



# Social Security Contributions and Benefits Act 1992

## 1992 CHAPTER 4

### PART X

#### CHRISTMAS BONUS FOR PENSIONERS

#### 150 Interpretation of Part X.

- (1) In this Part of this Act “qualifying benefit” means—
- (a) a retirement pension;
  - [<sup>F1</sup>(b) long-term incapacity benefit;]
  - [<sup>F2</sup>(ba) a qualifying employment and support allowance;]
  - [<sup>F3</sup>(bb) personal independence payment;]
  - [<sup>F4</sup>(bc) armed forces independence payment;]
  - (c) a widowed mother’s allowance[<sup>F5</sup>, widowed parent’s allowance] or widow’s pension;
  - <sup>F6</sup>(d) .....
  - (e) [<sup>F7</sup>a carer’s allowance];
  - (f) industrial death benefit;
  - (g) an attendance allowance;
  - (h) an unemployability supplement or allowance;
  - (i) a war disablement pension;
  - (j) a war widow’s pension;
  - (k) [<sup>F8</sup>state pension credit];
  - [<sup>F9</sup>(l) a mobility supplement].
- (2) In this Part of this Act—
- [<sup>F10</sup>“armed forces independence payment” means armed forces independence payment under the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011 (S.I. 2011/517);]

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“attendance allowance” means—

- (a) an attendance allowance;
- (b) a disability living allowance;
- (c) an increase of disablement pension under section 104 or 105 above;
- (d) a payment under regulations made in exercise of the powers in section 159(3)(b) of the 1975 Act or paragraph 7(2) of Schedule 8 to this Act;
- (e) an increase of allowance under Article 8 of the <sup>M1</sup>Pneumoconiosis, Byssinosis and Miscellaneous Diseases Benefit Scheme 1983 (constant attendance allowance for certain persons to whom that Scheme applies) or under the corresponding provision of any Scheme which may replace that Scheme;
- (f) an allowance in respect of constant attendance on account of disablement for which a person is in receipt of war disablement pension, including an allowance in respect of exceptionally severe disablement;

[<sup>F11</sup>“mobility supplement” means a supplement awarded in respect of disablement which affects a person’s ability to walk and for which the person is in receipt of war disablement pension;]

[<sup>F12</sup>“pensionable age” has the meaning given by the rules in paragraph 1 of Schedule 4 to the Pensions Act 1995];

[<sup>F13</sup>“the qualifying age for state pension credit” is (in accordance with section 1(2)(b) and (6) of the State Pension Credit Act 2002)—

- (a) in the case of a woman, pensionable age; or
- (b) in the case of a man, the age which is pensionable age in the case of a woman born on the same day as the man;]

[<sup>F14</sup>“qualifying employment and support allowance” means [<sup>F15a</sup>contributory allowance] under Part 1 of the Welfare Reform Act 2007 the calculation of the amount of which includes an addition in respect of the support component or the work-related activity component;]

[<sup>F16</sup>“retirement pension” means—

- (a) a state pension under Part 1 of the Pensions Act 2014,
- (b) a retirement pension under this Act, or
- (c) graduated retirement benefit;]

[<sup>F13</sup>“state pension credit” means state pension credit under the State Pension Credit Act 2002;]

“unemployability supplement or allowance” means—

- (a) an unemployability supplement payable under Part I of Schedule 7 to this Act; or
- (b) any corresponding allowance payable—
  - (i) by virtue of paragraph 6(4)(a) of Schedule 8 to this Act;
  - (ii) by way of supplement to retired pay or pension exempt from income tax under [<sup>F17</sup>section 641 of the Income Tax (Earnings and Pensions) Act 2003];
  - (iii) under the <sup>M2</sup>Personal Injuries (Emergency Provisions) Act 1939; <sup>F18</sup>...
  - (iv) by way of supplement to retired pay or pension under the <sup>M3</sup>Polish Resettlement Act 1947; [<sup>F19</sup>or
  - (v) <sup>F20</sup>..... ]

