with sections 16 and 17 of that Act (option to defer and effect of deferring a state pension), a claim for such a state pension may be made at any time not more than 4 months before the date on which the period during which the person’s entitlement to a state pension was deferred ends.”.

(9) In regulation 16 (date of entitlement under an award for the purpose of payability of benefit and effective date of change of rate)(10)—

(a) after paragraph (1D), insert—

“(1E) Except in a case where regulation 22DA applies, for the purpose only of determining the day from which state pension under Part 1 of the Pensions Act 2014 payable in arrears under regulation 22CA is to become payable, where entitlement would otherwise begin on a day which is not the first day of the benefit week, entitlement shall begin on the first day of the benefit week next following.”;

(b) after paragraph (2F), insert—

“(2G) Except in a case where paragraph (2H) applies, where—

(a) a state pension under Part 1 of the Pensions Act 2014 is paid in arrears under regulation 22CA; and

(b) there is a change in the rate of that benefit,

the change, if it would otherwise take effect on a day which is not the first day of the benefit week, shall take effect from the start of the benefit week in which the change occurs.

(2H) Where—

(a) a state pension under Part 1 of the Pensions Act 2014 is paid in arrears under regulation 22CA; and

(6) Regulation 4ZC was inserted by S.I. 2003/2800 and amended by S.I.s 2005/3321 and 2011/1498.

(7) Regulation 13(3) was amended by S.I.s 1991/2741, 1994/2319, 2002/3019, 2005/1551 and 2007/1331.

(8) Paragraph (1) of regulation 15 was amended by S.I. 2005/1551 and paragraph (7) was amended by S.I. 1989/1642.

(9) Regulation 15B was inserted by S.I. 2005/455 and substituted by S.I. 2005/1551.

(10) Paragraph (1D) of regulation 16 was inserted by S.I. 2009/3229 and paragraph (2F) was inserted by S.I. 2010/510. Paragraph (3) was substituted by S.I. 1988/522, paragraph (3)(c) was substituted by S.I. 2009/604 and paragraph (3)(c)(ii) was amended by S.I. 2009/3229. Paragraph (4) was amended by S.I.s 1988/522, 1994/2943, 1996/1460, 2002/3019, 2008/1554, 2009/604 and 2009/3229.

- (b) a change in the rate of that benefit takes effect under an Order made under section 150, 150A or 151A of the 1992 Act, the change, if it would otherwise take effect on a day which is not the first day of the benefit week, shall take effect on the first day of the benefit week next following.”;
 - (c) in paragraph (3)(c)(ii), for “or 22C” substitute “, 22C or 22CA”; and
 - (d) in paragraph (4), after “retirement pension payable in arrears under regulation 22C” insert “, state pension under Part 1 of the Pensions Act 2014 payable in arrears under regulation 22CA”.
- (10) In regulation 21A (delayed payment of lump sum)(**11**)—
- (a) in paragraph (1)(a), after paragraph (iii) insert—
 - “(iv) section 8 of the Pensions Act 2014 (choice of lump sum or survivor’s pension in certain cases); or
 - (v) Regulations under section 10 of the Pensions Act 2014 (inheritance of graduated retirement benefit) which make provision corresponding or similar to section 8 of that Act;”;
 - (b) in paragraph (3), after sub-paragraph (c) insert—
 - “(d) section 8 of the Pensions Act 2014;
 - (e) Regulations under section 10 of the Pensions Act 2014 which make provision corresponding or similar to section 8 of that Act,”.
- (11) After regulation 22C (retirement pension)(**12**), insert—

“State pension under Part 1 of the Pensions Act 2014

22CA.—(1) This regulation applies in relation to payment of a state pension under Part 1 of the Pensions Act 2014.

