



Department
for Work &
Pensions

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NP45

A guide to Bereavement Benefits

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Meaning of terms used in this guide

Employee's earnings threshold

This is the level of earnings above which you have to start paying Class 1 National Insurance (NI) contributions if you work for an employer. You have to pay contributions on the amount of your earnings above this level. This is also known as the Primary Threshold (PT).

Lower earnings limit (LEL)

This is the level that your earnings become relevant for benefit purposes. It is a lower amount than the employee's earnings threshold where you actually have to start paying NI contributions (see above). If your earnings are at least equal to the LEL but are at or below the employee's earnings threshold, you will not pay Class 1 NI contributions but you will be treated as if you had paid them for benefit purposes.

Upper earnings limit (UEL)

This is the maximum amount of earnings on which contributory benefits are calculated. It is also the level at which you stop paying Class 1 contributions at the main Class 1 rate. If you have earnings above the UEL you continue to pay Class 1 contributions but at the additional Class 1 rate, which is lower than the main rate.

Tax year

This starts on 6 April in one year and ends on 5 April in the following year.

[\[Legislation \(2\)\]](#)

Full liability

If you have full liability, it means that you must pay main Class 1 contributions at the full rate when you are working for an employer, or Class 2 contributions when you are self-employed.

Reduced liability

Before the present arrangements started, married women and widows who worked could choose to have reduced liability. If you have reduced-rate liability, it means that you pay main Class 1 contributions at a reduced rate when you are working for an employer, but no Class 2 contributions when self-employed. Reduced rate contributions do not count for any contributory benefit.

Category A State Pensions

This is a contributory pension made up of Basic pension, which is based on the number of qualifying years you have in your working life, and Additional Pension, which is based on your earnings since April 1978.

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Graduated Retirement Benefit

This is a pension based upon the amount of graduated NI contributions you and your late spouse or civil partner may have paid between April 1961 and April 1975 when there was the Graduated Pension Scheme.

Contributory and non-contributory benefits

You can only get a contributory benefit if you meet (or your late spouse or civil partner met) the NI contribution conditions for that benefit. Usually, this means having paid (or been credited with) a minimum value of the right classes of NI contributions during a stated period. You can get a non-contributory benefit even if you have paid no contributions at all – provided that you meet the other qualifying conditions for the benefit.

Taxable and tax-free benefits

If a benefit is taxable, HM Revenue and Customs will assess it for taxation purposes with your other taxable income. This does not mean that tax will be taken off the benefit payments before you get them, but you will have to show them on your income tax return. A tax-free benefit is not assessed as income for taxation purposes and so will make no difference to the amount of tax you pay, whatever your income.

Decision Makers

Decision Makers decide whether there is entitlement to benefit. They also decide how much benefit the law says is payable.

Great Britain (GB)

This is England, Scotland and Wales only.

United Kingdom (UK)

This is Great Britain and Northern Ireland, but not the Channel Islands or the Isle of Man.

Countries where European Community (EC) regulations apply

European Union countries: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Romania, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain (including Balearic and Canary Islands), Sweden and the UK (including Gibraltar but not the Isle of Man and the Channel Islands). The European Community health care and social security rules also apply to Iceland, Liechtenstein, Norway and Switzerland.

State pension age and changes to the State Pension Age for women

State pension age is the minimum age people must be before they can claim and receive a State Pension. This is currently 60 for a woman and 65 for a man. State pension age will be equalised at 65 for both men and women from 6 April 2020. The change from the current state pension age of 60 for women to 65 will be phased in over a ten-year period from 2010 to 2020. State pension age for: [\[Legislation \(3\)\]](#)

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- men is 65
- women born on or before 5 April 1950 is 60
- women born on or after 6 April 1955 is 65 the same as men.

For women born after 5 April 1950 but before 6 April 1955, state pension age is 60 plus one month for each month (or part month) that their date of birth fell after 5 April 1950.

For more information about the revised state pension age, http://www.direct.gov.uk/en/Pensionsandretirementplanning/StatePension/DG_4017919

For the State Pension age calculator, <http://pensions.direct.gov.uk/en/state-pension-age-calculator/home.asp>

About this guide

This is one of several guides that give detailed information about social security benefits. It is intended for professional advisers and members of the public who want to know more about bereavement benefits/widow's benefits.

This guide and the law

This guide is only a general guide to bereavement benefits/widow's benefits: it has no status in law. It does not cover all the rules in the scheme for every situation, nor does it provide a full interpretation of the rules. It should not be treated as a complete and authoritative statement of the law.

Every effort has been made to ensure that the contents are correct at the date shown on the cover. However, changes in benefit regulations may make the guide become gradually less accurate. Wherever this may be important to you, you should always check details with a Jobcentre Plus office.

The basis of the law for the Bereavement Benefits and Widow's Benefits scheme is the Social Security Contributions and Benefit Act 1992. This provides the framework for the detailed rules contained in regulations made by the Secretary of State and approved by Parliament. Our [sources](#) and tell you where you can consult them.

Throughout the text there are references to Acts and Regulations so that you can consult the legal wording of the rules. The abbreviated forms of the [references are explained](#).

People who live or have lived in Scotland

Scottish law recognises a form of irregular marriage by cohabitation with habit and repute. The existence of such a marriage can be confirmed by a decree of declarator of marriage pronounced by the Court of Session. You may not need this declarator if following in depth investigation the Jobcentre Plus office can establish an irregular marriage has been constituted. Therefore there may be entitlement to bereavement benefit and other related benefits. Contact your

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local Jobcentre Plus office for further information. This does not apply to those who started living together after 4 May 2006..

People who live in Northern Ireland

This guide has been published for Great Britain so some of the information and addresses it contains may be different for Northern Ireland. For more information go to <http://www.dsdni.gov.uk/>.

Introduction

On 9 April 2001 the Bereavement Benefit Scheme was introduced. Different rules and conditions apply to people widowed on or after 9 April 2001 or people who become surviving civil partners on or after 5 December 2005 compared to those widowed before that date. Unlike the Widow's Benefit Scheme, bereavement benefits are available equally to men and women. Women already getting benefit under the Widow's Benefit Scheme will be able to continue to receive them for as long as they satisfy the qualifying conditions.

Men and women widowed on or after 9 April 2001 or men and women who become surviving civil partners on or after 5 December 2005

You may be able to get Bereavement Payment and either

- Widowed Parent's Allowance
- or Bereavement Allowance.

For these bereavement benefits your husband, wife or civil partner must have paid [National Insurance \(NI\) contributions](#). Contributions paid by you do not count for these benefits.

You may be able to get these benefits at the full rate if:

- your husband, wife or civil partner died because of an accident at work or from a prescribed industrial disease
- and they did not have a full NI contribution record

Bereavement Payment

Bereavement Payment is a single lump sum payment payable immediately on bereavement. It is tax free and based on NI contributions. [\[Legislation \(4\)\]](#)

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Who can get Bereavement Payment

You can get Bereavement Payment if your husband, wife or civil partner had met the [NI contribution conditions](#) or their death was caused by their job and either:

- you were under state pension age when they died
- or your husband, wife or civil partner was not entitled to Category A State Pension when they died.

Who cannot get Bereavement Payment

You cannot get Bereavement Payment:

- if you were divorced from your husband or wife or your civil partnership has been dissolved.
- or if you were living with someone else as if you were living with someone else as if you were married to them or in a civil partnership with them at the time of your partner's death. [\[Legislation \(5\)\]](#)
- or while you were in prison or held in legal custody [\[Legislation \(6\)\]](#)

How much you get

The Bereavement payment is £2,000

How to claim Bereavement Payment

[You make one claim to cover all bereavement benefits.](#) Use the BB1 claim pack. You can get this from your Jobcentre Plus office. [How and when you will be paid.](#)

Leaflets

For a list of useful leaflets from the Department for Work and Pensions, <http://www.dwp.gov.uk/publications/>

For a list of useful leaflets from the Pension Service, http://www.direct.gov.uk/en/Pensionsandretirementplanning/DG_180420

For a list of useful leaflets from HMRC, <http://www.hmrc.gov.uk/leaflets/index.htm>

Widowed Parent's Allowance

Widowed Parent's Allowance is a regular payment of benefit starting on the day you are widowed or become a surviving civil partner. It is taxable and based on National Insurance (NI) contributions. [\[Legislation \(7\)\]](#)

It is made up of:

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- a basic allowance; [\[Legislation \(8\)\]](#)
- and Additional Pension, if you [qualify. \[Legislation \(9\)\]](#)

It may also include an allowance for each of your children. You cannot get Widowed Parent's Allowance and Bereavement Allowance at the same time.

If you fall into the High Income Child Benefit charge group and have not made a claim to Child Benefit, you will need to, in order to receive Widowed Parents Allowance.

Who can get Widowed Parent's Allowance

You can get Widowed Parent's Allowance if your husband, wife or civil partner had met the [NI contribution conditions](#) or if their death was caused by their job and:

- you have a child for whom you are entitled to (or can be treated as entitled to) Child Benefit [\[Legislation \(10\)\]](#)
- or you are expecting your late husband's baby
- or you are expecting a baby as a result of being artificially inseminated with the semen of someone other than your late husband and insemination occurred before your husband's death and you were living with your husband immediately before his death [\[Legislation \(11\)\]](#)
- or you are expecting a baby as a result of 'in vitro' fertilisation before your husband's death and you were living with your husband immediately before his death. [\[Legislation \(12\)\]](#)

The child must be:

- yours and your late husband's, wife's or civil partner's
- or a child your husband, wife or civil partner was entitled to Child Benefit for immediately before their death [\[Legislation \(13\)\]](#)
- or a child you were entitled to Child Benefit for if you and your husband, wife or civil partner were living together immediately before their death. [\[Legislation \(14\)\]](#)

If the child is not living with you, but you are making payments towards the cost of providing for the child, you may be able to get Widowed Parent's Allowance. There are special rules when you and a child are living abroad or have recently returned to Great Britain. Widowed Parent's Allowance stops when you no longer have a dependent child. If this is within 52 weeks of bereavement you may be entitled to [Bereavement Allowance](#).

