

Department for Work and Pensions

DECISION MAKING AND APPEALS (PART OF LEGAL GROUP)

Decision Makers Guide

Volume 12

Amendment 37 – February 2018

1. This letter provides details on Amendment 37 the changes have already been incorporated in to the Intranet and Internet versions of the DMG.
2. PDF amendment packages are also available. These can be printed with the amended pages being reproduced in full. Each page will contain the amendment number in the footer.

PDF amendment packages can be found on the **Intranet** at:

<http://intranet/1/lq/acileeds/guidance/decision%20makers%20guide/index.asp>

or on the **Internet** at the 'Amdt Packages' tab on the following link:

<http://www.dwp.gov.uk/publications/specialist-guides/decision-makers-guide/>

Note: When printing PDF packages set the print properties to Duplex/Long Edge in order to produce double sided prints.

3. Amendment 37 affects the abbreviations and chapter 75. The changes:
 - Chapter 75 - incorporate memo DMG 23/17 at 75166 and make minor amendments at 75364.
4. If using a PDF amendment package remove the sheets as stated in the left hand column of the Remove and Insert table below and insert the new sheets as stated in the right hand column (note the record of amendments at the back of the Volume).

Remove

Abbreviations

Abbreviations (5 pages)

Chapter 75

75164 – 75200 (3 pages)

Insert

Abbreviations

Abbreviations (5 pages)

Chapter 75

75164 – 75200 (3 pages)

Abbreviations

AA	Attendance Allowance paid under s 64 of the SS (CB) Act 92
"AA"	Attendance Allowance as defined in IS (Gen) Regs, reg 2(1) or JSA, reg 1(3)
ADC	Actual Date of Confinement
ADF	Adviser Discretion Fund
ADI	Adult Dependency Increase
AFIP	Armed Forces Independence Payment
AIP	Assessed Income Period
AMG	Appropriate Minimum Guarantee
AP	Additional Pension
APP	Adoption Pay Period
Art	Article
ASE	Actively seeking employment
AT	Appeal Tribunal
AWT	All Work Test
BA	Bereavement Allowance
BACS	Bankers Automated Clearing System
BB	Bereavement Benefits
BL	Board and Lodging
BP	Basic Pension/Bereavement Premium
BPT	Bereavement Payment
BSP	Bereavement support payments
BTEC	Business and Technology Education Council
BWC	Benefit Week Commencing
BWE	Benefit Week Ending
CA	Carer's Allowance
CAA	Constant Attendance Allowance
Cat	Category
CB	Contributory Benefit
CC	Community Charge
CDI	Child Dependency Increase
CEC	Council of European Social Charter
CHB	Child Benefit
CHB(LP)	Child Benefit for Lone Parents
CJEU	Court of Justice of the European Union
CMB	Child Maintenance Bonus
CMP	Child Maintenance Premium
CP	Carer Premium
CPen	Civil Penalty
CSM	Child Support Maintenance

CT	Council Tax
CTA	Common Travel Area
CTB	Council Tax Benefit
CTC	Child Tax Credit
CTF	Community Task Force
CTM	Contribution to Maintenance
CWP	Cold Weather Payment
CwP	Community work Placements
DCP	Disabled Child Premium
DCT	Direct Credit Transfer
DH	Department of Health
Dis G	Disablement Gratuity
Dis P	Disablement Pension
DLA	Disability Living Allowance
DM	Decision Maker
DMA	Decision Making and Appeals
DMG	Decision Makers Guide
DO	District Office
DP	Disability premium
DPTC	Disabled Persons Tax Credit
DWA	Disability Working Allowance
DWP	Department for Work and Pensions
EC	European Community
ECHR	European Convention for the Protection of Human Rights and Fundamental Freedoms
ECJ	European Court of Justice
ECsMA	European Convention on Social & Medical Assistance
EctHR	European Court of Human Rights
EDP	Enhanced Disability Premium
EEA	European Economic Area
EFC	Earnings factor credits
EFTA	European Free Trade Association
ELDS	Eligible loan deduction scheme
Emp O	Employment Officer
EO	Employment Option of New Deal for young people
EO(E)	Employed Employment Option
EO(S/E)	Self-Employed Employment Option of the New Deal for young people
EPP	Enhanced Pensioner Premium
ERC	Employment Rehabilitation Centre