“war disablement pension” means—

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(a) any retired pay, pension or allowance granted in respect of disablement under powers conferred by or under the <sup>M4</sup>Air Force (Constitution) Act 1917, the <sup>M5</sup>Personal Injuries (Emergency Provisions) Act 1939, the Pensions (Navy, Army, Air Force and Mercantile Marine) Act 1939, the Polish Resettlement Act 1947, or Part VII or section 151 of the <sup>M6</sup>Reserve Forces Act 1980;

(b) without prejudice to paragraph (a) of this definition, any retired pay or pension to which [<sup>F21</sup>any of paragraphs (a) to (f) of section 641(1) of the Income Tax (Earnings and Pensions) Act 2003] applies;

“war widow’s pension” means any widow’s [<sup>F22</sup>or surviving civil partner’s] pension or allowance granted in respect of a death due to service or war injury and payable by virtue of any enactment mentioned in paragraph (a) of the preceding definition or a pension or allowance for a widow [<sup>F23</sup>or surviving civil partner] granted under any scheme mentioned in [<sup>F24</sup>section 641(1)(e) or (f) of the Income Tax (Earnings and Pensions) Act 2003];

and each of the following expressions, namely “attendance allowance”, “unemployability supplement or allowance”, “war disablement pension” and “war widow’s pension”, includes any payment which the Secretary of State accepts as being analogous to it.

[<sup>F25</sup>(3) In this Part of this Act, “couple” has the meaning given by section 137(1) above.]

(4) In this Part of this Act “the relevant week”, in relation to any year, means the week beginning with the first Monday in December or such other week as may be specified in an order made by the Secretary of State.

#### Textual Amendments

- F1** S. 150(1)(b) substituted (13.4.1995) by [Social Security \(Incapacity for Work\) Act 1994 \(c. 18\)](#), s. 16(3), [Sch. 1 para. 33](#); S.I. 1994/2926, art. 2(4), Sch. Pt. 4
- F2** S. 150(1)(ba) inserted (27.10.2008) by [Welfare Reform Act 2007 \(c. 5\)](#), s. 70(2), [Sch. 3 para. 9\(11\)\(a\)](#); S.I. 2008/787, art. 2(4)(f)
- F3** S. 150(1)(bb) inserted (8.4.2013 for specified purposes, 10.6.2013 in so far as not already in force) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), [Sch. 9 para. 6](#); S.I. 2013/358, art. 7(1)(2)(k), Sch. 3; S.I. 2013/1250, art. 2
- F4** S. 150(1)(bc) inserted (8.4.2013) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Consequential Provisions: Primary Legislation\) Order 2013 \(S.I. 2013/796\)](#), arts. 1, [3\(4\)\(a\)](#)
- F5** Words in s. 150(1)(c) inserted (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. 12](#); S.I. 2000/1047, art. 2(2)(a), Sch. Pt. I
- F6** S. 150(1)(d) repealed (with savings for those entitled to severe disablement allowance for days immediately before 6.4.2001) (3.11.2000 for specified purposes, 6.4.2001 in so far as not already in force) by [Welfare Reform and Pensions Act 1999 \(c. 30\)](#), s. 89(1), [Sch. 13 Pt. IV](#); S.I. 2000/2958, art. 2(3)(g)(4)(5) (with art. 4)
- F7** Words in s. 150(1)(e) substituted (1.9.2002 for specified purposes, 1.4.2003 in so far as not already in force) by [The Regulatory Reform \(Carers Allowance\) Order 2002 \(S.I. 2002/1457\)](#), arts. 1(1)(b), 2(2), [Sch. para. 2\(e\)](#)
- F8** Words in s. 150(1)(k) substituted (2.7.2002 for specified purposes, 6.10.2003 in so far as not already in force) by [State Pension Credit Act 2002 \(c. 16\)](#), s. 22(3), [Sch. 2 para. 7\(2\)](#); S.I. 2003/1766, art. 2(a)
- F9** S. 150(1)(l) inserted (19.7.1995) by [Pensions Act 1995 \(c. 26\)](#), [ss. 132\(2\)](#), 180(2)(a) (with Sch. 4)
- F10** Words in s. 150(2) inserted (8.4.2013) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Consequential Provisions: Primary Legislation\) Order 2013 \(S.I. 2013/796\)](#), arts. 1, [3\(4\)\(b\)](#)

