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DRAFT STATUTORY INSTRUMENTS

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**2010 No.**

**The Social Security Benefits Up-rating Order 2010**

**PART 2**

**SOCIAL SECURITY BENEFITS AND PENSIONS**

**Rate of graduated retirement benefit**

**12.**—(1) The sum of 11.53 pence in section 36(1) of the National Insurance Act 1965(1) (graduated retirement benefit) remains unchanged.

(2) The sums which are the increases of graduated retirement benefit under Schedule 2 to the Social Security (Graduated Retirement Benefit) (No. 2) Regulations 1978(2) (increases for deferred retirement) remain unchanged.

(3) The sums which are lump sums to which surviving spouses or civil partners will become entitled under Schedule 1 to the Social Security (Graduated Retirement Benefit) Regulations 2005(3) (increases of graduated retirement benefit and lump sums) remain unchanged.

(4) The sums which are the additions under section 37(1) of the National Insurance Act 1965 (additions for widows and widowers) remain unchanged.

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(1) 1965 c. 51. Sections 36 and 37 were repealed by the Social Security Act 1973 (c. 38) but are continued in force by regulation 3 of the Social Security (Graduated Retirement Benefit) (No. 2) Regulations 1978 (S.I. 1978/393), in the modified form set out in Schedule 1 to those Regulations; relevant amending instruments are S.I. 1989/1642, 1995/2606, 1996/1345, 2005/454 and 3078 and 2009/497. See also regulation 2 of those Regulations, which was substituted by S.I. 1995/2606.

(2) S.I. 1978/393; relevant amending instruments are S.I. 1989/1642 and 2005/454.

(3) S.I. 2005/454; relevant amending instruments are S.I. 2005/2677 and 3078.