



2008 CHAPTER 1

PART 1

STATE PENSION

Abolition of adult dependency increases

Category A and C retirement pensions: abolition of adult dependency increases

4.—(1) The following provisions of the Contributions and Benefits Act are to cease to have effect on 6th April 2010—

- (a) section 83 (pension increase: wife),
- (b) section 84 (pension increase: husband), and
- (c) section 85 (pension increase: person with care of children or qualifying young persons).

(2) Paragraph 2 of Part 2 of Schedule 2 to the Pensions Order (which replaces sections 83 and 84 of the Contributions and Benefits Act with a new section 83A equalising pension increases for dependent spouses and civil partners with effect from 6th April 2010) is omitted.

(3) Part 4 of Schedule 1 contains consequential amendments.

(4) The amendments made by that Part of that Schedule have effect as from 6th April 2010.

(5) Nothing in—

- (a) the repeals in subsection (1),
- (b) the amendments in Part 4 of Schedule 1, or

Changes to legislation: There are currently no known outstanding effects for the Pensions Act (Northern Ireland) 2008, Section 4. (See end of Document for details)

(c) the repeals in Part 2 of Schedule 6, applies in relation to a qualifying person at any time falling on or after 6th April 2010 but before the appropriate date.

(6) In subsection (5) a “qualifying person” means a person who—

(a) has, before 6th April 2010, made a claim for a relevant increase in accordance with section 1 of the Administration Act; and

(b) immediately before that date is either—

(i) entitled to the increase claimed, or

(ii) a beneficiary to whom section 92 of the Contributions and Benefits Act (continuation of awards where fluctuating earnings) applies in respect of that increase.

(7) In subsection (5) “the appropriate date” means the earlier (or earliest) of—

(a) 6th April 2020;

(b) the date when the qualifying person ceases to be either entitled to the relevant increase or a beneficiary to whom section 92 of the Contributions and Benefits Act applies in respect of it;

(c) where the relevant increase is payable to the qualifying person under section 83 of that Act, the date on which his wife attains pensionable age.

(8) In this section “relevant increase” means an increase in a Category A or Category C retirement pension under section 83, 84 or 85 of the Contributions and Benefits Act.

Changes to legislation:

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