



Social Security Contributions and Benefits Act 1992

1992 CHAPTER 4

PART II

CONTRIBUTORY BENEFITS

Benefits for widows and widowers

[^{F1}36 Bereavement payment.

- (1) A person whose spouse [^{F2}or civil partner] dies on or after the appointed day shall be entitled to a bereavement payment if—
- (a) either that person was under pensionable age at the time when the spouse [^{F2}or civil partner] died or the spouse [^{F2}or civil partner] was then not entitled to a Category A retirement pension under section 44 below; and
 - (b) the spouse [^{F2}or civil partner] satisfied the contribution condition for a bereavement payment specified in Schedule 3, Part I, paragraph 4.
- [^{F3}(2) A bereavement payment shall not be payable to a person if that person and a person whom that person was not married to, or in a civil partnership with, were living together as a married couple at the time of the spouse's or civil partner's death.]
- (3) In this section “the appointed day” means the day appointed for the coming into force of sections 54 to 56 of the Welfare Reform and Pensions Act 1999.]

Textual Amendments

- F1** S. 36 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 \(c. 30\), ss. 54\(1\), 89\(1\)](#); S.I. 2000/1047, art. 2(2)(a), Sch. Pt. I
- F2** Words in s. 36(1) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\), s. 263\(8\)\(d\), Sch. 24 para. 16\(2\)](#); S.I. 2005/3175, art. 2(1), Sch. 1

Status: Point in time view as at 13/05/2014. This version of this provision has been superseded.

Changes to legislation: Social Security Contributions and Benefits Act 1992, Section 36 is up to date with all changes known to be in force on or before 21 August 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)

- F3** S. 36(2) substituted (E.W.) (13.3.2014) by The Marriage (Same Sex Couples) Act 2013 (Consequential and Contrary Provisions and Scotland) Order 2014 (S.I. 2014/560), art. 1(2), **Sch. 1 para. 22(2)**
- F4** S. 36(2) substituted (5.12.2005) by Civil Partnership Act 2004 (c. 33), s. 263(8)(d), **Sch. 24 para. 16(3)**; S.I. 2005/3175, art. 2(1), Sch. 1

Modifications etc. (not altering text)

- C1** S. 36(1) modified (with effect in accordance with art. 1(3)(a), 6 of the amending S.I.) by The Social Security Benefits Up-rating Order 2008 (S.I. 2008/632), arts. 1(2)(d), **12(1)**

Status:

Point in time view as at 13/05/2014. This version of this provision has been superseded.

Changes to legislation:

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