Who cannot get Widowed Parent's Allowance

You cannot get Widowed Parent's Allowance: [\[Legislation \(15\)\]](#)

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- if you have been divorced from your husband or wife or your civil partnership has been dissolved
- or if you remarry or reform a civil partnership
- or while you are living with someone else as husband, wife or civil partner and you are not legally married to them or not in a legal civil partnership
- or while you are in prison or are held in legal custody [\[Legislation \(16\)\]](#)
- or if you are over state pension age

What you can get

[Table 1](#) summarises the bereavement benefits or State Pension you may be able to get, depending on your age when your husband, wife or civil partner died.

How to claim Widowed Parent's Allowance

[You make one claim to cover all bereavement benefits.](#) Use the BB1 claim pack. You can get this from your Jobcentre Plus office. [How and when you will be paid.](#)

Money for children – Child Tax Credit

New rules came into force from 6 April 2003 for customers wishing to make claims for a child increase with their bereavement benefit.

The child increase that was paid with Widowed Parent's Allowance is now covered by Child Tax Credit. For customers already in receipt of Widowed Parent's Allowance, the child increase continues to be payable unless:

- You stop getting the benefit with which the increase for your child/children is paid
- Your child reaches 16 (or 19 if they stay in full-time education)
- The money for your child/children is not payable for eight weeks or more
- You lose entitlement to the money for your child/children altogether

If you have made a new claim to Widowed Parent's Allowance with a date of entitlement on or after 6 April 2003, it no longer includes a child increase. You can only claim a personal rate, which is linked to the current entitlement conditions relating to children.

Child Tax Credit:

- is claimed from HM Revenue and Customs
- is paid in addition to Child Benefit
- can provide for families with children, whether in or out of work
- is normally paid to the main carer

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For information on Child Tax Credits,
<http://www.hmrc.gov.uk/taxcredits/start/who-qualifies/children/children-taxcredits.htm>

For information on Tax Credits, <http://www.hmrc.gov.uk/taxcredits/>

How much you get

You get a basic allowance for yourself and you may get an allowance for each of your children. You must already get Child Benefit for the children for whom you may get an extra allowance. [\[Legislation \(17\)\]](#)

You may also get Additional Pension based on your husband's earnings from 1978 until 5 April 2002. Additional Pension from 6 April 2002 may be based on your husband's earnings, caring or incapacity. Details of how this is worked out are in leaflet SERPS1. Any Additional Pension you get will be reduced if you do not get the full rate of Widow's Pension because of your age.

What happens when you get to state pension age

You cannot continue to get Widowed Parent's Allowance when you reach state pension age. You can choose to claim State Pension.

If you claim, you will get:

- basic State Pension of at least the same amount as your basic Widowed Parent's Allowance [\[Legislation \(18\)\]](#)
- and any Graduated Retirement Benefit you have earned [\[Legislation \(19\)\]](#)
- and any Additional Pension you have earned
- and half of the Graduated Retirement Benefit earned by your late husband, wife or civil partner
- and any Additional Pension you can inherit from your late husband, wife or civil partner

Leaflets

For a list of useful leaflets from the Department for Work and Pensions,
<http://www.dwp.gov.uk/publications/>

For a list of useful leaflets from the Pension Service
http://www.direct.gov.uk/en/Pensionsandretirementplanning/DG_180420

For a list of useful leaflets from HMRC
<http://www.hmrc.gov.uk/leaflets/index.htm>

Bereavement Allowance

Bereavement Allowance is a regular payment of benefit starting on the day you are widowed or become a surviving civil partner. It is taxable and based on National Insurance (NI) contributions. [\[Legislation \(20\)\]](#)

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It is a basic allowance related to your age when you were widowed or become a surviving civil partner and is payable to up to one year following bereavement.

Who can get Bereavement Allowance

You can get Bereavement Allowance if:

- you are widowed or become a surviving civil partner had met the [NI contribution conditions](#), or their death was caused by their job and you were 45 or over when they died. [\[Legislation \(21\)\]](#)

Who cannot get Bereavement Allowance

You cannot get Bereavement Allowance and Widowed Parent's Allowance at the same time.

You cannot get Bereavement Allowance when Widowed Parent's Allowance stops if you received Widowed Parent's Allowance for one year or more.

You cannot get Bereavement Allowance:

- if you are divorced or person whose civil partnership has been dissolved from your late husband, wife or civil partner
- or if you remarry or reform a civil partnership [\[Legislation \(22\)\]](#)
- or if you are living with someone else as husband, wife or civil partner
- or while you are in prison or are held in legal custody [\[Legislation \(23\)\]](#)
- or you are over minimum state pension age.

What you can get

[Table 1](#) summarises the bereavement benefits or State Pension you may be able to get, depending on your age when your husband, wife or civil partner died.

How to claim Bereavement Allowance

[You make one claim to cover all bereavement benefits.](#) Use the BB1 claim pack. You can get this from your Jobcentre Plus office. [How and when you will be paid.](#)

How much you get

If you are aged 55 or over when you are widowed or become a surviving civil partner, you get a basic allowance at the full rate. If you are aged between 45

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and 54 you will get a percentage of the full rate. This percentage is fixed and will not increase with a birthday.

What happens when you get to state pension age

You cannot continue to get Bereavement Allowance when you reach state pension age. You can choose to claim State Pension. [\[Legislation \(24\)\]](#)

If you claim, you will get:

- basic State Pension calculated using both your late spouse's or civil partner's and your contribution record [\[Legislation \(25\)\]](#)
- and any Graduated Retirement Benefit you have earned [\[Legislation \(26\)\]](#)
- and any Additional Pension you have earned
- and half of the Graduated Retirement Benefit earned by your late husband, wife or civil partner
- and any Additional Pension you can inherit from your late husband, wife or civil partner

Table 1 – Benefits you can get (men and women widowed on or after 9 April 2001, or men and women who become surviving civil partners on or after 5 December 2005)

This table shows the bereavement benefits or State Pension you may be able to get when your husband or wife dies. The meaning of dependent children is given in the section '[Who can get Widowed Parent's Allowance](#)'.

Your age when your husband, wife or civil partner died	What you may be able to get
Under 45 with no dependent children	Bereavement Payment only
Under state pension age with dependent children	Bereavement Payment and Widowed Parent's Allowance
Under state pension age with no dependent children, but expecting your late husband's baby	Bereavement Payment and Widowed Parent's Allowance
45 or over, but under state pension age	Bereavement Payment and Bereavement Allowance
Over state pension age, husband, wife or civil partner not entitled to Category A State Pension at date of death	Bereavement Payment and State Pension
Over state pension age, husband, wife or civil partner getting State Pension at date of death	State Pension

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Leaflets

For a list of useful leaflets from the Department for Work and Pensions,
<http://www.dwp.gov.uk/publications/>

For a list of useful leaflets from the Pension Service
http://www.direct.gov.uk/en/Pensionsandretirementplanning/DG_180420

For a list of useful leaflets from HMRC,
<http://www.hmrc.gov.uk/leaflets/index.htm>

Women widowed on or after 11 April 1988 up to and including 8 April 2001

When your husband died you may have been able to get Widow's Payment and either:

- Widowed Mother's Allowance
- or Widow's Pension.

For all these benefits your late husband must have paid [National Insurance \(NI\) contributions](#). Any contributions you have paid do not count for these benefits. You may have been able to get these benefits at the full rate if your husband died because of an accident at work or a prescribed industrial disease, even if he did not have a full contribution record.

Widow's Payment

Widow's Payment was a single, lump sum payable immediately you were widowed. It was tax free and based on NI contributions. [\[Legislation \(27\)\]](#)

Who could get Widow's Payment

You could get Widow's Payment if your late husband had met the [NI contributions conditions](#) or if his death was caused by his job and either:

- you were under state pension age when your husband died
- or your husband was not entitled to a Category A State Pension when he died.

Who could not get Widow's Payment

You could not get Widow's Payment:

- if you were divorced from your husband
- or if you and a man to whom you were not married were living together as husband and wife at the time of his death [\[Legislation \(28\)\]](#)
- or while you are in prison or are held in legal custody [\[Legislation \(29\)\]](#)

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How to claim Widow's Payment

Just one claim covered all three benefits. But as your husband will have died before 9 April 2001, any entitlement which you might have had to Widow's Payment will be time barred, unless there was difficulty in discovering your husband's body or his body was not found and he was presumed to have died. [\[Legislation \(30\)\]](#)

How much you could get

Widow's Payment was £1,000.

