

# SCHEDULES

## SCHEDULE 5

### BENEFITS AND PENSIONS

#### PART 2

##### STATE BENEFITS

*Long-term incapacity benefit etc.*

- 6 If (immediately before the certificate is issued) the person is entitled to incapacity benefit, or a Category A retirement pension, under—
- (a) section 40 of the 1992 Act (long-term incapacity benefit etc. for woman whose husband died before 9th April 2001), or
  - (b) section 41 of the 1992 Act (long-term incapacity benefit etc. for man whose wife died before that date),
- the person is not so entitled afterwards.