- (2) State pension is to be paid in arrears.
- (3) The Secretary of State may arrange to pay state pension at intervals of—
 - (a) one week;
 - (b) two weeks, if the beneficiary was in receipt of a working age benefit immediately before becoming entitled to the state pension which was paid fortnightly;
 - (c) four weeks;
 - (d) 13 weeks, if the beneficiary agrees; or
 - (e) such length not exceeding 12 months as the Secretary of State may choose, if—
 - (i) the Secretary of State makes a direction specifying that length; and
 - (ii) the amount of the state pension payable is less than £5.00 per week.
- (4) State pension is to be paid—
 - (a) on the day in column (2) which corresponds to the series of numbers in column (1) which includes the last 2 digits of the person’s national insurance number; or
 - (b) in any particular case or class of case, on any other day of the week that the Secretary of State may choose.

(11) Regulation 21A was inserted by [S.I. 2005/2677](#).

(12) Regulation 22C was inserted by [S.I. 2009/3229](#).

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<i>(1) Last 2 digits national insurance number</i>	<i>(2) Day to be paid state pension</i>
00 to 19	Monday
20 to 39	Tuesday
40 to 59	Wednesday
60 to 79	Thursday
80 to 99	Friday

(12) After regulation 22D (payment of retirement pension at a daily rate)(13), insert—

“Payment of state pension under Part 1 of the Pensions Act 2014 at a daily rate

22DA.—(1) State pension under Part 1 of the Pensions Act 2014 is to be paid at a daily rate where—

- (a) the day on which a person’s first benefit week begins is after—
 - (i) the day on which the person reaches pensionable age; or
 - (ii) where the person has deferred their state pension under sections 16 and 17 of the Pensions Act 2014, the first day in respect of which the person makes a claim for their state pension; or
- (b) the day on which a person’s last benefit week begins is before the day on which the person dies.

(2) The period for which a daily rate is to be paid is—

- (a) where paragraph (1)(a) applies, the period—
 - (i) beginning on the day on which the person reaches pensionable age or the first day in respect of which the person makes a claim for their state pension; and
 - (ii) ending on the day before the day on which the person’s first benefit week begins; or
- (b) where paragraph (1)(b) applies, the period beginning on the day on which the person’s last benefit week begins and ending on the day on which the person dies.

(3) The daily rate at which state pension is payable under this regulation is 1/7th of the weekly rate which would have had effect on the day if a weekly rate had been payable.

(4) In this regulation, “benefit week” means the period of 7 days ending on the day on which the person’s state pension is payable in accordance with regulation 22CA(4).”

(13) In regulation 26B(2) (payment of state pension credit)(14), for sub-paragraph (a) substitute—

- “(a) on the same day as any—
- (i) state pension under Part 1 of the Pensions Act 2014; or
 - (ii) retirement pension,
- is payable to the claimant; or”.

(14) In regulation 30 (payments on death)(15)—

(13) Regulation 22D was inserted by [S.I. 2009/3229](#) and amended by [S.I. 2010/510](#).

(14) Regulation 26B was inserted by [S.I. 2002/3019](#).

(15) Paragraph (4B) of regulation 30 was inserted by [S.I. 2007/2470](#). Paragraph (5) was amended by S.I.s [1988/1725](#), [1990/2208](#), [1991/2741](#), [1996/1460](#), [1999/2572](#), [2002/3019](#), [2005/455](#) and [2005/3078](#). Paragraphs (5C) and (5F) were inserted by [S.I. 2005/455](#) and were substituted by [S.I. 2005/3078](#). Paragraph (5G) was inserted by [S.I. 2005/3078](#).