Leaflets

For a list of useful leaflets from the Department for Work and Pensions, <http://www.dwp.gov.uk/publications/>

For a list of useful leaflets from the Pension Service http://www.direct.gov.uk/en/Pensionsandretirementplanning/DG_180420

For a list of useful leaflets from HMRC, <http://www.hmrc.gov.uk/leaflets/index.htm>

Widowed Mother's Allowance

Widowed Mother's Allowance is a regular payment which started on the Tuesday after you were widowed. If your husband died on a Tuesday, It is made up of:

- a basic allowance [\[Legislation \(32\)\]](#)
- and it may include an allowance for each of your dependent children as described below [\[Legislation \(33\)\]](#)
- and [Additional Pension](#), if you qualify. [\[Legislation \(34\)\]](#)

You cannot get Widowed Mother's Allowance and Widow's Pension at the same time. [\[Legislation \(35\)\]](#)

Who can get Widowed Mother's Allowance

You can get Widowed Mother's Allowance if your late husband had met the [NI contributions conditions](#) or if his death was caused by his job and:

- you have a child for whom you are entitled to (or can be treated as entitled to) Child Benefit [\[Legislation \(36\)\]](#)
- or you were expecting your late husband's baby
- or you were expecting a baby as a result of being artificially inseminated with the semen of someone other than your late husband and insemination occurred prior to your husband's death and you were

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living with your husband immediately before the time of his death
[\[Legislation \(37\)\]](#)

- or you were expecting a baby as a result of 'in vitro' fertilisation before your husband's death and you were living with your husband immediately before the time of his death. [\[Legislation \(38\)\]](#)

The child must be:

- a child of yourself and your late husband
- or a child for whom your late husband was entitled to Child Benefit immediately before his death [\[Legislation \(39\)\]](#)
- or if you and your late husband were living together immediately before his death, a child for whom you were then entitled to Child Benefit. [\[Legislation \(40\)\]](#)

If the child is not living with you but you are making payments towards the cost of providing for the child, Widowed Mother's Allowance may be payable. There are special rules when you and a child are living abroad or have recently returned to Great Britain. If you stop getting Widowed Mother's Allowance because you no longer have a dependent child and you are under state pension age, you may be able to get [Widow's Pension](#).

Who cannot get Widowed Mother's Allowance

You cannot get Widowed Mother's Allowance: [\[Legislation \(41\)\]](#)

- if you have been divorced from your husband
- or if you remarry or form a civil partnership
- or while you are living with a man as his wife or a woman as her civil partner
- or while you are in prison or are held in legal custody. [\[Legislation \(42\)\]](#)

What you could get

[Table 2](#) summarises the widow's benefits or State Pension you may be able to get, depending on your age when your husband died.

How to claim Widowed Mother's Allowance

Your original claim for widow's benefits covered [Widowed Mother's Allowance](#). The normal time limit for making a claim is 3 months following your bereavement.

Money for children – Child Tax Credit

New rules came into force from 6 April 2003 for customers wishing to make claims for a child increase with their widow's benefit. The child increase that was paid with Widowed Mother's Allowance is now covered by Child Tax

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Credit. For customers in receipt of Widowed Mother's Allowance, the child increase continues to be payable unless:

- You stop getting the benefit with which the increase for your child/children is paid
- Your child reaches 16 (or 19 if they stay in full-time education)
- The money for your child/children is not payable for eight weeks or more
- You lose entitlement to the money for your child/children altogether

You may also get money for your children by making a claim to Child Tax Credit. Child Tax Credit:

- is claimed from the HM Revenue and Customs
- is paid in addition to Child Benefit
- can provide income for families with children, whether in or out of work
- is normally paid to the main carer

For information on Child Tax Credits,

<http://www.hmrc.gov.uk/taxcredits/start/who-qualifies/children/children-taxcredits.htm>

For information on Tax Credits, <http://www.hmrc.gov.uk/taxcredits/>

How much you get

You get an allowance for yourself and you may get an extra allowance for each of your children. You must already get Child Benefit for the children for whom you may get an extra allowance. If you have been married more than once and were separated from your late husband when he died, you may be able to get extra for a child of a previous marriage, if you can get Child Benefit for that child. You may also get Additional Pension based on your husband's earnings since 1978. [\[Legislation \(43\)\]](#)

What happens when you get to state pension age

When you get to state pension age and you are still getting Widowed Mother's Allowance you can decide to do one of three things: [\[Legislation \(44\)\]](#)

- claim State Pension. If you do this you will get basic State Pension of at least the same amount as your basic Widowed Mother's Allowance together with an allowance for each of your children. You will also get any Graduated Retirement Benefit and Additional Pension you have earned plus half the Graduated Retirement Benefit earned by your late husband and any Additional Pension you can inherit from him [\[Legislation \(45\)\]](#) [\[Legislation \(46\)\]](#)
- or continue to get Widowed Mother's Allowance for as long as you meet the normal conditions. But you will not get any Graduated Retirement Benefit until you draw State Pension [\[Legislation \(47\)\]](#)

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- or to not claim your State Pension and give up your Widowed Mother's Allowance. In this way you can get extra pension when you decide to claim your State Pension or reach age 65. [\[Legislation \(48\)\]](#)

Leaflets

For a list of useful leaflets from the Department for Work and Pensions, <http://www.dwp.gov.uk/publications/>

For a list of useful leaflets from the Pension Service, http://www.direct.gov.uk/en/Pensionsandretirementplanning/DG_180420

For a list of useful leaflets from HMRC, <http://www.hmrc.gov.uk/leaflets/index.htm>

Widow's Pension

Widow's Pension is a regular payment of pension which started on the Tuesday after you were widowed or if you were receiving Widowed Mother's Allowance, after that benefit ended. If your husband died on a Tuesday, payments started from that day. It is a taxable, contributory benefit. [\[Legislation \(49\)\]](#). From 6 April 2009 payment starts on the day you are widowed or if you are receiving Widowed Mother's Allowance, after that benefit has ended. It is made up of:

- a basic pension related to your age when you were widowed or when Widowed Mother's Allowance ends
- and [Additional Pension](#), if you qualify. [\[Legislation \(50\)\]](#)

Who can get Widow's Pension

You can get Widow's Pension if your late husband had met the [NI contributions conditions](#) or if his death was caused by his job and either: [\[Legislation \(51\)\]](#)

- you were 45 or over when your husband died and you do not get Widowed Mother's Allowance
- or you are 45 or over when your Widowed Mother's Allowance ends

Who cannot get Widow's Pension

You cannot get Widow's Pension and Widowed Mother's Allowance at the same time. You cannot get Widow's Pension:

- if you have been divorced from your husband
- or if you remarry or form a civil partnership [\[Legislation \(52\)\]](#)
- or while you are living with a man as his wife or a woman as her civil partner

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- or you are deemed over state pension age
- or while you are in prison or are held in legal custody [\[Legislation \(53\)\]](#)

What you could get

[Table 2](#) summarises the widow's benefits or State Pension you may be able to get, depending on your age when your husband died.

Your original claim for widow's benefits automatically covers [Widow's Pension](#).

How to claim Widow's Pension

Just one claim covered all three benefits. The time limit for claiming is 3 months following bereavement.

How much you could get

You get a basic pension. You will get the full rate of Widow's Pension if you are 55 or over when you were widowed or when your Widowed Mother's Allowance ends. If you are under 55 you will get less than the full rate. If you are between 45 and 54 you will qualify for a percentage of the full rate. This percentage is fixed and does not increase with each birthday. You may also get Additional Pension based on your husband's or wife's earnings since 1978. Any Additional Pension you get will be reduced if you do not get the full rate of Widow's Pension because of your age.

What happens when you get to state pension age

When you get to state pension age and you are still getting Widow's Pension you can decide to do one of three things: [\[Legislation \(54\)\]](#)

- claim State Pension. If you do this you will get basic State Pension of at least the same amount as your basic Widow's Pension

You will also get any Graduated Retirement Benefit and Additional Pension you have earned plus half the Graduated Retirement Benefit earned by your late husband and any Additional Pension you can inherit from him [\[Legislation \(55\)\]](#) or continue to get your Widow's Pension until you decide to draw state Pension or reach age 65, whichever is earlier. But you will not get any Graduated Retirement Benefit until then [\[Legislation \(56\)\]](#)

- or not claim your State Pension and give up your Widow's Pension. In this way you can get extra pension when you decide to claim your state Pension or reach age 65. [\[Legislation \(57\)\]](#)

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Table 2 – Which benefits you can get (women widowed on or after 11 April 1988 and before 9 April 2001)

This table shows the widow's benefits or State Pension you may be able to get, depending on your age when your husband died. The meaning of **dependent child** is given under '[Who can get Widowed Mother's Allowance](#)'.

Your age when your husband died	What you may be able to get
Under 45 with no dependent child	Widow's Payment only
45 or over but under state pension age with no dependent child	Widow's Payment and Widow's Pension .
Under 45 with no dependent child but expecting your late husband's baby	Widow's Payment and Widowed Mother's Allowance
Under state pension age with dependent child	Widow's Payment and Widowed Mother's Allowance
Over state pension age but under 65 <ul style="list-style-type: none"> husband was not getting Category A State Pension 	Widow's Payment and Widow's Pension or State Pension (or increased State Pension). Normally the State Pension will be paid
<ul style="list-style-type: none"> husband was getting Category A State Pension 	Widow's Pension or State Pension (or increased State Pension). Normally the State Pension will be paid
Over 65	
<ul style="list-style-type: none"> husband was getting Category A State Pension 	State Pension or increased State Pension
<ul style="list-style-type: none"> husband was not getting Category A State Pension 	Widow's Payment and State Pension or increased State Pension
Over state pension age and (exceptionally) with dependent child	Widow's Payment , provided your husband was not getting Category A State Pension and State Pension or Widowed Mother's Allowance . Normally the State Pension will be paid

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Leaflets

For a list of useful leaflets from the Department for Work and Pensions, <http://www.dwp.gov.uk/publications/>

For a list of useful leaflets from the Pension Service, http://www.direct.gov.uk/en/Pensionsandretirementplanning/DG_180420

For a list of useful leaflets from HMRC, <http://www.hmrc.gov.uk/leaflets/index.htm>

Women widowed before 11 April 1988

When your husband died you may have been able to get Widow's Allowance and either:

- Widowed Mother's Allowance
- or Widow's Pension

For all these benefits your late husband must have paid [National Insurance \(NI\) contributions](#). Any contributions you have paid do not count for these benefits. If your husband's death happened as a result of an accident at work or a prescribed industrial disease before 11 April 1988, you may be able to get Industrial Death Benefit. Industrial Death Benefit is taxable but it does not depend on your late husband's NI contributions.