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- F11** Words in s. 150(2) inserted (19.7.1995) by Pensions Act 1995 (c. 26), **ss. 132(3)(a)**, 180(2)(a) (with Sch. 4)
- F12** Words in s. 150(2) substituted (19.7.1995) by Pensions Act 1995 (c. 26), s. 180(2)(a), **Sch. 4 para. 13(b)**
- F13** Words in s. 150(2) inserted (2.7.2002 for specified purposes, 6.10.2003 in so far as not already in force) by State Pension Credit Act 2002 (c. 16), s. 22(3), **Sch. 2 para. 7(3)**; S.I. 2003/1766, art. 2(a)
- F14** Words in s. 150(2) inserted (27.10.2008) by Welfare Reform Act 2007 (c. 5), s. 70(2), **Sch. 3 para. 9(11)(b)**; S.I. 2008/787, art. 2(4)(f)
- F15** Words in s. 150(2) substituted (12.11.2009) by Welfare Reform Act 2009 (c. 24), **ss. 37(3)**, 61(1)
- F16** Words in s. 150(2) substituted (6.4.2016) by Pensions Act 2014 (c. 19), s. 56(4), **Sch. 12 para. 86**
- F17** Words in s. 150(2) substituted (6.4.2003 with effect in accordance with s. 723(1)(a)(b) of the amending Act) by Income Tax (Earnings and Pensions) Act 2003 (c. 1), s. 723, **Sch. 6 para. 180(2)(a)** (with Sch. 7)
- F18** Word in s. 150(2) omitted (19.7.1995) by virtue of Pensions Act 1995 (c. 26), **ss. 132(3)(c)**, 180(2)(a) (with Sch. 4)
- F19** Words in s. 150(2) inserted (19.7.1995) by Pensions Act 1995 (c. 26), **ss. 132(3)(c)**, 180(2)(a) (with Sch. 4)
- F20** Words in s. 150(2) repealed (6.4.2003 with effect in accordance with s. 723(1)(a)(b) of the amending Act) by Income Tax (Earnings and Pensions) Act 2003 (c. 1), s. 723, Sch. 6 para. 180(2)(b), **Sch. 8 Pt. 1** (with Sch. 7)
- F21** Words in s. 150(2) substituted (6.4.2003 with effect in accordance with s. 723(1)(a)(b) of the amending Act) by Income Tax (Earnings and Pensions) Act 2003 (c. 1), s. 723, **Sch. 6 para. 180(3)** (with Sch. 7)
- F22** Words in s. 150(2) inserted (5.12.2005) by Civil Partnership Act 2004 (c. 33), s. 263(8)(d), **Sch. 24 para. 49(2)(a)**; S.I. 2005/3175, art. 2(1), Sch. 1
- F23** Words in s. 150(2) inserted (5.12.2005) by Civil Partnership Act 2004 (c. 33), s. 263(8)(d), **Sch. 24 para. 49(2)(b)**; S.I. 2005/3175, art. 2(1), Sch. 1
- F24** Words in s. 150(2) substituted (6.4.2003 with effect in accordance with s. 723(1)(a)(b) of the amending Act) by Income Tax (Earnings and Pensions) Act 2003 (c. 1), s. 723, **Sch. 6 para. 180(4)** (with Sch. 7)
- F25** S. 150(3) substituted (5.12.2005) by Civil Partnership Act 2004 (c. 33), s. 263(8)(d), **Sch. 24 para. 49(3)**; S.I. 2005/3175, art. 2(1), Sch. 1

#### Marginal Citations

- M1** S.I.1983/136.  
**M2** 1939 c. 82.  
**M3** 1947 c. 19.  
**M4** 1917 c. 51.  
**M5** 1939 c. 83.  
**M6** 1980 c. 9.

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