
STATUTORY INSTRUMENTS

2017 No. 297 (C. 27)

PENSIONS

The Pensions Act 2014 (Commencement No.10) Order 2017

Made - - - - 7th March 2017

The Secretary of State for Work and Pensions makes the following Order in exercise of the power conferred by section 56(1) and (7) of the Pensions Act 2014⁽¹⁾.

Citation

1. This Order may be cited as the Pensions Act 2014 (Commencement No.10) Order 2017.

Commencement relating to the Pension Protection Fund

2. The day appointed for the coming into force of section 50 of, and Schedule 20 to, the Pensions Act 2014 (Pension Protection Fund: increased compensation cap for long service) is—
 - (a) in so far as they relate to paragraphs 6(3) and 22 of that Schedule, the day after the day on which this Order is made; and
 - (b) for all remaining purposes, 6th April 2017.

Commencement for bereavement support payment

- 3.—(1) Subject to paragraph (2), Part 5 of the Pensions Act 2014 (bereavement support payment) comes into force on—
 - (a) the day after the day on which this Order is made, for the purposes of making Regulations; and
 - (b) 6th April 2017, for all other purposes.(2) Subject to articles 4 and 5, section 31(5) of, and Schedule 16 to, the Pensions Act 2014 (amendments to do with bereavement support payment) come into force on 6th April 2017 to the extent that they are not already in force.

Later commencement for abolition of bereavement payment and bereavement allowance

- 4.—(1) Section 31(5) of, and Schedule 16 to, the Pensions Act 2014 do not come into force in accordance with article 3(2) for a person to whom this article applies.

- (2) This article applies to a person who, on 5th April 2017—
- (a) was entitled to—
 - (i) a bereavement payment under section 36 of the Social Security Contributions and Benefits Act 1992 (bereavement payment)(2); or
 - (ii) a bereavement allowance under section 39B of that Act (bereavement allowance where no dependent children)(3); or
 - (b) would have been entitled to such a benefit if they made a claim for it.
- (3) But this article ceases to apply to a person if—
- (a) they were entitled to a benefit in accordance with paragraph (2)(a) and they are no longer entitled to that benefit; or
 - (b) they would have been entitled to a benefit in accordance with paragraph (2)(b) and they would no longer be entitled to that benefit if they made a claim for it.
- (4) On the date this article ceases to apply to a person, section 31(5) of, and Schedule 16 to, the Pensions Act 2014 come into force for that person to the extent that they are not already in force.

Commencement for entitlement to bereavement payment and bereavement support payment

5.—(1) Section 31(5) of, and Schedule 16 to, the Pensions Act 2014 do not come into force in accordance with article 3(2) for a person to whom this article applies.

- (2) This article applies to a person—
- (a) whose spouse or civil partner died in the 12 months before 6th April 2017;
 - (b) who would have been entitled to a bereavement payment under section 36 of the Social Security Contributions and Benefits Act 1992 if they had made a claim for it;
 - (c) who formed a new marriage or civil partnership; and
 - (d) whose new spouse or civil partner died—
 - (i) on or after 6th April 2017; and
 - (ii) within 12 months of the death referred to in sub-paragraph (a).
- (3) Section 31(5) of, and Schedule 16 to, the Pensions Act 2014 come into force, to the extent that they are not already in force, for a person to whom this article applies—
- (a) at the end of the period of 12 months starting on the day on which the death referred to in paragraph (2)(a) occurred, for the purposes of entitlement to bereavement payment under section 36 of the Social Security Contributions and Benefits Act 1992 for the death referred to in paragraph (2)(a); and
 - (b) on 6th April 2017, for the purposes of entitlement to bereavement support payment under section 30 of the Pensions Act 2014 (bereavement support payment) for the death referred to in paragraph (2)(d).

(2) 1992 c.4. Section 36 was substituted by section 54 of the Welfare Reform and Pensions Act 1999 (c.30) and amended by paragraph 16 of Schedule 24 to the Civil Partnership Act 2004 (c.33) and S.I.s 2014/560 and 3229 and 2016/408.

(3) Section 39B was inserted by section 55(2) of the Welfare Reform and Pensions Act 1999 and amended by paragraph 21 of Schedule 24 and Schedule 30 to the Civil Partnership Act 2004 and S.I.s 2014/560 and 3229.

Signed by authority of the Secretary of State for Work and Pensions.

7th March 2017

Caroline Nokes
Parliamentary Under- Secretary of State,
Department for Work and Pensions