Widow's Allowance

Widow's Allowance was a regular payment of benefit paid for 26 weeks starting on the Tuesday after you were widowed (if your husband died on a Tuesday, payment would start from that date). Widows with dependent children could also get an increase for them. It was a taxable, contributory benefit which carries on in certain circumstances. [\[Legislation \(58\)\]](#)

Who could get Widow's Allowance

You could get Widow's Allowance if your late husband had met the [NI contribution conditions](#) and either:

- your husband was not entitled to Category A State Pension at the time of his death
- or you were under state pension age when your husband died

Who could not get Widow's Allowance

You could not get Widow's Allowance:

- if you had been divorced from your husband
- or if you remarried

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- or while you were living with a man as his wife but without being legally married to him
- or while you were in prison or were held in legal custody

What you could get

[Table 3](#) summarises the widow's benefits or State Pension you may be able to get, depending on your age when your husband died.

How you claimed Widow's Allowance

Just one claim covered all three benefits. But as your husband will have died before 11 April 1988, any entitlement which you might have had to Widow's Allowance will be time-barred unless there was difficulty in discovering your husband's body or his body was not found and he was presumed to have died. [\[Legislation \(59\)\]](#)

How much you could get

There is no current rate for Widow's Allowance. At the time it was abolished the rate was £57.65 a week.

Widowed Mother's Allowance

Widowed Mother's Allowance is a regular payment of benefit starting after your Widow's Allowance has ended. It is a taxable, contributory benefit. It is made up of:

- a basic allowance [\[Legislation \(60\)\]](#)
- and it may include an allowance for each of your dependent children as described below [\[Legislation \(61\)\]](#)
- and [Additional Pension](#), if you qualify. [\[Legislation \(62\)\]](#)

You cannot get Widowed Mother's Allowance and Widow's Pension at the same time. [\[Legislation \(63\)\]](#)

Who can get Widowed Mother's Allowance

You can get Widowed Mother's Allowance if your late husband had met the [NI contributions conditions](#) and you have a child for whom you are entitled (or can be treated as entitled) to Child Benefit. [\[Legislation \(64\)\]](#) The child must be:

- a child of yourself and your late husband
- or a child for whom your late husband was entitled to Child Benefit immediately before his death
- or if you and your late husband were living together immediately before his death, a child for whom you were then entitled to Child Benefit.

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If the child is not living with you but you are making payments towards the cost of providing for the child, Widowed Mother's Allowance may be payable. There are special rules when you and a child are living abroad or have recently returned to Great Britain.

If you are not entitled to Child Benefit but you have a child under age 19 living with you and the above conditions apply to that child, you may be able to qualify for a basic Widowed Mother's Allowance but not an increase for a dependent child.

If you stop getting Widowed Mother's Allowance because you no longer have a dependent child and you are under state pension age, you may be able to get [Widow's Pension](#).

Who cannot get Widowed Mother's Allowance

You cannot get Widowed Mother's Allowance:

- if you have been divorced from your husband
- or if you remarry or form a civil partnership [\[Legislation \(65\)\]](#)
- or while you are living with a man as his wife or a woman as her civil partner
- or while you are in prison or are held in legal custody. [\[Legislation \(66\)\]](#)

What you could get

[Table 3](#) summarises the widow's benefits or State Pension you may be able to get, depending on your age when your husband died.

How to claim Widowed Mother's Allowance

Your original claim for widow's benefits automatically covers [Widowed Mother's Allowance](#).

Money for children – Child Tax Credit

New rules came into force from 6 April 2003 for customers wishing to make claims for a child increase with their widow's benefit. The child increase that was paid with Widowed Mother's Allowance is now covered by Child Tax Credit. For customers in receipt of Widowed Mother's Allowance, the child increase continues to be payable unless:

- You stop getting the benefit with which the increase for your child/children is paid
- Your child reaches 16 (or 19 if they stay in full-time education)
- The money for your child/children is not payable for eight weeks or more
- You lose entitlement to the money for your child/children altogether

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You may also get money for your children by making a claim to Child Tax Credit. Child Tax Credit:

- is claimed from the Inland Revenue
- is paid in addition to Child Benefit
- can provide income for families with children, whether in or out of work
- is normally paid to the main carer

For information on Child Tax Credits,

<http://www.hmrc.gov.uk/taxcredits/start/who-qualifies/children/children-taxcredits.htm>

For information on Tax Credits, <http://www.hmrc.gov.uk/taxcredits/>

How much you get

You get an allowance for yourself and you may get an allowance for each of your children. The children you get the extra allowance for must be children you get Child Benefit for. If you have been married more than once and were separated from your late husband when he died, you may be able to get extra for a child of a previous marriage if you can get Child Benefit for that child. You may also get Additional Pension based on your husband's or wife's earnings since 1978. Details of how this is worked out are given.

What happens when you get to state pension age

When you reach state pension age and you are still getting Widowed Mother's Allowance, you can decide to do one of three things:

- claim State Pension. If you do this you will get a basic State Pension of at least the same amount as your basic Widowed Mother's Allowance together with an allowance for each of your children. You will also get any Graduated Retirement Benefit and Additional Pension you have earned plus half the Graduated Retirement Benefit earned by your late husband and any Additional Pension you can inherit from him
[\[Legislation \(67\)\]](#) [\[Legislation \(68\)\]](#)
- or continue to get Widowed Mother's Allowance for as long as you meet the normal conditions. But you will not get any Graduated Retirement Benefit until you draw State Pension [\[Legislation \(69\)\]](#)
- or not claim your State Pension and give up your Widowed Mother's Allowance. In this way you can get extra pension when you decide to claim your State Pension or reach age 65. [\[Legislation \(70\)\]](#)

Leaflets

For a list of useful leaflets from the Department for Work and Pensions, <http://www.dwp.gov.uk/publications/>

For a list of useful leaflets from the Pension Service, go to http://www.direct.gov.uk/en/Pensionsandretirementplanning/DG_180420

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For a list of useful leaflets from HMRC,
<http://www.hmrc.gov.uk/leaflets/index.htm>

Widow's Pension

Widow's Pension is a regular payment of pension starting after your Widow's Allowance or Widowed Mother's Allowance has ended. It is a taxable, contributory benefit. [\[Legislation \(71\)\]](#)
It is made up of:

- a basic pension related to your age when you were widowed or when Widowed Mother's Allowance ends
- and [Additional Pension](#), if you qualify [\[Legislation \(72\)\]](#)

You cannot get Widow's Pension and Widowed Mother's Allowance at the same time. [\[Legislation \(73\)\]](#)

Who can get Widow's Pension

You can get Widow's Pension if your late husband had met the [NI contributions conditions](#) and either: [\[Legislation \(74\)\]](#)

- you were 40 or over when your husband died and you do not get Widowed Mother's Allowance
- or you are 40 or over when your Widowed Mother's Allowance ends.

Who cannot get Widow's Pension

You cannot get Widow's Pension:

- if you have been divorced from your husband
- or if you remarry or form a civil partnership [\[Legislation \(75\)\]](#)
- or while you are living with a man as his wife or a woman as her civil partner
- or while you are in prison or are held in legal custody [\[Legislation \(76\)\]](#)
- or you are over state pension age

What you could get

[Table 3](#) summarises the widow's benefits or State Pension you may be able to get, depending on your age when your husband died.

How to claim Widow's Pension

Your original claim for widow's benefits automatically covers [Widow's Pension](#).

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How much you get

You get a basic pension. You will get the full rate of Widow's Pension if you are 50 or over when you were widowed or when your Widowed Mother's Allowance ends. If you are under 50 you will get less than the full rate. If you are between 40 and 49 you will qualify for a percentage of the full rate. This percentage is fixed and does not increase with each birthday.

You may also get Additional Pension based on your husband's or wife's earnings since 1978. Details of how this is worked out are given. [\[Legislation \(77\)\]](#)

What happens when you get to state pension age

When you reach state pension age and are still getting Widow's Pension you can decide to do one of three things: [\[Legislation \(78\)\]](#)

- claim State Pension. If you do this you will get basic State Pension of at least the same amount as your basic Widow's Pension. You will also get any Graduated Retirement Benefit and Additional Pension you have earned plus half the Graduated Retirement Benefit earned by your late husband and any Additional Pension you can inherit from him [\[Legislation \(79\)\]](#)
- or continue to get your Widow's Pension until you decide to claim State Pension or reach age 65, whichever is earlier. But you will not get any Graduated Retirement Benefit until then [\[Legislation \(80\)\]](#)
- or not claim your State Pension and give up your Widow's Pension. In this way you can get extra pension when you decide to claim your State Pension or reach age 65.

