



Social Security Contributions and Benefits Act 1992

1992 CHAPTER 4

PART IV

INCREASES FOR DEPENDANTS

Adult dependants

F1 82 Short-term benefit: increase for adult dependants.

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Textual Amendments

- F1** S. 82 repealed (6.4.2010 with savings until 6.4.2020) by [Welfare Reform Act 2009 \(c. 24\)](#), ss. 15(1)(a), 61(2), [Sch. 7 Pt. 2](#) (with s. 15(2)(3))

F2 83 Pension increase (wife)

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Textual Amendments

- F2** S. 83 repealed (6.4.2010 with savings until 6.4.2020) by [Pensions Act 2007 \(c. 22\)](#), s. 4(1)(a), 27(4)(b), [Sch. 7 Pt. 2](#) (with s. 4(5)-(8))

Modifications etc. (not altering text)

- C1** S. 83 continued (with modifications) (10.12.2014) by [Marriage \(Same Sex Couples\) Act 2013 \(c. 30\)](#), s. 21(3), [Sch. 4 para. 15\(1\)](#); S.I. 2014/3169, [art. 2](#)

Status: Point in time view as at 21/03/2022.

Changes to legislation: Social Security Contributions and Benefits Act 1992, Cross Heading: Adult dependants is up to date with all changes known to be in force on or before 04 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

C2 S. 83 modified (S.) (in so far as continues to apply) (16.12.2014) by [The Marriage and Civil Partnership \(Scotland\) Act 2014 and Civil Partnership Act 2004 \(Consequential Provisions and Modifications\) Order 2014 \(S.I. 2014/3229\)](#), arts. 1(2), **11(1)**

F³84 Pension increase (husband).

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Textual Amendments

F3 S. 84 repealed (6.4.2010 with savings until 6.4.2020) by [Pensions Act 2007 \(c. 22\)](#), s. 4(1)(b), 27(4)(b), **Sch. 7 Pt. 2** (with s. 4(5)-(8))

Modifications etc. (not altering text)

C3 S. 84 continued (with modifications) (10.12.2014) by [Marriage \(Same Sex Couples\) Act 2013 \(c. 30\)](#), s. 21(3), **Sch. 4 para. 15(2)**; S.I. 2014/3169, **art. 2**

C4 S. 84 continued (with modifications) (S.) (16.12.2014) by [The Marriage and Civil Partnership \(Scotland\) Act 2014 and Civil Partnership Act 2004 \(Consequential Provisions and Modifications\) Order 2014 \(S.I. 2014/3229\)](#), arts. 1(2), **11(2)**

F⁴85 Pension increase (person with care of children).

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Textual Amendments

F4 S. 85 repealed (6.4.2010 with savings until 6.4.2020) by [Pensions Act 2007 \(c. 22\)](#), s. 4(1)(c), 27(4)(b), **Sch. 7 Pt. 2** (with s. 4(5)-(8))

F⁵86 Increase of woman’s invalidity pension (husband).

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Textual Amendments

F5 S. 86 repealed (13.4.1995) by [Social Security \(Incapacity for Work\) Act 1994 \(c. 18\)](#), s. 16(3), **Sch. 1 para. 23, Sch. 2**; S.I. 1994/2926, art. 2(4), **Sch. Pt. 4**

[F⁶86A Incapacity benefit: increase for adult dependants.

- (1) The weekly rates of short-term and long-term incapacity benefit shall, in such circumstances as may be prescribed, be increased for adult dependants by the appropriate amount specified in relation to benefit of that description in Schedule 4, Part IV, column (3).
- (2) Regulations may provide that where the person in respect of whom an increase of benefit is claimed has earnings in excess of such amount as may be prescribed there shall be no increase of benefit under this section.]

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Textual Amendments

- F6** S. 86A inserted (18.11.1994 for specified purposes, 13.4.1995 in so far as not already in force) by [Social Security \(Incapacity for Work\) Act 1994 \(c. 18\)](#), **ss. 2(5)**, 16(3); S.I. 1994/2926, art. 2(2), Sch. Pt. 2

87 Rate of increase where associated retirement pension is attributable to reduced contributions.

- (1) Where a person—
- [^{F7}(a) is entitled to short-term incapacity benefit under section 30A(2)(b) above; and]
 - (b) would have been entitled only by virtue of section 60(1) above to the retirement pension by reference to which the rate of that benefit ^{F8}... is determined,
- [^{F9}the amount of any increase of the benefit attributable to sections 82 to 86A above shall be determined in accordance with regulations under this section.]
- (2) The regulations shall not provide for any such increase in a case where the retirement pension by reference to which the rate of the said benefit ^{F10}... is determined—
- (a) would have been payable only by virtue of section 60 above; and
 - (b) would, in consequence of a failure to satisfy a contribution condition, have contained no basic pension.

Textual Amendments

- F7** S. 87(1)(a) substituted (7.10.1996) by [Jobseekers Act 1995 \(c. 18\)](#), s. 41(2), **Sch. 2 para. 26**; S.I. 1996/2208, art. 2(b)
- F8** Words in s. 87(1)(b) repealed (13.4.1995) by [Social Security \(Incapacity for Work\) Act 1994 \(c. 18\)](#), s. 16(3), **Sch. 1 para. 24(3)**, **Sch. 2**; S.I. 1994/2926, art. 2(4), Sch. Pt. 4
- F9** Words in s. 87(1) substituted (13.4.1995) by [Social Security \(Incapacity for Work\) Act 1994 \(c. 18\)](#), s. 16(3), **Sch. 1 para. 24(4)**; S.I. 1994/2926, art. 2(4), Sch. Pt. 4
- F10** Words in s. 87(2) repealed (13.4.1995) by [Social Security \(Incapacity for Work\) Act 1994 \(c. 18\)](#), s. 16(3), **Sch. 1 para. 24(3)**, **Sch. 2**; S.I. 1994/2926, art. 2(4), Sch. Pt. 4

[^{F11}88 Increases to be in respect of only one adult dependant.

A person shall not [^{F12}by virtue of section 86A] above be entitled for the same period to an increase of benefit in respect of more than one person.]

Textual Amendments

- F11** S. 88 substituted (13.4.1995) by [Social Security \(Incapacity for Work\) Act 1994 \(c. 18\)](#), s. 16(3), **Sch. 1 para. 25**; S.I. 1994/2926, art. 2(4), Sch. Pt. 4
- F12** Words in s. 88 substituted (6.4.2010 with savings until 6.4.2020) by [Pensions Act 2007 \(c. 22\)](#), s. 4(4), **Sch. 1 para. 14** (with s 4(5)-(8))

Status:

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