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STATUTORY INSTRUMENTS

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**2019 No. 1514**

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

**PART 6**

**Amendments: Pensions and Social Security: Primary Legislation**

**District Judges (Magistrates' Courts) Pensions Act (Northern Ireland) 1960**

**56.**—(1) The District Judges (Magistrates' Courts) Pensions Act (Northern Ireland) 1960(1) is amended as follows.

(2) In the section 4A inserted by the Personal Pension Option (No. 1) Regulations (Northern Ireland) 1989(2), after “widow’s” insert “, widower’s”.

(3) In section 5(3) (widows', widowers' and surviving civil partners' pensions), after subsection (1) insert—

“(1A) A surviving civil partner’s pension may not be granted in respect of a person’s service if—

- (a) the person retired from relevant service before 13th January 2020, and
- (b) power to grant the pension relies on the Marriage (Same-sex Couples) and Civil Partnership (Opposite-sex Couples) (Northern Ireland) Regulations 2019.”.

(4) In section 6(4)(4) (no children’s pension for daughters who are married or for children who are civil partners), omit “female” in both places it occurs.

(5) The amendment made by paragraph (4) applies only where the death of the deceased occurs on or after 13th January 2020.

(6) In section 12(5) (power to make rules for part-surrender of pension in return for pension for wife or dependants)—

- (a) in subsections (1) and (2), for “wife”, in each place it occurs, substitute “spouse or civil partner”,
- (b) in subsection (3), after “widow’s” insert “, widower’s, surviving civil partner’s”, and
- (c) after subsection (3) insert—

“(3A) Rules under this section, or section 13, may make different provision for different purposes.”.

(7) In section 13 (further power to make rules for part-surrender of pension in return for pension for wife)—

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(1) 1960 c.2 (N.I.), formerly the Resident Magistrates' Pensions Act (Northern Ireland) 1960, but renamed by S.R. (N.I.) 2008/154.  
(2) S.R. (N.I.) 1989/100. The inserted section 4A was amended by S.I. 2005/3325.  
(3) Section 5 was substituted by S.I. 1991/2631 (N.I. 24) and amended by S.I. 2005/3325.  
(4) Sections 6(4) was amended by S.I. 2005/3325.  
(5) Sections 12 and 13 were amended by S.I. 1991/2631 (N.I. 24).

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**Changes to legislation:** There are currently no known outstanding effects for the *The Marriage (Same-sex Couples) and Civil Partnership (Opposite-sex Couples) (Northern Ireland) Regulations 2019, Section 56. (See end of Document for details)*

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- (a) in subsection (1)—
  - (i) after “married” insert “or formed a civil partnership”,
  - (ii) after “marriage” insert “or of the formation of the civil partnership”, and
  - (iii) for “wife” substitute “spouse or civil partner”, and
- (b) in subsection (3)—
  - (i) for “wives”, in both places it occurs, substitute “spouses and civil partners”, and
  - (ii) after “marriage” insert “or of the formation of the civil partnership”.

(8) In Part 2 of Schedule 2(6) (surviving civil partners’ pensions: transitional provision), in paragraph 5, in the definition of “relevant date”, after “2005” insert “, but means 12th January 2020 in relation to a civil partnership formed between two people not of the same sex”.

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**Commencement Information**

**II** Reg. 56 in force at 13.1.2020, see [reg. 1\(2\)](#)

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(6) Part 2 of Schedule 2 was inserted by article 45 of [S.I. 2005/3325](#).

**Changes to legislation:**

There are currently no known outstanding effects for the The Marriage (Same-sex Couples) and Civil Partnership (Opposite-sex Couples) (Northern Ireland) Regulations 2019, Section 56.