

Status: Point in time view as at 01/01/2014.

Changes to legislation: Social Security Contributions and Benefits Act 1992, Part II is up to date with all changes known to be in force on or before 30 June 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)

SCHEDULES

SCHEDULE 3

CONTRIBUTION CONDITIONS FOR ENTITLEMENT TO BENEFIT

PART II

SATISFACTION OF CONDITIONS IN EARLY YEARS OF CONTRIBUTION

- 7 (1) Sub-paragraph (3) below shall apply where a claim is made for a [^{F1}bereavement payment] and the last complete year before the beginning of the benefit year in which the relevant time falls was either—
- (a) the year in which the contributor concerned first became liable for primary Class 1 or Class 2 contributions; or
 - (b) the year preceding that in which he first became so liable.
- (2) The relevant time for the purposes of this paragraph is the date on which the contributor concerned attained pensionable age or died under that age.
- (3) For the purposes of satisfaction by the contributor concerned of paragraph (b) of the contribution condition for a [^{F2}bereavement payment], all earnings factors falling within sub-paragraph (4) below may be aggregated and that aggregate sum shall be treated as his earnings factor for the last complete year before the beginning of the benefit year in which the relevant time falls.
- (4) The earnings factors referred to in sub-paragraph (3) above are—
- (a) the contributor's earnings factors for 1987-88 and each subsequent year derived from the aggregate of [^{F3}so much of his earnings as did not exceed the upper earnings limit and] upon which primary Class 1 contributions were paid or treated as paid and from Class 2 contributions actually paid by him before the relevant time; and
 - (b) his earnings factors for each earlier year, derived from his contributions of a relevant class actually paid by him before the relevant time.

Textual Amendments

- F1** Words in Sch. 3 para. 7(1) substituted (24.4.2000 for specified purposes, 9.4.2001 in so far as not already in force) by [Welfare Reform and Pensions Act 1999 \(c. 30\)](#), s. 89(1), [Sch. 8 para. 13\(4\)](#); S.I. 2000/1047, art. 2(2)(a), Sch. Pt. I
- F2** Words in Sch. 3 para. 7(3) substituted (24.4.2000 for specified purposes, 9.4.2001 in so far as not already in force) by [Welfare Reform and Pensions Act 1999 \(c. 30\)](#), s. 89(1), [Sch. 8 para. 13\(4\)](#); S.I. 2000/1047, art. 2(2)(a), Sch. Pt. I
- F3** Words in Sch. 3 para. 7(4)(a) substituted (with effect in relation to the tax year 2003-04 and subsequent tax years) by [National Insurance Contributions Act 2002 \(c. 19\)](#), s. 8(2), [Sch. 1 para. 14\(6\)](#)

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- 8 Where a person claims [^{F4}short-term incapacity benefit], he shall be taken to satisfy the first contribution condition for the benefit if on a previous claim for any short-term benefit he has satisfied the first contribution condition for that benefit, by virtue of paragraph 8 of Schedule 3 to the 1975 Act, with contributions of a class relevant to [^{F4}short-term incapacity benefit].

Textual Amendments

- F4** Words in Sch. 3 para. 8 substituted (13.4.1995) by [Social Security \(Incapacity for Work\) Act 1994 \(c. 18\)](#), s. 16(3), [Sch. 1 para. 38\(4\)](#); S.I. 1994/2926, art. 2(4), Sch. Pt. 4

- 9 Where [^{F5}a claim is made for a bereavement payment], the contributor concerned for the purposes of the claim shall be taken to satisfy the contribution condition for the payment if on a claim made in the past for any short-term benefit he has satisfied the first contribution condition for the benefit, by virtue of paragraph 8 of Schedule 3 to the 1975 Act, with contributions of a class relevant to [^{F6}bereavement payment].

Textual Amendments

- F5** Words in Sch. 3 para. 9 substituted (24.4.2000 for specified purposes, 9.4.2001 in so far as not already in force) by [Welfare Reform and Pensions Act 1999 \(c. 30\)](#), s. 89(1), [Sch. 8 para. 13\(5\)\(a\)](#); S.I. 2000/1047, art. 2(2)(a), Sch. Pt. I
- F6** Words in Sch. 3 para. 9 substituted (24.4.2000 for specified purposes, 9.4.2001 in so far as not already in force) by [Welfare Reform and Pensions Act 1999 \(c. 30\)](#), s. 89(1), [Sch. 8 para. 13\(5\)\(b\)](#); S.I. 2000/1047, art. 2(2)(a), Sch. Pt. I

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