
STATUTORY INSTRUMENTS

2019 No. 1514

**The Marriage (Same-sex Couples) and Civil Partnership
(Opposite-sex Couples) (Northern Ireland) Regulations 2019**

PART 8

Public Service Pension Schemes

Police

119.—(1) The Royal Ulster Constabulary Pensions Regulations 1988⁽¹⁾ are amended as follows.

(2) In regulation A11(2)⁽²⁾ (meaning of “disablement”) omit “or the widower of a member”.

(3) In regulation G6⁽³⁾ (payments by women members to enhance widowers’ awards)—

(a) after paragraph (1A)⁽⁴⁾ insert—

“(1B) An election under this regulation which is made by virtue of the amendments to these Regulations by the Marriage (Same-sex Couples) and Civil Partnership (Opposite-sex Couples) (Northern Ireland) Regulations 2019 may secure the counting of pensionable service before 6th April 1988 irrespective of whether an election to which paragraph (1A) applies was previously made.”,

(b) in paragraph (3), after sub-paragraph (f)⁽⁵⁾ insert—

“, or

(g) in the case of a woman by whom contributions are payable under regulation G2 on or before 13th January 2020 who elects to secure the counting of pensionable service after 5th April 1988 and before 17th May 1990 (not being service which is already the subject of an election to enhance her surviving spouse’s or surviving civil partner’s award), 13th January 2020, or

(h) in the case of a woman who was or is entitled to make an election under paragraph (1) to which sub-paragraphs (e) to (g) apply, who elects to secure the counting of pensionable service before 6th April 1988 (not being service which is already the subject of an election to enhance her surviving spouse’s or surviving civil partner’s award), 13th January 2020.”,

(c) in paragraph (4A)⁽⁶⁾, for “or (f)” substitute “, (f), (g) or (h)”, and

(d) in paragraph (13)(a)⁽⁷⁾, for “or (f)” substitute “, (f), (g) or (h)”.

(1) [S.R. \(N.I.\) 1988/374](#).

(2) Regulation A11(2) was amended by Part 2 of Schedule 2 to [S.R. \(N.I.\) 2006/268](#).

(3) Regulation G6 was inserted by regulation 6 of [S.R. \(N.I.\) 1996/4](#).

(4) In regulation G6, paragraph (1A) was inserted by paragraph 9(b) of Schedule 1 to [S.R. \(N.I.\) 2006/152](#).

(5) In regulation G6(3), sub-paragraphs (c) and (d) were inserted by paragraph 8(3) of Schedule 1 to [S.R. \(N.I.\) 123](#) and sub-paragraphs (e) and (f) were inserted by paragraph 9(c) of Schedule 1 to [S.R. \(N.I.\) 2006/152](#).

(6) In regulation G6, paragraph (4A) was inserted by paragraph 8(4) of Schedule 1 to [S.R. \(N.I.\) 2006/123](#) and amended by paragraph 9(d) of Schedule 1 to [S.R. \(N.I.\) 2006/152](#) and paragraph 24(l) of Schedule 1 to [S.R. \(N.I.\) 2010/348](#).

(7) In regulation G6, paragraph (13) was amended by paragraph 8(7) of Schedule 1 to [S.R. \(N.I.\) 2006/123](#) and paragraph 9(e) of Schedule 1 to [S.R. \(N.I.\) 2006/152](#).

(4) In regulation J1(8) (member with a guaranteed minimum for the purposes of the Social Security Pensions (Northern Ireland) Order 1975)—

- (a) in paragraph (4)—
 - (i) in the words before sub-paragraph (a), omit “that entitlement shall cease if she remarries or has remarried or forms a civil partnership before attaining the age of 60 years and”, and
 - (ii) omit sub-paragraph (b), and the “or” preceding it,
- (b) in paragraph (4A)—
 - (i) in the words before sub-paragraph (a), omit “that entitlement shall cease if he remarries or has remarried or forms a civil partnership before attaining the age of 65 years and”, and
 - (ii) omit sub-paragraph (b), and the “or” preceding it,
- (c) in paragraph (4B)—
 - (i) in the words before sub-paragraph (a)—
 - (aa) after “leaving” insert “a surviving spouse who is the same sex as the member or”,
 - (bb) before “surviving civil partner” insert “surviving spouse or”, and
 - (cc) omit “that entitlement shall cease if he marries, remarries or has married or remarried or forms a civil partnership before attaining the age of 65 years and”, and
 - (ii) omit sub-paragraph (b), and the “or” preceding it,
- (d) in paragraph (5B), before “surviving civil partner” insert “surviving spouse or”, and
- (e) after paragraph (7) insert—

