

SCHEDULES

SCHEDULE 3

SURVIVOR'S PENSION UNDER SECTION 7: INHERITED AMOUNT

Dead spouse or civil partner in old state pension system etc.

4.—(1) A pensioner whose spouse or civil partner has died is entitled to an inherited amount under this paragraph if—

- (a) the marriage took place or the civil partnership was formed before 6 April 2016,
- (b) the spouse or civil partner reached pensionable age before 6 April 2016 but died on or after that date,
- (c) the pensioner was over pensionable age when the spouse or civil partner died, and
- (d) the pensioner would, when the spouse or civil partner died, have been entitled to a Category B retirement pension under section 48B(1) or (1A) of the Contributions and Benefits Act if the words “before 6 April 2016” were omitted.

(2) The inherited amount is equal to the weekly rate at which that Category B retirement pension would have been payable on the day on which the spouse or civil partner died if any element of the rate attributable to the basic pension were ignored.