



# Social Security Contributions and Benefits Act 1992

## 1992 CHAPTER 4

### PART II

#### CONTRIBUTORY BENEFITS

##### *Complete or partial failure to satisfy contribution conditions*

#### **60 Complete or partial failure to satisfy contribution conditions.**

(1) Subject to the provisions of this section, regulations may provide for persons to be entitled to any of the following benefits, namely—

- (a) a widowed mother's allowance,
- [<sup>F1</sup>(aa) a widowed parent's allowance,
- (ab) a bereavement allowance],
- (b) a widow's pension,
- (c) a Category A retirement pension,
- (d) a Category B retirement pension,

in cases where the first contribution condition specified in relation to that benefit in paragraph 5 of Schedule 3 to this Act is satisfied and the second contribution condition so specified is not.

(2) Subject to subsection (8) below, in any case where—

- (a) an employed earner who is married [<sup>F2</sup> or a civil partner] dies as a result of—
  - (i) a personal injury of a kind mentioned in section 94(1) below, or
  - (ii) a disease or injury such as is mentioned in section 108(1) below, and
- (b) the contribution conditions are not wholly satisfied in respect of [<sup>F3</sup>the employed earner],

*Status: Point in time view as at 13/05/2014. This version of this provision has been superseded.*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 60 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)*

those conditions shall be taken to be satisfied for the purposes of [<sup>F4</sup>the entitlement of the employed earner's [<sup>F5</sup>widow, widower or surviving civil partner]] to any of the benefits specified in subsection (3) below.

- (3) The benefits referred to in subsection (2) above are the following—
- [<sup>F6</sup>(a) a bereavement payment;]
  - (b) a widowed mother's allowance;
  - [<sup>F7</sup>(ba) a widowed parent's allowance;
  - (bb) a bereavement allowance;]
  - (c) a widow's pension;
  - [<sup>F8</sup>(d) a Category B retirement pension payable by virtue of section 48B [<sup>F9</sup>or 48BB] above].
- (4) Subject to [<sup>F10</sup>subsection (7)] below, regulations under subsection (1) above shall provide for benefit payable by virtue of any such regulations to be payable at a rate, or to be of an amount, less than that which would be applicable under this Part of this Act had both of the relevant contribution conditions been fully satisfied.
- (5) Subject to [<sup>F10</sup>subsection (7)] below, the rate or amount prescribed by regulations under subsection (1) above may vary with the extent to which the relevant contribution conditions are satisfied (and may be nil).
- <sup>F11</sup>(6) .....
- (7) Regulations may provide that where—
- (a) a person is entitled by virtue of subsection (1) above to a Category A or Category B retirement pension consisting only of the additional pension with no basic pension, and
  - (b) that retirement pension, and any graduated retirement benefit to which he may be entitled, together amount to less than the prescribed rate,
- that person's entitlement as respects that retirement pension shall be satisfied either altogether or for a prescribed period by the making of a single payment of the prescribed amount.
- (8) Subsection (2) above only has effect where the employed earner's death occurred on or after 11th April 1988.
- [<sup>F12</sup>(9) References in this section to a Category A or Category B retirement pension do not include one to which Schedule 3, Part I, paragraph 5A applies.]

#### Textual Amendments

- F1** S. 60(1)(aa)(ab) 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. 8(2)**; S.I. 2000/1047, art. 2(2)(a), Sch. Pt. I
- F2** Words in s. 60(2) inserted (5.12.2005) by Civil Partnership Act 2004 (c. 33), s. 263(8)(d), **Sch. 24 para. 31(a)**; S.I. 2005/3175, art. 2(1), Sch. 1
- F3** Words in s. 60(2) substituted (19.7.1995) by Pensions Act 1995 (c. 26), s. 180(2)(a), **Sch. 4 para. 21(9)(a)**
- F4** Words in s. 60(2) substituted (19.7.1995) by Pensions Act 1995 (c. 26), s. 180(2)(a), **Sch. 4 para. 21(9)(a)**
- F5** Words in s. 60(2) substituted (5.12.2005) by Civil Partnership Act 2004 (c. 33), s. 263(8)(d), **Sch. 24 para. 31(b)**; S.I. 2005/3175, art. 2(1), Sch. 1

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- F6** S. 60(3)(a) 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. 8(3)(a)**; S.I. 2000/1047, art. 2(2)(a), Sch. Pt. I
- F7** S. 60(3)(ba)(bb) 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. 8(3)(b)**; S.I. 2000/1047, art. 2(2)(a), Sch. Pt. I
- F8** S. 60(3)(d) substituted (19.7.1995) by Pensions Act 1995 (c. 26), s. 180(2)(a), **Sch. 4 para. 21(9)(b)**
- F9** Words in s. 60(3)(d) 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. 8(3)(c)**; S.I. 2000/1047, art. 2(2)(a), Sch. Pt. I
- F10** Words in s. 60(4)(5) substituted (6.4.2003) by Tax Credits Act 2002 (c. 21), s. 61, **Sch. 3 para. 33**; S.I. 2003/962, art. 2(3)(d)(iii)
- F11** S. 60(6) repealed with savings (6.4.2003) by Tax Credits Act 2002 (c. 21), s. 61, **Sch. 6**; S.I. 2003/938, art. 2, Sch. (with art. 3)
- F12** S. 60(9) inserted (26.9.2007) by Pensions Act 2007 (c. 22), s. 30(3), **Sch. 1 para. 4**

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