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STATUTORY INSTRUMENTS

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**2008 No. 794**

The Employment and Support Allowance Regulations 2008

**PART 9**

AMOUNTS OF ALLOWANCE

CHAPTER 2

Deductions from the contributory allowance

**Payments treated as not being payments to which section 3 applies**

75. The following payments are to be treated as not being payments to which section 3 applies—
- (a) any pension payment made to a claimant as a beneficiary on the death of a member of any pension scheme;
  - (b) any PPF periodic payment made to a claimant as a beneficiary on the death of a person entitled to such a payment;
  - (c) where a pension scheme is in deficit or has insufficient resources to meet the full pension payment, the extent of the shortfall;
  - (d) any pension payment made under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003 <sup>F1</sup>;
  - (e) any guaranteed income payment;
  - (f) any permanent health insurance payment in respect of which the employee had contributed to the premium to the extent of more than 50%.

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**Textual Amendments**

**F1** 2003 c. 1.

**Changes to legislation:**

There are currently no known outstanding effects for the The Employment and Support Allowance Regulations 2008, Section 75.