

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe a maximum additional pension for the purposes of 52(3) of the Social Security Contributions and Benefits Act 1992, which makes provision for the circumstances in which the additional pensions of the Category A retirement pensions of surviving spouses should be increased up to that maximum.

Regulation 2 defines “the applicable limit” by reference to section 44(7)(c) of the Social Security Contributions and Benefits Act 1992 which in relation to any year before 2009-10 is the upper earnings limit and from 2009-10 onwards is the upper accrual point.

Regulation 3 sets the maximum additional pension to the amount of additional pension to which a person would be entitled based on annual earnings factors of 53 times the applicable limit.

Regulation 4 revokes the Social Security (Maximum Additional Pension) Regulations 1978 which had provided for a maximum additional pension based on the upper earnings limit.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

Changes to legislation:

There are currently no known outstanding effects for the The Social Security (Maximum Additional Pension) Regulations 2010.