
STATUTORY INSTRUMENTS

1979 No. 642

The Social Security (Widow's Benefit and Retirement Pensions) Regulations 1979

Modification of paragraph 2(1) to (3) of Schedule 1 to the Pensions Act

5.—(1) This regulation applies to a person referred to in paragraph 1 of Schedule 1 to the Pensions Act during whose [^{F1}period of [^{F2}deferment]] there has been an increase, other than an increase made by an order under [^{F3}section 63 of the Social Security Act 1986], in the rate of the Category A or Category B retirement pension to which he would have been entitled [^{F4}if his entitlement to the pension had commenced on the day on which he attained pensionable age].

(2) In relation to a person to whom this regulation applies, paragraph 2(1) to (3) of the said Schedule 1 shall have effect with the additions, omissions and amendments prescribed below.

(3) In paragraph 2(1) for the words after “incremental period” there shall be substituted—

“(a) in his [^{F5}period of [^{F6}deferment]]; and

(b) in each period beginning with the day on which an increase in the weekly rate of his pension took place and ending with the day before [^{F7}his entitlement arose].”.

(4) After paragraph 2(2)(b) there shall be added—

“and

(c) ‘weekly rate of his pension’ means the weekly rate of the Category A or Category B retirement pension to which that person would have been entitled ^{F8}... on attaining pensionable age; and

(d) ‘increase’ means an increase in the weekly rate of his pension other than an increase made by such an order as is mentioned in sub-paragraph (5) below.”.

(5) In paragraph 2(3) for the words after “incremental period” there shall be substituted—

“(a) in the case of an incremental period specified in paragraph 2(1)(a) above, shall be [^{F9}1/5th per cent.] of the weekly rate of his pension immediately after he attained pensionable age; and

(b) in the case of an incremental period specified in paragraph 2(1)(b) above, shall be [^{F10}1/5th per cent.] of that increase.”.

Textual Amendments

- F1** Words in reg. 5(1) substituted (1.10.1989) by [The Social Security \(Abolition of Earnings Rule\) \(Consequential\) Regulations 1989 \(S.I. 1989/1642\)](#), regs. 1, **11(6)(a)**
- F2** Word in reg. 5(1) substituted (6.4.2005) by [The Social Security \(Deferral of Retirement Pensions\) Regulations 2005 \(S.I. 2005/453\)](#), regs. 1(1), **4(5)(a)**
- F3** Words in reg. 5(1) substituted (11.4.1988) by [The Social Security \(Widow's Benefit and Retirement Pensions\) Amendment Regulations 1987 \(S.I. 1987/1854\)](#), regs. 1, **2(2)**

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- F4** Words in reg. 5(1) substituted (1.10.1989) by The Social Security (Abolition of Earnings Rule) (Consequential) Regulations 1989 (S.I. 1989/1642), regs. 1, **11(6)(b)**
- F5** Words in reg. 5(3) substituted (1.10.1989) by The Social Security (Abolition of Earnings Rule) (Consequential) Regulations 1989 (S.I. 1989/1642), regs. 1, **11(6)(a)**
- F6** Word in reg. 5(3) substituted (6.4.2005) by The Social Security (Deferral of Retirement Pensions) Regulations 2005 (S.I. 2005/453), regs. 1(1), **4(5)(a)**
- F7** Words in reg. 5(3) substituted (1.10.1989) by The Social Security (Abolition of Earnings Rule) (Consequential) Regulations 1989 (S.I. 1989/1642), regs. 1, **11(6)(c)**
- F8** Words in reg. 5(4) omitted (1.10.1989) by virtue of The Social Security (Abolition of Earnings Rule) (Consequential) Regulations 1989 (S.I. 1989/1642), regs. 1, **11(6)(d)**
- F9** Words in reg. 5(5)(a) substituted (6.4.2005) by The Social Security (Deferral of Retirement Pensions) Regulations 2005 (S.I. 2005/453), regs. 1(1), **4(5)(b)**
- F10** Words in reg. 5(5)(b) substituted (6.4.2005) by The Social Security (Deferral of Retirement Pensions) Regulations 2005 (S.I. 2005/453), regs. 1(1), **4(5)(b)**

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