Table 3 – Which benefits you can get (women widowed before 11 April 1988)

This table shows the widow's benefits or State Pension you may be able to get, depending on your age when your husband died. The meaning of **dependent child** is given under [‘Who can get Widowed Mother's Allowance’](#).

Your age when your husband died	What you may be able to get
Under 40 with no dependent child	Widow's Allowance
40 or over but under state pension age with no dependent child	Widow's Allowance and Widow's Pension
Under state pension age with dependent child	Widow's Allowance and Widowed Mother's Allowance
Over state pension age but under 65 and retired	

<ul style="list-style-type: none"> husband was also retired and getting State Pension 	State Pension or increased State Pension only
<ul style="list-style-type: none"> husband was not retired 	Widow's Allowance and Widow's Pension or State Pension (or increased State Pension). Normally the State Pension will be paid
Over state pension age but under 65 and not retired	
<ul style="list-style-type: none"> husband was also not retired 	Widow's Allowance and Widow's Pension or State Pension. Normally the State Pension will be paid
<ul style="list-style-type: none"> husband was retired and getting State Pension 	Widow's Pension or State Pension. Normally the State Pension will be paid
Over 65 and retired	
<ul style="list-style-type: none"> husband was also retired and getting State Pension 	State Pension or increased State Pension
<ul style="list-style-type: none"> husband was not retired 	Widow's Allowance and State Pension or increased State Pension
Over 65 and not retired	
<ul style="list-style-type: none"> husband was also not retired 	Widow's Allowance and State Pension
<ul style="list-style-type: none"> husband was retired and getting State Pension 	State Pension only
Over state pension age and (exceptionally) with dependent child	Widow's Allowance provided your husband was not retired and State Pension or Widowed Mother's Allowance . Normally the State Pension will be paid

Leaflets

For a list of useful leaflets from the Department for Work and Pensions, <http://www.dwp.gov.uk/publications/>

For a list of useful leaflets from the Pension Service, http://www.direct.gov.uk/en/Pensionsandretirementplanning/DG_180420

For a list of useful leaflets from HMRC,
<http://www.hmrc.gov.uk/leaflets/index.htm>

The State Earnings-Related Pension Scheme (SERPS)

What it is

It is the additional pension element of the State Pension. It is paid with the basic State Pension or bereavement benefits. There is no need to claim separately.

Leaflets

For a list of useful leaflets from the Department for Work and Pensions,
<http://www.dwp.gov.uk/publications/>

For a list of useful leaflets from the Pension Service, go to
http://www.direct.gov.uk/en/Pensionsandretirementplanning/DG_180420

For a list of useful leaflets from HMRC,
<http://www.hmrc.gov.uk/leaflets/index.htm>

How to claim bereavement benefits

You do not make a claim for each benefit separately.

When you register your husband's, your wife's or civil partner's death, you will be given a certificate of registration of death. This is certificate for benefits and National Insurance purposes. To claim benefit, fill in the form on the back of the certificate and show it to your Jobcentre Plus office. You will then be sent a claim form (BB1). Fill it in and send it back as soon as possible. You can use this form to claim your personal benefit. Unless special circumstances apply, you will not be entitled to bereavement benefits in respect of a death occurring more than three months before the date on which the claim is made, or treated as made. However, the time limits for claiming Bereavement Payment have been extended to 12 months. This is for claims that relate to deaths that occur on or after 1 April 2003. [\[Legislation \(91\)\]](#)

If, for some reason, you experience difficulty in obtaining a certificate of registration of death, do not delay contacting your Jobcentre Plus office and making your claim.

If you need more information or help with filling in the form, your Jobcentre Plus will be pleased to help you. If you have your birth and marriage or civil

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partnership certificates and your husband's, wife or civil partner's birth certificate, include them with your claim. But do not delay claiming if you do not have them. There is no need to buy duplicates

Dispute /Appeals

If you want to know more about a decision or you think the decision is wrong: [\[Legislation \(92\)\]](#)

Please contact us and we will give you an explanation. You should contact us within one month of the date of the letter informing you of the decision or we may not be able to consider any dispute.

How and when you are paid

Bereavement Payment

Our policy is to pay all benefits directly into an account. This is the safest way to pay you and means you can get your money at any time of the day or night. If you already have an account, you may be able to get your money paid directly into it. If you do not wish to be paid directly into an account, you will be sent a crossed cheque for the full amount of your Bereavement Payment as quickly as possible. You will have to pay this into an account. If you do not have an account and you do not want to open one and there is no one you know who can cash it for you, get in touch with your Jobcentre Plus office. They will make alternative arrangements to pay you.

Widowed Parent's Allowance or Bereavement Allowance

Payments start on the day you are widowed or become a surviving civil partner. Where your allowance or pension comes to more than £5 a week and you live in this country, our policy is to pay your benefits directly into an account. This is the safest way to pay you and lets you choose how and when you get your money. You can use a bank or building society account. You may be able to use a cash machine, which will usually mean you can get your money at any time of the day or night. There are arrangements with a number of major banks and building societies so that you can collect cash from some of their accounts at your local Post Office.

Payment direct into an account

We recommend that you get your money in this way because:

- it is safe and secure
- it is convenient – you decide when and how much you want to withdraw
- using an account may help you save

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- from some accounts you could have regular bills paid. This could save you money but you will need to make sure that there is enough money in your account to pay the bills. If not, you may be charged a fee
- you can get your money from many different places.

The account can be:

- in your name, or
- in the name of the person acting on your behalf, or
- in both the names of yourself and the person acting on your behalf.

If you ask for payment direct into an account, your benefit will be paid directly into a bank account or building society account. This method is very easy to arrange. You can choose to be paid at the end of every two weeks, four weeks or thirteen weeks. [\[Legislation \(93\)\]](#)

Difficulty in collecting your benefit

If you want someone else to collect your benefit for you regularly, you may be able to make arrangements with your bank, or building society. Please ask them to help you with this. All the details required for payment direct into an account are requested on the claim form BB1. If you do not have a suitable bank or building society account or are unwilling to use an existing account, any bank or building society will help you open an account that suits you better. Remember to ask whether their accounts allow you to get your money from the Post Office, if this is important to you

Basic Bank Accounts

If you have had problems opening an account, or if you are worried about being overdrawn, you could ask about opening a basic bank account. These are sometimes called introductory or starter accounts and are available from all major banks. These accounts offer free banking but overdrafts are not available. You can use these accounts to pay money in, pay bills automatically and get cash out. Most basic bank accounts also allow you to get cash from Post Offices.

Other things you should know

If you are getting Child Benefit and it is paid four-weekly, you can get it paid weekly instead. Tell HM Revenue and Customs if you want to change, the telephone number is 0845 302 1444 and the text phone number is 0845 302 1474. If you want to change your Bereavement Benefit/Widow's Benefit to payment direct into an account, get form BR 436(BB) Your Bereavement Benefit paid direct into an account from your Jobcentre Plus office.

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Payment of small amounts

If your allowance or pension is not more than £5 a week, it will normally be paid once a year in arrears direct into an account or by crossed order, which you can pay into your bank or building society account. The yearly payment will be made shortly before Christmas. [\[Legislation \(96\)\]](#)

Your first payments

At first you might get slightly less Widowed Parent's Allowance or Bereavement Allowance than the full amount due to you while the exact amount is being worked out. Any arrears will be paid later.

If your circumstances change

You must tell your Jobcentre Plus office straight away if there are any changes in your circumstances that might affect your payments. The changes that you must tell the office about are given below and are also listed in the notes sent to you about your payment.

Please read these carefully

If your address is not shown correctly on documents sent to you, tell your Jobcentre Plus office.

If you or your children go into hospital

You must tell your Jobcentre Plus office. [\[Legislation \(97\)\]](#) If you stay in hospital for more than fifty-two weeks and you are getting free in-patient treatment, your bereavement benefit will be reduced. The dependency increase you get for your children may be affected if any of them goes into hospital. [\[Legislation \(98\)\]](#)

If Child Benefit ends

If you are getting Widowed Parent's Allowance or Widowed Mother's Allowance with a dependency increase for a child or children, your benefit will be reduced if Child Benefit ends for any of the children. Please read your Child Benefit payment notes that have been sent to you.

If you and your children go abroad

You can normally get your Bereavement Benefit/Widow's Benefit paid anywhere abroad. But a dependency increase for a child can be paid only if:

- you are not going to stay abroad or you go to live in one of the countries listed on page 9 where European Community regulations apply and you do not get a pension from that country

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- or you go to live in a country with which the UK has a reciprocal agreement providing for an increase for a child.

When benefit goes up in Great Britain you will normally still get the old rate when you are abroad. But you may get the new rate if you are living in one of the countries listed where European Community regulations apply or in one of the other countries listed below: [\[Legislation \(99\)\]](#)

Barbados, Bermuda, Israel, Jamaica, Jersey, Guernsey and Sark, Mauritius, Philippines, Switzerland, Turkey, USA and the former Yugoslavia (ie Serbia and Montenegro and the successor states of Croatia, Bosnia-Herzegovina and the former Yugoslav Republic of Macedonia).

The agreement with Switzerland still applies to persons who are not nationals of the European Union.

Tell your Jobcentre Plus office in plenty of time if you and/or a child for whom you get a dependency addition are going abroad. Let them know as soon as you and the child come back, or you may lose money.