ERA	Employment Retention and Advancement
ESA	Employment and Support Allowance
ESA(Cont)	Employment and Support Allowance (contributory allowance)
ESA(IR)	Employment and Support Allowance (income-related allowance)
ESA(Y)	Employment and Support Allowance for those with limited capability for work in youth
ESDA	Exceptionally Severe Disablement Allowance
ET	Employment Training
ETFO	Environment Task Force Option of New Deal for young people
EU	European Union
EWC	Expected Week of Confinement
EZ	Employment Zone
FamC	Family Credit
FAS	Financial Assistance Scheme
FND	Flexible New Deal
FP	Family Premium
FP(LP)	Family Premium (Lone Parent Rate)
FRIY	Flat Rate Introduction Year
FRM	Flat Rate Maintenance
F/T	Full-Time
FTE	Full-Time Education
FTET	Full-Time Education and Training Option
FtT	First-tier Tribunal
GA	Guardian's Allowance
GB	Great Britain
GC	Guarantee Credit
GCE	General Certificate of Education
GCSE	General Certificate of Secondary Education
GMP	Guaranteed Minimum Pension
GNVQ	General National Vocational Qualification
GP	General Practitioner
GPoW	Genuine Prospect of Work
GRB	Graduated Retirement Benefit
GRC	Gender Recognition Certificate
GRP	Gender Recognition Panel
HA	Health Authority
HB	Housing Benefit
HBS	Housing Benefit Supplement
HCP	Health care professional
Hep C	Hepatitis C

HIV	Human Immunodeficiency Virus
HM	Her Majesty
HMF	Her Majesty's Forces
HMRC	Her Majesty's Revenue and Customs
HO	Home Office
HPP	Higher Pensioner Premium
HRP	Home Responsibilities Protection
IA	Industrial Accident
IAP	Intensive Activity Period for those aged 25 and over and under 50
IAP for 50+	Intensive Activity Period for those aged 50 or over
IB	Incapacity Benefit
IBLT	Long-term Incapacity Benefit
IBS	Infected Blood Scheme
IBST	Short-term Incapacity Benefit
IBST(H)	Higher rate of short-term Incapacity Benefit
IBST(L)	Lower rate of short-term Incapacity Benefit
IB(Y)	Incapacity Benefit for those incapacitated in youth
IC	Intermittent Custody
IDB	Industrial Death Benefit
IFM	Immediate Family Member
IfW	Incapacity for Work
II	Industrial Injury(ies)
IIDB	Industrial Injuries Disablement Benefit
Incs	Increments (of Retirement Pension)
IND	Immigration and Nationality Department
IPC	International Pension Centre
IPPIW	Immediate Past Period of Incapacity for Work
IS	Income Support
IT	Industrial Tribunal (now Employment Tribunal)
IVA	Invalidity Allowance
IVB	Invalidity Benefit
IVP	Invalidity Pension
IVS	Invalid Vehicle Scheme
JSA	Jobseeker's Allowance
JSA 18-21 Pilot Scheme	Jobseeker's Allowance 18-21 Work Skills Pilot Scheme
JSA(Cont)	Contribution based JSA
JSAg	Jobseeker's Agreement
JSA(IB)	Income based JSA
JSD	Jobseeker's Direction
JSP	Jobseeking Period

LA	Local Authority
LCW	Limited capability for work
LCWA	Limited capability for work assessment
LCWRA	Limited capability for work related activity
LEA	Local Education Authority
LEC	Local Enterprise Council
LEL	Lower Earnings Limit
LETS	Local Exchange Trading System
LPP	Lone Parent Premium
LPRO	Lone Parent run-on
LQPM	Legally Qualified Panel Member
LRP	Liabile Relative Payment
LSC	Learning and Skills Council
LT	Linking Term
LTACP	Living Together as Civil Partners
LTAMC	Living Together as Married Couple
LTAHAW	Living Together as Husband And Wife
MA	Maternity Allowance
MAP	Maternity Allowance Period
MB	Maternity Benefit
MG	Maternity Grant
MID	Mortgage Interest Direct
MIRO	Mortgage Interest run-on
MP	Member of Parliament
MPP	Maternity Pay Period
MSC	Maximum Savings Credit
MSP	Member of the Scottish Parliament
NASS	National Asylum Support Service
NCET	National Council for Education and Training
NCIP	Non-Contributory Invalidity Pension
ND	New Deal
NDLP	New Deal for Lone Parents
NDP	New Deal for Partners
NDYP	New Deal for Young People
ND18-24	New Deal for 18-24 year olds
ND25+	New Deal for claimants aged 25 years and over
NHS	National Health Service
NI	National Insurance
NINO	National Insurance Number
NMW	National Minimum Wage

