

## CHANGES TO PENSIONABLE AGE

Contents	Paragraphs
Introduction	1
Pensionable age	2
Male pensionable age	3
Changes to female pensionable age	4
Further changes to pensionable age	5
Widows pension	6
Attendance allowance	7
Disability living allowance	8
State pension credit	9
Work–focused interviews and work–related activity	10 - 11
Annotations	
Contacts	
Appendix 1	
Appendix 2	

## INTRODUCTION

1. This memo gives guidance on changes to pensionable age introduced by the Pensions Act (Northern Ireland) 2012 (Pensions Act (NI) 12). The changes take effect on 2.6.12<sup>1</sup>.

<sup>1</sup> *Pensions Act (NI) 12, sec 34(2)*

## **PENSIONABLE AGE**

2. DMG 75005 and the tables at Appendices 1 - 4 to Chapter 75 give guidance on pensionable age<sup>1</sup>. However, pensionable age is changing in accordance with paragraphs 3 - 5 below.

*1 Pensions (NI) Order 1995, Sch 2, Part 1, para 1*

### **Male pensionable age**

3. DMG 75005 2.1 gives guidance that pensionable age is the 65th birthday for a man born before 6.4.59. However, the changes mean that pensionable age is the 65th birthday for a man born before 6.12.53<sup>1</sup>.

*1 Pensions (NI) Order 1995, Sch 2, Part 1, para 1(1)*

### **Changes to female pensionable age**

4. The changes mean that pensionable age for a woman born from 6.4.53 to 5.12.53<sup>1</sup> inclusive is as stated at Appendix 1 to this memo.

*1 Pensions (NI) Order 1995, Sch 2, Part 1, para 1(3) & table 1*

### **Further changes to pensionable age**

5. The changes mean that pensionable age for a person born
  1. from 6.12.53 to 5.10.54<sup>1</sup> inclusive is as stated at Appendix 2 to this memo
  2. from 6.10.54 to 5.4.68 is the 66th birthday<sup>2</sup>.

*1 Pensions (NI) Order 1995, Sch 2, Part 1, para 1(5) & table 2; 2 Sch 2, Part 1, para 1(6)*

## **WIDOWS PENSION**

6. Currently there is no entitlement to Widow's Pension after a widow reaches age 65<sup>1</sup>. DMG 58289 gives guidance that from 6.2.24 there is no entitlement to Widow's Pension after a widow reaches pensionable age. The changes mean that it is from 6.12.18<sup>2</sup> that there is no entitlement to Widow's Pension after a widow reaches pensionable age.

*1 SS C&B (NI) Act 92, sec 38(2); 2 Pensions Act (NI) 2008, sec 11(3)*

## **ATTENDANCE ALLOWANCE**

7. Currently to be entitled to Attendance Allowance a person must be age 65 or over<sup>1</sup>. DMG 61013 gives guidance that from 6.2.24 the age condition will be that a person has reached pensionable age. The

changes mean that it is from 6.12.18<sup>2</sup> that the age condition will be that a person has reached pensionable age.

*1 SS C&B (NI) Act 92, sec 64(1); 2 Pensions Act (NI) 2008, sec 11(3)*

## **DISABILITY LIVING ALLOWANCE**

8. Currently to be entitled to Disability Living Allowance a person must be under age 65<sup>1</sup>. DMG 61014 gives guidance that from 6.2.24 the age condition will be that a person must be under pensionable age. The changes mean that it is from 6.12.18<sup>2</sup> that the age condition will be that a person must be under pensionable age.

*1 SS C&B (NI) Act 92, sec 75(1); 2 Pensions Act (NI) 2008, sec 11(3)*

## **STATE PENSION CREDIT**

9. Currently a person who is entitled to State Pension Credit may get a Savings Credit if they are
1. at least age 65 **or**
  2. a member of a couple and the other member is at least age 65 **or**
  3. in a polygamous marriage and the other party to the marriage or the additional spouse is at least age 65<sup>1</sup>.

The changes mean that from 6.12.18<sup>2</sup> a person must be at least pensionable age in order for there to be entitlement to a Savings Credit.

*1 SPC Act (NI) 2002, sec 3(1); 2 Pensions Act (NI) 2008, sec 11(3)*

## **WORK-FOCUSED INTERVIEWS AND WORK-RELATED ACTIVITY**

10. A claimant is not required to
1. take part in a work-focused interview<sup>1</sup> **or**
  2. undertake work-related activity<sup>2</sup> (Employment and Support Allowance only)

if they are pensionable age. See DMG Chapters 05 and 53 for further guidance on the requirement to take part in a work-focused interview or undertake work-related activity.

*1 SS (Wfl for lone parents) Regs (NI), reg 1(2) & 4; SS (IBWFI) Regs (NI) 08, reg 1(2) & 2(4); ESA Regs (NI), reg 2(1) & 54(2)(c);*  
*2 ESA (WRA) Regs (NI), reg 3(2)(a)*

11. Currently, for a man born before 6.4.55, pensionable age means the age when a woman born on the same day would reach pensionable age. From 2.6.12 the date is amended to 6.12.53<sup>1</sup>.

*1 SS Admin (NI) Act 92, sec 2A(1A); 2AA(1A) & 2D(9)(e)*

## **ANNOTATIONS**

Please annotate the number of this memo (DMG Memo Vol 1/99, 8/46, 10/57, 12/16 & 13/51) against DMG paragraphs:

05013, 05309, 05509, 05717, 41014, 58289, 61013, 61014, 75005, Chapter 75 Appendix 1, Chapter 75 Appendix 2, 77001, 77051, 77052 and 78623.

## **CONTACTS**

If you have any queries about this memo please contact:

Decision Making Services  
Section 1A  
Level 1  
James House  
Gasworks Business Park  
Belfast

Extension: 37192.

**DECISION MAKING SERVICES**

**Distribution: All Holders of  
DMG Volumes 1, 8, 10, 12 & 13**

**June 2012**

## APPENDIX 1

Day pensionable age reached for a woman born from 6.4.53 to 5.12.53 inclusive.

<b>Period within which woman's birthday falls</b>	<b>Day pensionable age reached</b>
6.4.53 – 5.5.53	6.7.16
6.5.53 – 5.6.53	6.11.16
6.6.53 – 5.7.53	6.3.17
6.7.53 – 5.8.53	6.7.17
6.8.53 – 5.9.53	6.11.17
6.9.53 – 5.10.53	6.3.18
6.10.53 – 5.11.53	6.7.18
6.11.53 – 5.12.53	6.11.18

## APPENDIX 2

Day pensionable age reached for a person born from 6.12.53 – 5.10.54 inclusive.

<b>Period within which person's birthday falls</b>	<b>Day pensionable age reached</b>
6.12.53 – 5.1.54	6.3.19
6.1.54 – 5.2.54	6.5.19
6.2.54 – 5.3.54	6.7.19
6.3.54 – 5.4.54	6.9.19
6.4.54 – 5.5.54	6.11.19
6.5.54 – 5.6.54	6.1.20
6.6.54 – 5.7.54	6.3.20
6.7.54 – 5.8.54	6.5.20
6.8.54 – 5.9.54	6.7.20
6.9.54 – 5.10.54	6.9.20