



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Status: This is the original version (as it was originally enacted).

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

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.

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.