NRP	Non-Resident Parent
NVQ	National Vocational Qualification
OOT	Own Occupation Test
OPB	One Parent Benefit
PA	Personal Adviser
PAYE	Pay As You Earn
PB and MDB	Pneumoconiosis, Byssinosis and Miscellaneous Diseases Benefits scheme
PCA	Personal Capability Assessment
PD	Prescribed Disease
PETA	Personal Expenses Transitional Addition
PFA	Person(s) From Abroad
PIE	Period of Interruption of Employment
PILON	Pay In Lieu Of Notice
PILOR	Pay In Lieu Of Remuneration
PIP	Personal Independence Payment
PIW	Period of Incapacity for Work
PLCW	Period of limited capability for work
PLCWA	Period of limited capability for work assessment
PO	Post Office
POAOB	Payment on Account of Benefit
POA	Power of Attorney
PP	Pensioner Premium
PR	Preserved Right
PSIC	Person Subject to Immigration Control
P/T	Part-Time
PW	Pay-Week
PWC	Person With Care
PWHL	Permitted Work Higher Limit
PWHS	Permitted Work Higher Limit subsequent period
PWK	Permitted Work
PWLL	Permitted Work Lower Limit
PWP	Permitted Work Period
QB	Qualifying Benefit
QBP	Qualifying Benefit or Pension
QD	Qualifying Days
QEF	Qualifying earnings factor
QI	Qualifying Income
QP	Qualifying Period
QRW	Qualifying remunerative work
QW	Qualifying Week

QWfl	Quarterly Work-focused interview
RA	Retirement Allowance
RBD	Reduced Benefit Direction
RCH	Residential Care Home
REA	Reduced Earnings Allowance
Reg(s)	Regulation(s)
Res A	Residential Allowance
RISWR	Redundant Iron and Steel Employees re-adaptation scheme
RMPS	Redundant Mineworkers Payment scheme
RP	Retirement Pension
RQC	Relevant Qualifying Condition
RVU	Relationship Validation Unit
S	Section (of an Act)
S2P	State Second Pension
SAP	Shared Additional Pension
SAYE	Save As You Earn
SB	Sickness Benefit
SC	Savings Credit
Sch	Schedule (as in an Act)
SCT	Savings Credit Threshold
SDA	Severe Disablement Allowance
SDM	Sector Decision Maker
SDP	Severe Disability Premium
S/E	Self-Employed
Sec	Section (of an Act)
SED	Scottish Education Department
SERPS	State Earnings Related Pension Scheme
Sev DP	Severely Disabled Person
SF	Social Fund
SFFP	Social Fund Funeral Payment(s)
SFO	Social Fund Officer
SHA	Special Hardship Allowance
SI	Statutory Instrument
SIBSS	Scottish Infected Blood Support Scheme
SIR	Standard Interest Rate
SJP	Supervised Jobsearch Pilot Scheme
SMG	Standard Minimum Guarantee
SMP	Statutory Maternity Pay
SP	State Pensions
SPC	State Pension Credit
SpTA	Special Transitional Addition

SPW	Supported Permitted Work
SRPS	Shipbuilding Redundancy Payment Scheme
SS	Social Security
SS benefits	Benefits payable under SS(CB) Act 92
SSI	Scottish Statutory Instrument
SSMG	Sure Start Maternity Grant
SSP	Statutory Sick Pay
STCP	Skills Training Conditionality Pilot
Supp B	Supplementary Benefit
SVQ	Scottish Vocational Qualification
TA	Transitional Addition
TAW	Temporary Allowance for Widow(ers)
TBI	Total Benefit Income
TD	Trade Dispute
TE	Transitional Element
TEC	Training and Enterprise Council
TFEU	Treaty on the Functioning of the European Union
TS	Tribunals Service
TT	Thalidomide Trust
TU	Trade Union
UB	Unemployment Benefit
UC	Universal Credit
UCP	Urgent Case Payment
UEL	Upper Earnings Limit
UK	United Kingdom
US	Unemployability Supplement
UT	Upper Tribunal
VAT	Value Added Tax
VSO	Voluntary Sector Option of New Deal for young people
WA	Widow's Allowance
WB	Widow's Benefit
WBLA	Work Based Learning for Adults
WBLfYP	Work Based Learning for Young People
WBTfA	Work Based Training for Adults
WBTfYP	Work Based Training for Young People
WC	Workmen's Compensation
WC(S)	The Workmen's Compensation (Supplementation) Scheme
WC (Supp)	Workmen's Compensation (supplementation) scheme
WCA	Work capability assessment

