



Social Security Act 1975

1975 CHAPTER 14

PART II

BENEFIT AND ITS ADMINISTRATION

CHAPTER I

CONTRIBUTORY BENEFITS

Widowhood

24 **Widow's allowance**

- (1) A woman who has been widowed shall be entitled to a widow's allowance at the weekly rate specified in relation thereto in Schedule 4, Part I, paragraph 5, if—
 - (a) she was under pensionable age at the time when her late husband died, or he was then not entitled to a Category A retirement pension (section 28) and
 - (b) her late husband satisfied the contribution condition for a widow's allowance specified in Schedule 3, Part I, paragraph 4.

- (2) The period for which a widow's allowance is payable to a widow shall be the 26 weeks next following the husband's death:

Provided that the allowance shall not be payable for any period after the widow's death or remarriage or for any period during which she is cohabiting with a man as his wife.

- (3) A woman entitled to a widow's allowance shall be entitled to earnings-related addition to the allowance, at a weekly rate ascertained in accordance with Schedule 6, Part I, in respect of each week of the period for which the allowance is payable. This subsection is subject to Schedule 6, Part II.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

25 Widowed mother's allowance

- (1) A woman who has been widowed shall be entitled to a widowed mother's allowance at the weekly rate specified in relation thereto in Schedule 4, Part I, paragraph 6, if her late husband satisfied the contribution conditions for a widowed mother's allowance specified in Schedule 3, Part I, paragraph 5, and either—
- (a) she has a family which satisfies the condition specified in subsection (2) below ; or
 - (b) subject to such exceptions and conditions as may be prescribed, she has residing with her a person who—
 - (i) is under the age of 19 and is or has been a child falling within any of the paragraphs of that subsection, or
 - (ii) is under that age and would have been such a child but for the fact that, at the time when the woman's late husband died, the person had attained school-leaving age or was not in Great Britain, or
 - (c) she is pregnant by her late husband.
- (2) The condition referred to in subsection (1)(a) above is that the woman's family includes a child with respect to whom one of the conditions specified in section 43(1) of this Act (conditions of payment of increase for child dependants) is for the time being satisfied and who either—
- (a) at her late husband's death was, or could have been treated under paragraph 3 of the Schedule to the Family Allowances Act as, a child of his family; or
 - (b) is a son or daughter of theirs ; or
 - (c) subject to such exceptions and conditions as may be prescribed, having at the death of a previous husband of the widow by a marriage which ended with that husband's death been a child of that husband's family, was at the death of her late husband a child of the woman's family.
- (3) The period for which a widowed mother's allowance is payable to a woman shall be any period during which she satisfies the requirements of subsection (1)(a), (b) or (c) above and for which she is not entitled to a widow's allowance:

Provided that the allowance shall not be payable for any period after the widow's remarriage or for any period during which she is cohabiting with a man as his wife.

26 Widow's pension

- (1) A woman who has been widowed shall be entitled to a widow's pension at the weekly rate specified in relation thereto in Schedule 4, Part I, paragraph 7, if her late husband satisfied the contribution conditions for a widow's pension specified in Schedule 3, Part I, paragraph 5, and either—
- (a) she was, at the husband's death, over the age of 40 but under the age of 65 ; or
 - (b) she ceased to be entitled to a widowed mother's allowance at a time when she was over the age of 40 but under the age of 65.
- (2) The weekly rate of a widow's pension payable to a woman who was under the age of 50 at the time when her late husband died or, as the case may be, when she ceased to be entitled to a widowed mother's allowance shall be reduced by an amount equal to 7 per cent. of its amount apart from this subsection multiplied by the number of years by which her age at that time was less than 50 (any fraction of a year being counted as a year).

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (3) The period for which a widow's pension is payable to a woman shall be any period during which she is under the age of 65 and for which she is not entitled to a widow's allowance or a widowed mother's allowance:

Provided that the pension shall not be payable for any period after the widow's remarriage or for any period during which she is cohabiting with a man as his wife.