If you go abroad temporarily to any other country but you remain ordinarily resident in Great Britain, you may still get the increased rate of pension. This would normally be paid in arrears when you return to Great Britain.

For information on living abroad and benefits,
http://www.direct.gov.uk/en/BritonsLivingAbroad/Moneyabroad/DG_4000102

Other changes you should report

You should also report any of the following changes:

About yourself

- you start getting another benefit or pension or allowance from the Department for Work and Pensions or any other Government Department. This includes any money paid by or on behalf of the Training Agency
- you go into prison or are held in legal custody
- you get married or reform a civil partnership again

you live with someone as if you are married to them or in a civil partnership.

About your children

- a child dies
- a child marries or forms a civil partnership
- a child leaves your home
- a child goes to live with someone else with a view to adoption
- you start getting Child Benefit for a child or children
- a child starts getting another benefit, pension or allowance from the Department for Work and Pensions or any other Government

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Department. Your benefit may be reduced if your child is awarded Severe Disablement Allowance (SDA or Incapacity Benefit (Y) (IB(Y)). You should contact your Jobcentre Plus office for advice before your child makes a claim for IB(Y)

- a child starts a Work Based Learning for Adults scheme provided under arrangements made by the Department for Education and Skills or a training course sponsored by an employer
- a child over 15 has been unable to receive full-time education for six months because they were ill or disabled
- a child aged 16 or over stops receiving full-time education
- a child aged 16 or over in full-time education earns money from an employer
- something happens to change what you have already told us about the child's education after the age of 16
- you were awarded the allowance because someone under 19 has been living with you for whom you are not paid any extra money, and:
 - the young person dies
 - or marries or forms a civil partnership
 - or leaves home and is away for a month or more
 - or is expected to be away for a month or more.

Deductions from allowance

In some situations a deduction may be made from your bereavement benefits/widow's benefits before you receive it. This may be done when you have to pay back benefit because:

- you were overpaid
- or a payment was made to you as a Social Fund loan.

Recovery of overpayments

If you have been paid too much bereavement benefits/widow's benefits and the Department for Work and Pensions (DWP) decides that it is recoverable, you will have to repay it. You can do this by paying a lump sum or by weekly deductions from your allowance or, if you do not receive any allowance or any other benefits, by instalments. [\[Legislation \(100\)\]](#) You can dispute/appeal against the decision if you disagree with any of the following:

- that there has been an overpayment
- the amount of the overpayment
- that the DWP has a right to recover the overpayment.

If you have been overpaid some other benefit and the Decision Makers have decided that it is recoverable, it can be recovered from your bereavement benefits/widow's benefits by weekly deductions if recovery cannot be made from the other benefit because, for example, you no longer get it. (These rules apply to other benefits as well as bereavement benefits.)

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Recovery of loans from the Social Fund

If you receive a loan from the Social Fund (or one is already outstanding) it may be recovered from your allowance. [\[Legislation \(101\)\]](#)

Annual increase in allowance

By law, the amounts that make up your allowance are:

- reviewed once a year
- and when necessary, increased in line with the inflation rate so as to maintain their value. [\[Legislation \(102\)\]](#)

Rates of benefit are published by way of the Social Security Up-rating Order which is approved by Parliament each year.

The increase takes effect in April at the beginning of each financial year.

Christmas Bonus

A tax-free bonus is paid with your Widowed Mother's Allowance, Widowed Parent's Allowance and Widow's Pension shortly before Christmas each year. The bonus is usually paid automatically with your normal benefit payment.

How your late husband's, wife's or civil partner's National Insurance (NI) contributions affect your bereavement benefits

Bereavement Payment

For you to get Bereavement Payment, your late husband's, wife's or civil partner's National Insurance (NI) contribution record must meet the following conditions:

Either:

- **before 6 April 1975**, they must have paid at least 25 Class 1, Class 2, or Class 3 contributions before State Pension age
- **or after 6 April 1975**, they must have paid contributions in any one tax year on wages of at least 25 times the lower earnings limit for that year.

A Class 2 or Class 3 contribution counts as 1 week's earnings at the lower earnings limit. [\[Legislation \(104\)\]](#) If your husband's, wife's or civil partner's had not paid enough contributions because they had only recently become liable to pay them, special rules may still help you to get a Bereavement Payment.

Leaflets

For a list of useful leaflets from the Department for Work and Pensions, <http://www.dwp.gov.uk/publications/>

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For a list of useful leaflets from the Pension Service,
http://www.direct.gov.uk/en/Pensionsandretirementplanning/DG_180420

For a list of useful leaflets from HMRC,
<http://www.hmrc.gov.uk/leaflets/index.htm>

Widowed Parent's Allowance and Bereavement Allowance

For you to get Widowed Parent's Allowance or Bereavement Allowance, your late husband's, wife's or civil partner's NI contribution record must meet the following two conditions:

Condition 1

They must either:

- have had one qualifying year since 6 April 1975 which is derived from the actual payment of Class 1, 2, or 3 NI contributions
- or have paid 50 flat-rate contributions at any time before 6 April 1975.
[\[Legislation \(105\)\]](#)

Condition 2

For you to get the standard basic rate (100 per cent) of Widowed Parent's Allowance or Bereavement Allowance, your late husband, wife or civil partner must have had qualifying years for about 90 per cent of the years in their working life.

Condition 1 is deemed to have been satisfied if your husband, wife or civil partner was entitled to long-term Incapacity Benefit at any time during the year they reached state pension age or in which they died, or during the year immediately preceding that year. [\[Legislation \(106\)\]](#)

If your late husband, wife or civil partner satisfied the first condition, but had fewer qualifying years than the number needed for a standard basic rate allowance or pension (see Table 4 below), you will get a smaller basic rate allowance or pension, provided that the number of their qualifying years was at least a quarter of the number needed. [\[Legislation \(107\)\]](#)

Table 4 – Working life and qualifying years

Length of working life	Number of qualifying years needed for standard basic rate allowance or pension
10 years or less	Length of working life, minus one
11–20 years	Length of working life, minus two
21–30 years	Length of working life, minus three
31–40 years	Length of working life, minus four
41 years or more	Length of working life, minus five

Leaflets

For a list of useful leaflets from the Department for Work and Pensions,
<http://www.dwp.gov.uk/publications/>

For a list of useful leaflets from the Pension Service,
http://www.direct.gov.uk/en/Pensionsandretirementplanning/DG_180420

For a list of useful leaflets from HMRC,
<http://www.hmrc.gov.uk/leaflets/index.htm>

Working life and qualifying years

Working life is the period during which your late husband, wife or civil partner had to satisfy the contribution conditions for basic bereavement benefits. It would normally start with the tax year in which they reached age 16 and will end with the tax year before the one in which they died or reached minimum pension age, whichever is earlier. [\[Legislation \(108\)\]](#)

If they were over 16 when the National Insurance scheme started on 5 July 1948, the period will start as follows:

- if they were already insured for pension purposes on 5 July 1948, their working life will start at the beginning of the tax year in which they last entered insurance, or 6 April 1936, whichever is later
- if they did not enter insurance until 5 July 1948 or later, their working life will start on 6 April 1948.

A qualifying year for basic rate allowance or pension is a tax year in which they received (or were treated as having received) qualifying earnings of at least 52 times the lower earnings limit for that year. [\[Legislation \(109\)\]](#)
Between 6 April 1975 and 5 April 1978 the qualifying earnings needed in a tax year for it to be a qualifying year were 50 times the lower earnings limit for that year.

The number of flat-rate contributions your late husband, wife or civil partner had paid or been credited with before 6 April 1975 will be converted to a number of qualifying years by dividing the total by 50 and rounding up the result to the next whole number. If their working life started before 5 July 1948, they will be credited with a contribution for each week up to that date, in place of their actual contribution record for that period. See [Table 4](#).

Leaflets

For a list of useful leaflets from the Department for Work and Pensions,
<http://www.dwp.gov.uk/publications/>

For a list of useful leaflets from the Pension Service,
http://www.direct.gov.uk/en/Pensionsandretirementplanning/DG_180420

For a list of useful leaflets from HMRC,
<http://www.hmrc.gov.uk/leaflets/index.htm>

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If your late husband, wife or civil partner lived abroad

Any NI contributions which your husband, wife or civil partner paid in Northern Ireland or the Isle of Man will count for bereavement benefits, under UK legislation. If they ever lived or were insured in one or more of the countries listed or in the other countries listed below, contributions they paid there (or, in some countries, periods of residence), can help to satisfy the contribution conditions. This may enable you to get bereavement benefits based on the number of years they were insured in Great Britain and/or Northern Ireland. You may also be entitled to a pension from the other country (or countries) in which your late husband, wife or civil partner lived or was insured:

- Australia
- Barbados
- Bermuda
- Guernsey
- Israel
- Jamaica
- Jersey
- Mauritius
- New Zealand
- Philippines
- Switzerland
- Turkey
- USA
- the former Yugoslavia (ie Serbia and Montenegro and the successor states of Croatia, Bosnia- Herzegovina and the former Yugoslav Republic of Macedonia)

The agreement with Australia ended on 28 February 2001. But any time your late husband, wife or civil partner lived in Australia before 6 April 2001 may still help to satisfy the contribution conditions for bereavement benefits (but this does not apply to Bereavement Payment). If you want to know more, or if your husband or wife was in a country not listed here, ask at your Jobcentre Plus office.