WDisP	War Disablement Pension
WFHRA	Work focused health related assessment
Wfl	Work-focused Interview
WHP	Work and Health Programme
WFP	Winter Fuel Payment
WFTC	Working Families Tax Credit
WMA	Widowed Mother's Allowance
WMA(C)	WMA payable where late husband entitled to Cat C retirement pension
WP	Widow's Pension
Wp	Work programme
WPA	Widowed Parent's Allowance
WP(C)	Widow's Pension payable where late husband entitled to Cat C retirement Pension
WPT	Widow's Payment
WRAC	Work-related activity component
WRAG	Work-related activity group
WSI	Welsh Statutory Instrument
WTB	Work and training beneficiary(ies)
WTC	Working Tax Credit
WtWB	Welfare to Work Beneficiary
WWP	War Widow's Pension/War Widower's Pension
YT	Youth Training

1. on the same terms and conditions **and**
2. at the same rate

as a woman⁶ and he makes a claim⁷ unless it is not required⁸).

Note: See DMG Chapter 02 for guidance on when a claim is not required.

*1 Pensions Act 1995, Sch 4, Part II, para 3(3); 2 SS CB Act 92, s 48B(4A)(a);
3 s 48B(8) & WRP Act 99 (Commencement No. 4) Order 2000, art 2(2)(a)(ii);
4 SS CB Act 92, s 48B(4)(b); 5 s 48B(5); 6 s 48B(7); 7 SS A Act 92, s 1;
8 SS (C&P) Regs, reg 3(cb); reg 3(d) & reg 3A*

75164 Where DMG 75163 applies, the man's Cat B RP is payable at weekly rate of WP to which he would have been entitled

1. on the same terms and conditions **and**
2. at the same rate

as a woman¹.

1 SS CB Act 92, s 48B(6)(b) & (7)

75165

Women treated as receiving widow's pension before 9.4.01

75166 For the purposes of entitlement to Cat B RP a widow is treated as entitled to WP¹ if there would have been entitlement or payability² but for

1. failure or delay in making a claim for WP **or**
2. being entitled to WMA (see DMG Chapter 58) **or**
3. being disqualified or suspended from receiving WP because of
 - 3.1 LTAMC (see DMG Chapter 11) **or**
 - 3.2 receipt of an overlapping benefit (see DMG Chapter 17) **or**
 - 3.3 imprisonment (see DMG Chapter 12) **or**
4. having reached age 65 **or**
5. remarrying after 4.4.71.

Note: From 6.12.18, the condition at 4. will be amended to having reached pensionable age³. Also, from 6.12.18 there is an additional condition of having ceased to be entitled to WMA between age 65 and pensionable age⁴.

1 SS (WB & RP) Regs, reg 7; 2 SS (OB) Regs, reg 16; 3 SS (WB & RP) Regs, reg 7(e); 4 reg 7(g)

Entitled to widowed parent's allowance at pensionable age

75167 A person widowed on or after 9.4.01¹, or a person who becomes a surviving civil partner on or after 5.12.05, who has reached pensionable age before 6.4.16² is entitled to a Cat B RP based on the contributions of their late spouse or civil partner³ where

1. immediately before reaching pensionable age the person was entitled to WPA (see DMG Chapter 63) because of the death of their late spouse or civil partner⁴ **and**
2. following the death of the spouse or civil partner the person has not remarried or formed a civil partnership⁵ **and**
3. the person makes a claim⁶ (unless it is not required⁷).

Note: See DMG Chapter 02 for guidance on when a claim is not required.

1 WRP Act 99 (Commencement No. 4) Order 2000, art 2(2)(a)(ii); 2 SS CB Act 92, s 48BB(1); 3 s 48BB(2); 4 s 48BB(1)(a); 5 s 48BB(1)(b); 6 SS A Act 92, s 1; 7 SS (C&P) Regs, reg 3(cb); reg 3(d) & reg 3A

75168 DMG 75167 also applies where a man is entitled to WPA because he

1. was widowed before 9.4.01
2. did not remarry before that date **and**
3. was under pensionable age on that date¹.

