

SCHEDULE

Capital disregards for lump sum payments of bereavement benefits

Amendment of the State Pension Credit Regulations 2002

5. In Part 1 of Schedule 5 to the State Pension Credit Regulations 2002 (capital disregarded for the purpose of calculating income)⁽¹⁾—

(a) after paragraph 20A insert—

“**20AA.** Any payment of a widowed parent’s allowance made pursuant to section 39A of the 1992 Act (widowed parent’s allowance)—

(a) to the survivor of a cohabiting partnership (within the meaning in section 39A(7) of the 1992 Act) who is entitled to a widowed parent’s allowance for a period before the Bereavement Benefits (Remedial) Order 2023 comes into force, and

(b) in respect of any period of time during the period ending with the day before the survivor makes the claim for a widowed parent’s allowance,

but only for a period of 52 weeks from the date of receipt of the payment.”;

(b) in paragraph 23E—

(i) the existing text becomes sub-paragraph (1);

(ii) after that sub-paragraph insert—

“(2) Where bereavement support payment under section 30 of the Pensions Act 2014 is paid to the survivor of a cohabiting partnership (within the meaning in section 30(6B) of the Pensions Act 2014) in respect of a death occurring before the day the Bereavement Benefits (Remedial) Order 2023 comes into force, any amount of that payment which is—

(a) in respect of the rate set out in regulation 3(1) of the Bereavement Support Payment Regulations 2017, and

(b) paid as a lump sum for more than one monthly recurrence of the day of the month on which their cohabiting partner died,

but only for a period of 52 weeks from the date of receipt of the payment.”.

⁽¹⁾ S.I. 2002/1792; relevant amending instruments are S.I. 2017/422 and S.I. 2020/618.