“(8) Regulations 6(1) and (2) and 7(1) to (3) of the Marriage (Same-sex Couples) and Civil Partnership (Opposite-sex Couples) (Northern Ireland) Regulations 2019 (effect of, and interpretation of existing legislation in consequence of, extension of marriage to same-sex couples) do not apply to provisions of this regulation other than the provisions substituted by regulation 119(4) of those Regulations.”.

(5) In Schedule C (widow’s awards)—

- (a) in paragraph 1 of Part 1, in sub-paragraph (2A)(9), for “a widower” substitute “the surviving spouse”,
- (b) in paragraph 1 of Part 1, omit sub-paragraphs (2B) and (2C)(10),
- (c) in paragraph 3(11) of Part 1, for “a man or a surviving civil partner of a woman” substitute “a surviving spouse or a surviving civil partner”,
- (d) in paragraph 1 of Part 3, in sub-paragraph (1A)(12), for “a widower” substitute “the surviving spouse”,
- (e) in paragraph 1 of Part 3, omit sub-paragraphs (1B) and (1C)(13),

(8) In regulation J1, relevant amendments were made by regulation 4(2) of S.R. (N.I.) 1990/411 and paragraph 10 of Schedule 1 to S.R. (N.I.) 2006/152.

(9) Paragraph 1(2A) of Part 1 was inserted by regulation 14 of S.R. (N.I.) 1993/327 and a relevant amendment was made by paragraph 14 of Schedule 1 to S.R. (N.I.) 2006/152.

(10) Paragraph 1(2B) and (2C) of Part 1 were inserted by paragraph 14 of Schedule 1 to S.R. (N.I.) 2006/152.

(11) Paragraph 3 of Part 1 was amended by regulation 15 of S.R. (N.I.) 1993/327 and paragraph 14 of Schedule 1 to S.R. (N.I.) 2006/152.

(12) Paragraph 1(1A) of Part 3 was inserted by regulation 15 of S.R. (N.I.) 1993/327 and amended by regulation 9 of S.R. (N.I.) 1996/4 and paragraph 14 of S.R. (N.I.) 2006/152.

(13) Paragraph 1(1B) and (1C) of Part 3 were inserted by paragraph 14 of S.R. (N.I.) 2006/152.

- (f) in paragraph 3 of Part 3, in sub-paragraph (4)(**14**), for “man or a surviving civil partner of a woman” substitute “surviving spouse or a surviving civil partner”,
- (g) in paragraph 4(**15**) of Part 4, for “a widower” substitute “the surviving spouse”,
- (h) omit paragraphs 5 and 6(**16**) of Part 4,
- (i) in paragraph 1(**17**) of Part 5—
 - (i) in sub-paragraph (a)—
 - (aa) for “a widower” substitute “the surviving spouse”, and
 - (bb) omit “, subject to paragraph 1A,”, and
 - (ii) omit sub-paragraph (b), and the “and” preceding it, and
- (j) omit paragraph 1A(**18**) of Part 5.

(14) Paragraph 3(4) of Part 3 was inserted by regulation 15 of [S.R. \(N.I.\) 1993/327](#) and amended by paragraph 14 of [S.R. \(N.I.\) 2006/152](#).

(15) Paragraph 4 of Part 4 was inserted by regulation 16 of [S.R. \(N.I.\) 1993/327](#) and amended by regulation 10 of [S.R. \(N.I.\) 1996/4](#) and paragraph 14 of Schedule 1 to [S.R. \(N.I.\) 2006/152](#).

(16) Paragraphs 5 and 6 of Part 4 were inserted by paragraph 14 of Schedule 1 to [S.R. \(N.I.\) 2006/152](#).

(17) Paragraph 1 of Part 5 was amended by regulation 17 of [S.R. \(N.I.\) 1993/327](#), regulation 11 of [S.R. \(N.I.\) 1996/4](#) and paragraph 14 of Schedule 1 to [S.R. 2006/152](#).

(18) Paragraph 1A of Part 5 was inserted by paragraph 14 of Schedule 1 to [S.R. \(N.I.\) 2006/152](#).