1 SS CB Act 92, s 39A(1)(b) & s 48BB

75169 Where DMG 75167 and 75168 apply the person's Cat B RP is payable at the same weekly rate as their WPA¹.

1 SS CB Act 92, s 48BB(2)

75170

Entitled to widowed parent's allowance or bereavement allowance before reaching pensionable age

75171 A person widowed on or after 9.4.01¹, or a person who becomes a surviving civil partner on or after 5.12.05, who has reached pensionable age before 6.4.16² is entitled to a Cat B RP based on the contributions of their late spouse or civil partner³ where

1. because of the death of the late spouse or civil partner the person is entitled to
 - 1.1 BA (see DMG Chapter 63) at any time before reaching pensionable age⁴ **or**
 - 1.2 WPA (see DMG Chapter 63) at any time over age 45 but **not** immediately before reaching pensionable age⁵ **and**
2. following the death of the spouse or civil partner the person has not remarried or formed a civil partnership⁶ **and**
3. the person makes a claim⁷ (unless it is not required⁸).

Note: See DMG Chapter 02 for guidance on when a claim is not required.

1 WRP Act 99 (Commencement No. 4) Order, art 2(2)(a)(ii); 2 SS CB Act 92, s 48BB(3); 3 s48BB(4); 4 s 48BB(3)(a)(i); 5 s 48BB(3)(a)(ii); 6 s 48BB(3)(b); 7 SS A Act 92, s 1; 8 SS (C&P) Regs, reg 3(cb); reg 3(d) & reg 3A

75172 Where DMG 75171 applies the person's Cat B RP is payable at the weekly rate of AP (see DMG 75532 et seq) only¹.

1 SS CB Act 92, s 48BB(5)

75173 If a person to whom DMG 75171 applies was under age 55 at the time

1. when entitlement to WPA ended¹ **or**
 2. of the death of the spouse or civil partner when 1. does not apply²
- the weekly rate of Cat B RP is reduced³.

1 SS CB Act 92, s 48BB(9)(a); 2 s 48BB(9)(b); 3 s 48BB(8)

75174 The reduction for the purposes of DMG 75173 is 7% multiplied by

1. the number of years by which the person's age at the time
 - 1.1 entitlement to WPA ended **or**
 - 1.2 the late spouse diedwas less than 55¹ **or**
2. 10 if the number of years exceeds 10².

Note: Where 1. applies, any part year is counted as a year³.

1 SS CB Act 92, s 48BB(8)(a); 2 s 48BB(8)(b); 3 s 48BB(8)(a)

Treated as entitled to widowed parent's allowance or bereavement allowance

75175 For the purposes of entitlement to Cat B RP a surviving spouse or civil partner is treated as entitled to a WPA or BA¹ if there would have been entitlement or payability² but for

1. failure or delay in making a claim for WPA or BA **or**
2. being disqualified or suspended from receiving WPA or BA because of
 - 1.1 LTAMC (see DMG Chapter 11) **or**
 - 1.2 receipt of an overlapping benefit (see DMG Chapter 17) **or**
 - 1.3 imprisonment (see DMG Chapter 12)
3. having reached pensionable age **or**
4. marrying, remarrying or forming a civil partnership.

1 SS (WB & RP) Regs, reg 7A; 2 SS (OB) Regs, reg 16

75176 – 75180

Widows and widowers who reached pensionable age before 6.4.10

75181 A person whose spouse died while they were married is entitled to a Cat B RP if

1. they and their spouse were both over pensionable age when their spouse died¹ **and**

2. they reached pensionable age before 6.4.10² **and**
3. their spouse satisfied³
 - 3.1 the first and second contribution conditions⁴ if they reached pensionable age before 6.4.10⁵ **or**
 - 3.2 the single contribution condition⁶ if they reached pensionable age on or after 6.4.10⁷ **and**
4. they make a claim⁸ (unless it is not required⁹).

Entitlement to a Cat B RP begins on the day the conditions of entitlement are satisfied and continue throughout the person's life¹⁰.

Note 1: For the purposes of 3. earnings factors for the tax year beginning 6.4.16 and subsequent tax years are not included¹¹.

Note 2: See DMG 75128 for guidance where a woman's late female spouse had changed gender.

Note 3: See DMG 75015 for guidance on pensionable age, Appendix 2 to this Chapter for guidance on the first and second contribution conditions and DMG 75027 et seq for guidance on the single contribution condition.

Note 4: See DMG Chapter 02 for guidance on when a claim is not required.