- (a) in paragraph (4B)(b), after “retirement pension of any category” insert “, a state pension under Part 1 of the Pensions Act 2014”;
- (b) in paragraph (5), for “(5G)” substitute “(5H)”;
- (c) in paragraph (5C), after “shared additional pension” insert “or a state pension under Part 1 of the Pensions Act 2014”;
- (d) in paragraph (5F)—
 - (i) for “Paragraph (5G) applies”, substitute “Paragraphs (5G) and (5H) apply”;
 - (ii) in sub-paragraph (c), after “statutory election” insert “, or choice under section 8(2) of the Pensions Act 2014 or Regulations under section 10 of that Act which make provision corresponding or similar to section 8(2),”;
- (e) in paragraph (5G), for “(“W”)” substitute “(referred to as W in paragraph (5F))”;
- (f) after paragraph (5G) insert—

“(5H) Where a person makes a claim under paragraph (5) for a state pension under Part 1 of the Pensions Act 2014, the deceased (referred to as W in paragraph (5F)) shall be treated as having made a choice to be paid a state pension under—

 - (a) section 9 of the Pensions Act 2014 (survivor’s pension based on inheritance of deferred old state pension) in accordance with section 8(2)(b) of that Act; or
 - (b) Regulations under section 10 of the Pensions Act 2014 which make provision corresponding or similar to section 9 of that Act in accordance with Regulations under section 10 which make provision corresponding or similar to section 8(2)(b).”
- (15) In regulation 32ZA(2) (information given electronically)(**16**), after sub-paragraph (h) insert—

“(i) state pension under Part 1 of the Pensions Act 2014.”
- (16) In regulation 32B(3) (information relating to awards of benefit)(**17**), after sub-paragraph (l) insert—

“(m) state pension under Part 1 of the Pensions Act 2014.”
- (17) In Part 1 of Schedule 1 (benefit claimed and other benefit which may be treated as if claimed in addition or in the alternative)(**18**)—
 - (a) in column (1) at the end, insert a new entry “A state pension under any section of Part 1 of the Pensions Act 2014”;
 - (b) in column (1) after that new entry, insert a further new entry “Bereavement benefit”;
 - (c) in column (2) at the end, insert a new entry opposite the new entry inserted by sub-paragraph (a) “A state pension under any other section of Part 1 of the Pensions Act 2014 or bereavement benefit”; and
 - (d) in column (2) after that new entry, insert a further new entry opposite the new entry inserted by sub-paragraph (b) “A state pension under Part 1 of the Pensions Act 2014”.
- (18) In Schedule 4 (prescribed times for claiming benefit) in column (1) (description of benefit) in entry 13(**19**), after “any category” insert “or state pension under Part 1 of the Pensions Act 2014”.
- (19) In Schedule 9 (deductions from benefit and direct payment to third parties)—

(16) Regulation 32ZA was inserted by [S.I. 2003/2800](#), paragraph (2) was substituted by [S.I. 2011/1498](#) and sub-paragraph (h) was inserted by [S.I. 2011/2943](#).

(17) Regulation 32B was inserted by [S.I. 2007/2911](#).

(18) The final entries in columns (1) and (2) of Part I of Schedule 1 were inserted by [S.I. 1991/2741](#) and amended by [S.I. 1999/2572](#). The other amendments to Part 1 of Schedule 1 are not relevant to this Order.

(19) Entry 13 was inserted by [S.I. 2005/455](#).

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- (a) in paragraph 1(1) in paragraphs (b) and (d) of the definition of “specified benefit”(20), after “retirement pension” in each place it appears insert “, state pension under Part 1 of the Pensions Act 2014”; and
 - (b) in paragraph 7C(2)(b)(21)—
 - (i) in sub-paragraph (ii), omit “or”;
 - (ii) after sub-paragraph (ii), insert—
 - “(iii) state pension under Part 1 of the Pensions Act 2014; or”.
- (20) In Schedule 9ZC (electronic communication)(22) in paragraph 2(1), after “retirement pension” insert “, state pension under Part 1 of the Pensions Act 2014”.

(20) The definition of “specified benefit” was substituted by S.I. 1996/672 and amended by S.I.s 1996/1460, 1996/3195, 2002/2441, 2002/3019, 2005/777, 2008/1554 and 2011/674.

(21) Paragraph 7C was inserted by S.I. 2006/3188.

(22) Schedule 9ZC was inserted by S.I. 2003/2800 and paragraph 2(1) was amended by S.I.s 2005/3321, 2011/1498 and 2011/2943.