



# Pensions Act 2014

## 2014 CHAPTER 19

### PART 5

#### BEREAVEMENT SUPPORT PAYMENT

#### **30 Bereavement support payment**

- (1) A person is entitled to a benefit called bereavement support payment if—
  - (a) the person's spouse or civil partner dies,
  - (b) the person is under pensionable age when the spouse or civil partner dies,
  - (c) the person is ordinarily resident in Great Britain, or a specified territory, when the spouse or civil partner dies, and
  - (d) the contribution condition is met (see section 31).
- (2) The Secretary of State must by regulations specify—
  - (a) the rate of the benefit, and
  - (b) the period for which it is payable.
- (3) The regulations may specify different rates for different periods.
- (4) In the case of a person who is pregnant or entitled to child benefit in specified circumstances, the regulations may—
  - (a) specify a higher rate;
  - (b) provide for the allowance to be payable for a longer period.
- (5) A person is not entitled to bereavement support payment for periods after the person has reached pensionable age.
- (6) A person is not entitled to bereavement support payment if the death occurred before this section came fully into force.
- (7) In this section—

“pensionable age” has the meaning given by the rules in paragraph 1 of Schedule 4 to the Pensions Act 1995;

*Status: Point in time view as at 11/09/2014. This version of this part contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects  
for the Pensions Act 2014, Part 5. (See end of Document for details)*

“specified territory” means a territory specified in regulations made by the Secretary of State.

VALID FROM 08/02/2017

### **31 Bereavement support payment: contribution condition and amendments**

- (1) For the purposes of section 30(1)(d) the contribution condition is that, for at least one tax year during the deceased's working life—
  - (a) he or she actually paid Class 1 or Class 2 national insurance contributions, and
  - (b) those contributions give rise to an earnings factor (or total earnings factors) equal to or greater than 25 times the lower earnings limit for the tax year.
- (2) For earnings factors, see sections 22 and 23 of the Social Security Contributions and Benefits Act 1992.
- (3) For the purposes of section 30(1)(d) the contribution condition is to be treated as met if the deceased was an employed earner and died as a result of—
  - (a) a personal injury of the kind mentioned in section 94(1) of the Social Security Contributions and Benefits Act 1992, or
  - (b) a disease or personal injury of the kind mentioned in section 108(1) of that Act.
- (4) In this section the following expressions have the meaning given by section 122(1) of the Social Security Contributions and Benefits Act 1992—
  - “employed earner”,
  - “lower earnings limit”,
  - “tax year”, and
  - “working life”.
- (5) Schedule 16 contains amendments to do with bereavement support payment.

VALID FROM 08/03/2017

### **32 Bereavement support payment: prisoners**

- (1) The Secretary of State may by regulations provide that a person is not to be paid bereavement support payment for any period during which the person is a prisoner.
- (2) “Prisoner” means a person (in Great Britain or elsewhere) who is—
  - (a) imprisoned or detained in legal custody, or
  - (b) unlawfully at large.
- (3) In the case of a person remanded in custody for an offence, regulations under subsection (1) may be made so as to apply only if a sentence of a specified description is later imposed on the person for the offence.

**Status:**

Point in time view as at 11/09/2014. This version of this part contains provisions that are not valid for this point in time.

**Changes to legislation:**

There are currently no known outstanding effects for the Pensions Act 2014, Part 5.