

## SCHEDULES

### SCHEDULE 8

#### WELFARE BENEFITS: MINOR AND CONSEQUENTIAL AMENDMENTS

##### PART I

##### BEREAVEMENT BENEFITS

##### *Pensions Act 1995 (c. 26)*

- 19 (1) Section 128 of the Pensions Act 1995 (additional pension: calculation of surpluses) is amended as follows.
- (2) In subsection (4), after “subsections (5)” insert “, (5A)”.
- (3) After subsection (5) insert—
- “(5A) This section has effect in the case of additional pension falling to be calculated under sections 44 and 45 of the Social Security Contributions and Benefits Act 1992 by virtue of section 39C(1) of that Act (widowed parent’s allowance), including Category B retirement pension payable under section 48BB(2), if the pensioner’s spouse—
- (a) dies after 5th April 2000, and
- (b) has not attained pensionable age on or before that date.”
- (4) In subsection (6), for “or 48B(2)” substitute “, 48B(2) or 48BB(5)”.