1 SS CB Act 92, s 51(1)(a); 2 s 51(1)(b); 3 s 51(1)(c); 4 Sch 3, Part 1, para 5; 5 s 51(3)(a); 6 Sch 3, Part 1, para 5A; 7 s 51(3)(b); 8 SS A Act 92, s 1; 9 SS (C&P) Regs, reg 3(cb); reg 3(d) & reg 3A; 10 SS CB Act 92, s 51(9); 11 s 51(8)

75182 However, a person is not entitled to a Cat B RP¹ in accordance with DMG 75181 if they are

1. a woman whose husband has died **or**
2. a man whose wife died before 6.4.79.

Note: Where 1. applies, DMG 75156 will apply instead.

1 SS CB Act 92, s 51(2)

75183 Where DMG 75181 applies, the weekly rate of Cat B RP is that stated in legislation¹. However, that amount may be reduced if

1. the second contribution condition **or**
2. the single contribution condition

is not fully satisfied².

Note: DMG 75581 et seq applies for the calculation of AP³.

1 SS CB Act 92, s 51(6), 44 – 45AA & Sch 4A; 2 s 60(1) & 60A(2); SS (WB & RP) Regs, reg 6, 6A & 6B; 3 SS CB Act 92, s 51(7)

75184 – 75185

Surviving civil partner who reached pensionable age before 6.4.10

75186 A person whose civil partner died while they were civil partners of each other is entitled to a Cat B RP if

1. they and their civil partner were both over pensionable age when their civil partner died¹ **and**
2. they reached pensionable age before 6.4.10² **and**
3. their civil partner satisfied³
 - 3.1 the first and second contribution conditions⁴ if they reached pensionable age before 6.4.10⁵ **or**
 - 3.2 the single contribution condition⁶ if they reached pensionable age on or after 6.4.10⁷ **and**
4. they make a claim⁸ (unless it is not required⁹).

Entitlement to a Cat B RP begins on the day the conditions of entitlement are satisfied and continue throughout the person's life¹⁰.

Note 1: For the purposes of 3. earnings factors for the tax year beginning 6.4.16 and subsequent tax years are not included¹¹.

Note 2: See DMG 75015 for guidance on pensionable age, Appendix 2 to this Chapter for guidance on the first and second contribution conditions and DMG 75027 et seq for guidance on the single contribution condition.

Note 3: See DMG Chapter 02 for guidance on when a claim is not required.

*1 SS CB Act 92, s 51(4)(a); 2 s 51(4)(b); 3 s 51(4)(c); 4 Sch 3, Part 1, para 5;
5 s 51(5)(a); 6 Sch 3, Part 1, para 5A; 7 s 51(5)(b); 8 SS A Act 92, s 1;
9 SS (C&P) Regs, reg 3(cb); reg 3(d) & reg 3A; 10 SS CB Act 92, s 51(9); 11 s 51(8)*

75187 Where DMG 75186 applies, the weekly rate of Cat B RP is that stated in legislation¹. However, that amount may be reduced if

1. the second contribution condition **or**
2. the single contribution condition

is not fully satisfied².

Note: DMG 75581 et seq applies for the calculation of AP³.

*1 SS CB Act 92, s 51(6), 44 – 45AA & Sch 4A; 2 s 60(1) & 60A(2);
SS (WB & RP) Regs, reg 6, 6A & 6B; 3 SS CB Act 92, s 51(7)*

75188 – 75190

Meaning of late spouse or civil partner

75191 Where a widow or widower has been married more than once, or a surviving civil partner has been in more than one civil partnerships, late spouse or civil partner means¹ for the purposes of

1. DMG 75167 the
 - 1.1 spouse to whom they were last married **or**
 - 1.2 civil partner with whom they were last in a civil partnership **and**
2. DMG 75171 the
 - 2.1 spouse to whom they were last married **or**
 - 2.2 civil partner with whom they were last in a civil partnership

before reaching pensionable age.

1 SS (WB & RP) Regs, reg 1(2)

Increments and a lump sum payment

75192 A widow, widower or surviving civil partner who is entitled to a Cat B RP may be entitled to a lump sum payment or an increased RP where certain conditions are met¹ (see DMG 75331 et seq).

1 SS CB Act 92, Sch 5, para 3C, 4 & 5

Effect of the forfeiture rule

75193 The forfeiture rule means that in certain circumstances a person who has unlawfully killed another cannot benefit from that killing¹. A widow's, widower's or surviving civil partner's entitlement to Cat B RP may have to be considered under this rule (see DMG Chapter 76).

1 Forfeiture Act 1982

75194 - 75200