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**Changes to legislation:** There are currently no known outstanding effects for the Gender Recognition Act 2004, Cross Heading: Deferment of pensions. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 5

#### BENEFITS AND PENSIONS

#### PART 2

#### STATE BENEFITS

##### *Deferment of pensions*

- 10 (1) The person's entitlement to—
- [<sup>F1</sup>(za) a state pension under Part 1 of the Pensions Act 2014,]
  - [<sup>F2</sup>(zb) a state pension under Part 1 of the Pensions Act (Northern Ireland) 2015,]
    - (a) a Category A retirement pension,
    - (b) a Category B retirement pension, or
    - (c) a shared additional pension,
- is not to be taken to have been deferred for any period ending before the certificate is issued unless the condition in sub-paragraph (2) is satisfied.
- (2) The condition is that the entitlement both—
- (a) was actually deferred during the period, and
  - (b) would have been capable of being so deferred had the person's gender been the acquired gender.

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#### Textual Amendments

- F1** Sch. 5 para. 10(1)(za) inserted (6.4.2016 unless brought into force earlier by an order under s. 56(1) of the amending Act) by [Pensions Act 2014 \(c. 19\), s. 56\(4\)](#), [Sch. 12 para. 48\(4\)](#)
- F2** Sch. 5 para. 10(1)(zb) inserted (N.I.) (6.4.2016 unless brought into operation earlier by an order under s. 53(1) of the amending Act) by [Pensions Act \(Northern Ireland\) 2015 \(c. 5\), s. 53\(3\)](#), [Sch. 12 para. 43\(3\)](#)

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