Industrial accident or disease

If your husband, wife or civil partner did not meet or fully meet the NI contribution conditions, they may be treated as satisfied if their death was caused by an industrial accident or disease.

Your National Insurance contributions

Social security benefits may be contributory or non-contributory, and certain benefits are income-related. To qualify for a **contributory** benefit or pension you will usually have to meet a set of National Insurance (NI) contribution

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conditions. Incapacity Benefit and State Pension are examples. **Non-contributory** benefits include Severe Disablement Allowance, Incapacity Benefit (Y) (IB(Y)) and Carers Allowance.

To qualify for **income-related** benefits you have to belong to the group of people whom the benefit was intended to help. Income Support (for people on a low income or none) and Housing Benefit are examples. There are no contribution or income-related conditions for Child Benefit which is for people with dependent children.

In general, if you work for an employer and earn more than the lower earnings limit or if you are self-employed, you have to pay NI contributions until you reach state pension age. After state pension age you do not have to pay contributions.

Classes of NI contributions

There are 6 classes of NI contributions. Only 3 count towards benefit:

Class 1 contributions

You pay Class 1 contributions if you work for an employer and earn more than the primary threshold (PT), sometimes called the employee's earnings threshold. The more you earn above the PT the more you pay but you will pay a different rate of Class 1 contributions on any earnings you receive above the upper earnings limit (UEL). If you earn at or below the PT but above the lower earnings limit (LEL) you will not pay Class 1 contributions but you will be treated as having paid them to protect your National Insurance record. Your employer also pays Class 1 contributions but he will pay the same rate on all of your earnings above the PT. [\[Legislation \(110\)\]](#) For more information about the lower earnings limit (LEL), the upper earnings limit (UEL) and employee's earnings threshold.

Class 2 contributions

You pay **Class 2 contributions** if you are self-employed. You pay at a flat rate. But if you expect your net earnings to be less than a lower limit you can apply for **small earnings exception** so that you don't have to pay. You can pay by direct debit or quarterly bill.

Class 3 contributions

You may be able to pay **Class 3 contributions** voluntarily to keep up your right to State Pension when you reach state pension age. You might wish to pay these if you do not have to pay Class 1 or Class 2 contributions because: [\[Legislation \(112\)\]](#)

- you are not working
- or your earnings as an employee are less than the lower earnings limit

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- or you are exempted from payment of Class 2 contributions as a self-employed person. But it could be to your advantage to pay Class 2 contributions rather than apply for exemption or to pay Class 2 contributions voluntarily
- or your contribution record is not good enough to entitle you to a State Pension.

You pay Class 3 contributions at a flat rate and can pay by direct debit or by quarterly bill. You cannot pay Class 3 contributions for any tax year when you had reduced-rate liability for the whole year (see 'Reduced-rate liability'). You may wish to consider paying Class 3 contributions to help you to qualify for or improve your entitlement to some benefits. Class 3 contributions may be paid towards your late spouse or civil partner's contribution record, if this will count towards bereavement benefits. If your bereavement benefit is affected by the amount of contributions paid by your late spouse or civil partner's, you should contact the office which dealt with your claim

Leaflets

For a list of useful leaflets from the Department for Work and Pensions, <http://www.dwp.gov.uk/publications/>

For a list of useful leaflets from the Pension Service, http://www.direct.gov.uk/en/Pensionsandretirementplanning/DG_180420

For a list of useful leaflets from HMRC, <http://www.hmrc.gov.uk/leaflets/index.htm>

Reduced-rate liability

If, when your husband died, you had the right to pay married women's reduced-rate Class 1 contributions when working for an employer, or no contributions when self-employed, this will go on for as long as you continue to receive Widowed Parent's Allowance, Widowed Mother's Allowance or Widow's Pension. [\[Legislation \(113\)\]](#) From April 2000, there were structural changes to National Insurance contributions. This meant that women entitled to reduced-rate liability could be better off if they gave up that right. They could start to build up entitlement to contributory benefits at no extra cost. You can change from reduced-rate to full-rate liability at any time. **You cannot change back to reduced-rate liability once you have chosen to pay at full rate**, unless you tell HM Revenue and Customs, in writing, **before** the date from which you wish to cancel reduced-rate liability. For more details, <http://www.hmrc.gov.uk/index.htm>

Home Responsibilities Protection

If you are precluded from regular employment because you are looking after children or a sick or disabled person, you may be able to get Home Responsibilities Protection (HRP). It helps protect your rights to basic State

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Pension if you are not paying Class 1 or Class 2 contributions. From 6 April 2002 it may also help to build up additional pension through State Second Pension. You cannot get HRP if you have kept the right to pay a reduced-rate contribution as a married woman or widow. [\[Legislation \(114\)\]](#) If, however, you are getting Carer's Allowance (CA) – formerly Invalid Care Allowance – you will also get a National Insurance credit for each week you get CA and may not have to apply for HRP. From 6 April 2002 it may also help to build up additional pension through State Second Pension. Credits are not awarded if you have kept the right to pay a reduced-rate contribution as a married woman or widow. A qualifying year of contributions or credits may sometimes give a higher rate of Basic Pension than a year of HRP.

Home Responsibilities Protection is being replaced for people reaching State Pension age on or after 6 April 2010. For more information, http://www.direct.gov.uk/en/MoneyTaxAndBenefits/BenefitsTaxCreditsAndOtherSupport/Caringforsomeone/DG_10018691

More information on National Insurance

For more information on National Insurance, <http://www.hmrc.gov.uk/ni/>

Further information

Rates of benefits

Rates of benefits are published each year by way of a Social Security Up-rating Order which is approved by Parliament. Benefits are usually uprated in April, at the beginning of each financial year.

Leaflets

All the leaflets mentioned in this leaflet are free of charge and some others are available from your Jobcentre Plus office. For your nearest office look for the display advert under **Jobcentre Plus office** in the business numbers section of the phone book. Some leaflets are also available in Post Offices.

Community advisers who belong to an organisation that gives benefit information to the public can join the DWP Publicity Register (DWPPR). The DWPPR gives advisers access to information from DWP and its Agencies. For more information on the DWP Publicity Register, <http://www.dwp.gov.uk/adviser/publicity-register/>

There is a range of introductory and general leaflets about the benefits that different groups of people can claim.

Department for Work and Pensions

<http://www.dwp.gov.uk/publications/>

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The Pension Service

http://www.direct.gov.uk/en/Pensionsandretirementplanning/DG_180420

HMRC

<http://www.hmrc.gov.uk/leaflets/index.htm>

Serving Personnel and Veterans Agency

<http://www.veterans-uk.info/publications/leaflets.html>

Department of Health

<http://www.dh.gov.uk/en/index.htm>

More information about Tax Credits and Child Tax Credit

More information on Tax Credits and Child Tax Credit can be found on the HMRC website.

For information on Tax Credits, <http://www.hmrc.gov.uk/taxcredits/>

For information on Child Tax Credits,
<http://www.hmrc.gov.uk/taxcredits/start/who-qualifies/children/children-taxcredits.htm>

If you'd prefer to telephone HMRC, call the Helpline on:

- England, Scotland and Wales **0845 300 3900**
- Northern Ireland **0845 603 2000**

Text phone for people with hearing or speech difficulties:

- England, Scotland and Wales **0845 300 3909**
- Northern Ireland **0845 607 6078**

If you need help or a form in Welsh, please telephone **0845 302 1489**

Open weekdays 8.00am-5.00pm, Monday to Friday, closed weekends and bank holidays.

All other helplines are open 8.00am-8.00pm, seven days a week except Christmas Day, Boxing Day, and New Year's Day.

You can also claim by contacting your local Jobcentre Plus office.

Advice for people with disabilities

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For further information

<http://www.direct.gov.uk/en/DisabledPeople/FinancialSupport/index.htm>

Advice for people claiming Bereavement Benefit at a Jobcentre Plus office

Customers making a claim to Bereavement Benefits (but not Bereavement Payment) in a designated Jobcentre Plus office may be required to take part in an interview with a Jobcentre Plus Personal Adviser. This will ensure that Bereavement Benefit customers have the opportunity to discuss work opportunities or their aspirations and learn about the up to date tailored packages of financial/practical help that can be made available to them. Additionally, for people for whom work is currently not an option, they will have the opportunity to have their personal and financial circumstances reviewed, to ensure they are receiving all the help and support they need.

Other organisations that may be able to help

The following voluntary organisations may be able to help you. Their details are given at the end of this section.

- Cruse Bereavement Care, England, Wales and Northern Ireland
- Cruse Bereavement Care Scotland
- The National Association of Widows

Further information

The Acts and Regulations and the ‘Blue Volumes’

The Acts and Regulations which set down the rules explained in this guide are included in a series of loose-leaf books, The Law Relating to Social Security (also known as the **blue volumes**) which is published by DWP, DMA Leeds Publications, Room GS36, Quarry House, Quarry Hill, Leeds LS2 7UB. [The Blue Volumes are available online at –](http://www.dwp.gov.uk/publications/specialist-guides/law-volumes/the-law-relating-to-social-security)
<http://www.dwp.gov.uk/publications/specialist-guides/law-volumes/the-law-relating-to-social-security>

The relevant Acts and Regulations are indexed and kept up to date by regular supplements. You can consult a copy at your Jobcentre Plus office and many libraries also have a copy. Copies can also be bought from the Stationery Office. This guide refers you to the Acts and Regulations which cover particular rules. The Regulations may be changed or added to from time to time by new or amending Regulations. Each year an Up-rating Order is published which changes the benefit rates. A Revaluation Order is published each year which sets down the percentages by which earnings in previous years, which are used in the calculation of Additional Pension and Guaranteed Minimum Pension, are to be revalued. The main Acts and Regulations

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referred to in this leaflet are listed below, together with their abbreviated forms as used in this leaflet.

Acts

Human Fertilisation & Embryology Act 1990

Family Law Reform Act 1987

Income and Corporation Taxes Act 1988

Social Security Administration Act 1992, chapter 5

Social Security Contributions and Benefits Act 1992, chapter 4

Pension Schemes Act 1993, chapter 48

Pensions Act 1995

Social Security Act 1998

Welfare Reform and Pensions Act 1999

Regulations

(SS = Social Security) Instrument Number	Statutory
POPS (AB) Regs 1987 Personal and Occupational Schemes	
SF (RDB) Regs 1988 Social Fund (Recovery by Deductions from Benefits) Regulations 1988	1988/35
SSB (Persons Abroad) Regs 1975 SS Benefit (Persons Abroad) Regulations 1975	1975/563
SS (C & P) Regs 1987 SS (Claims & Payments) Regulations 1987	1987/1968
SS (Contrib) 1979 SS (Contributions) Regulations 2001	2001/1004
SS (GRB) (No 2) Regs 1978 SS (Graduated State Benefit) (No 2) Regulations 1978	1978/39
SS (Hosp) Regs 1975 (as amended) SS (Hospital in-patients) Regulations 1975	1975/555
SS Pen (HR & Misc A) Regs 1978 SS Pensions (Home Responsibilities & Miscellaneous Amendments) Regulations 1978	1978/508
SS Pen (HR) Regs 1994 SS Pensions (Home Responsibilities) Regulations 1994	1994/704
SS (Overlap) Regs 1979	1979/597

SS (Overlapping Benefits) Regulations 1979

SS (POR) Regs 1988

Social Security (Payment on account, Overpayments and Recovery) Regulations 1988 1988/664

SS (WB & RP) Amend Regs 1987

SS (Widow's Benefit & Retirement Pensions) Amendment Regulations 1987 1987/1854

SS (WB & RP) Regs 1979 (as amended)

SS (Widow's Benefit & Retirement Pensions) Regulations 1979 1979/642

SS (WB) Trans Regs 1987

SS (Widow's Benefit) Transitional Regulations 1987 1987/1692

Further help

Cruse Bereavement Care England Wales and Northern Ireland

<http://www.crusebereavementcare.org.uk/>

Cruse Bereavement Care Scotland

<http://www.crusescotland.org.uk/>

The National Association of Widows

<http://www.nawidows.org.uk/index.html>

Department for Work and Pensions

<http://www.dwp.gov.uk/>

Jobcentre Plus

<http://www.direct.gov.uk/en/Employment/Jobseekers/programmesandservices/index.htm>

The Pension Service

<http://www.dwp.gov.uk/about-dwp/customer-delivery/the-pension-service/>

Department for Social Development in Northern Ireland

<http://www.dsdni.gov.uk/>

The Service Personnel and Veterans Agency (SPVA)

<http://www.veterans-uk.info/index.htm>

International Pension Centre

Contact details

http://www.direct.gov.uk/en/DI1/Directories/UsefulContactsByCategory/Over50sContacts/DG_178684

Legislation

1. SS C & B Act 1992.5(1)

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2. SS C & B Act 1992.122(1)
3. Pensions Act 1995
4. SS C & B Act 1992.36
5. SS C & B Act 1992.36(2)
6. SS C & B Act 1992.113(1)(b)
7. SS C & B Act 1992.39A
8. SS C & B Act 1992.39A & 39C
9. SS C & B Act 1992.39C, SS C & B Act 1992.80(5), SS C & B Act 1992.39B(5)
10. SS C & B Act 1992.39A
11. Family Law Reform Act 1987.33(1) and sch 2.59, SS C & B Act 1992.39A(2)(b)
12. Human Fertilisation & Embryology Act 1990, SS C & B Act 1992.39A(2)(b)
13. SS C & B Act 1992.39A
14. SS (WB & RP) Amend Regs 1987
15. SS C & B Act 1992.39A
16. SS C & B Act 1992.113(1)(b)
17. SS (WB & RP) Regs 1979.167A(2)
18. SS C & B Act 1992.48 BB (1) & (2)
19. SS (GRB) (no 2) Regs 1978 sch 1
20. SS C & B Act 1992.39B
21. SS C & B Act 1992.39B(2) & 39C(5)
22. SS C & B Act 1992.39B
23. SS C & B Act 1992.113(1)(b)
24. SS C & B Act 1992.39B(4)(a)
25. SS C & B Act 1992.48 BB (4) & (5)
26. SS (GRB) (no 2) Regs 1978 sch 1
27. SS C & B Act 1992.36
28. SS C & B Act 1992.36(2)
29. SS C & B Act 1992.113(1)(b)
30. SSA Act 1992.3
31. SS C & B Act 1992.37
32. SS C & B Act 1992.37 & 39
33. SS C & B Act 1992.80(5)
34. SS C & B Act 1992.39
35. SS C & B Act 1992.38(3)
36. SS C & B Act 1992.37
37. Family Law Reform Act 1987.33(1) and sch 2.59, SS C & B Act 1992.37(1)(c)
38. Human Fertilisation & Embryology Act 1990, SS C & B Act 1992.37(1)(c)
39. SS C & B Act 1992.37
40. SS (WB & RP) Amend Regs 1987
41. SS C & B Act 1992.37
42. SS C & B Act 1992.113(1)(b)
43. SS (WB & RP) Regs 1979.16(2)
44. SS C & B Act 1992.49
45. SS (WB & RP) Regs 1979.7(b)
46. SS (GRB) (no 2) Regs 1978 sch 1

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47. SS (GRB) (no 2) Regs 1978 sch1
48. SS C & B Act 1992.55 SS (WB & RP) Regs 1979
49. SS C & B Act 1992.38
50. SS C & B Act 1992.39, SS C & B Act 1992.38(3)
51. SS C & B Act 1992.38(1) & 39(4)
52. SS C & B Act 1992.38
53. SS C & B Act 1992.113(1)(b)
54. SS C & B Act 1992.49
55. SS (GRB) (no 2) Regs 1978 sch1
56. SS C & B Act 1992.38(2), SS (GRB) (no 2) Regs 1978 sch1
57. SS C & B Act 1992.55, SS (WB & RP) Regs 1979
58. SS (WB) Trans Regs 1987
59. SSA Act 1992.3
60. SS C & B Act 1992.37 & 39
61. SS C & B Act 1992.80(5)
62. SS C & B Act 1992.39
63. SS C & B Act 1992.38(3)
64. SS C & B Act 1992.37, SS (WB & RP) Amend Regs 1987
65. SS C & B Act 1992.37
66. SS C & B Act 1992.113(1)(b)
67. SS C & B Act 1992.49
68. SS (WB & RP) Regs 1979.7(b), SS (GRB) (no 2) Regs 1978 sch1
69. SS (GRB) (no 2) Regs 1978 sch1
70. SS C & B Act 1992.55 & 122, SS (WB & RP) Regs 1979
71. SS C & B Act 1992.38
72. SS C & B Act 1992.39
73. SS C & B Act 1992.38(3)
74. SS C & B Act 1992.38(4) & 39(6)
75. SS C & B Act 1992.38
76. SS C & B Act 1992.113(1)(b)
77. SS C & B Act 1992.49
78. SS (GRB) (no 2) Regs 1978 sch1
79. SS C & B Act 1992.38(2), SS (GRB) (no 2) Regs 1978 sch1
80. SS C & B Act 1992.55, SS (WB & RP) Regs 1979
81. Pension Schemes Act 1993.46
82. Pension Schemes Act 1993.7
83. Pension Schemes Act 1993.17
84. Pension Schemes Act 1993.46
85. Pension Schemes Act 1993.14,48
86. SSA Act 1992.148
87. Pension Schemes Act 1993.14
88. Pension Schemes Act 1993.46
89. POPS (AB) Regs 1987
90. Pension Schemes Act 1993.109
91. SS (C & P) Regs 1987.19, SSA Act 1992.3–5
92. SSA Act 1992.22
93. SS (C & P) Regs 1987.21
94. SS (C & P) Regs 1987.21
95. SS (C & P) Regs 1987.38
96. SS (C & P) Regs 1987.22(2)

97. SS (Hosp) Regs 1975
98. SS (Hosp) Regs 1975.13
99. SSB (Persons Abroad) Regs 1975
100. SSA Act 1992.71, SS (POR) Regs 1988
101. SSA Act 1992.78(1) & (2) SF (RDB) Regs 1988
102. SSA Act 1992.150
103. SS C & B Act 1992.148–150
104. SS C & B Act 1992.21 sch3.4
105. SS C & B Act 1992.21& sch3
106. SS C & B Act 1992 sch3.5
107. SS (WB & RP) Regs 1979.6
108. SS C & B Act 1992 sch3.5(8)
109. SS C & B Act 1992 sch3.5
110. SS C & B Act 1992.5, 6 & 8
111. SS C & B Act 1992.11–12
112. SS C & B Act 1992.13–14
113. SS (Contrib) Regs 2001.130
114. SS Pen (HR & Misc A) Regs 1978, SS Pen (HR) Regs 1994
115. Inc & Corp Taxes Act 1988.617(1)
116. SS (Overlap) Regs 1979

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