

STATE PENSION CREDIT ACT 2002

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Effect of guaranteed minimum pension on social security benefits

Section 18: Equal treatment for widows and widowers

132. *Section 18* amends section 47(1) of the Pensions Schemes Act 1993, which sets out when section 46(1) of that Act applies to the widower of an earner. Section 46(1) provides for the amount of certain state retirement, widow's and bereavement benefits to be reduced by the amount of any guaranteed minimum pension also received from a private pension scheme.
133. *Paragraph (a)* provides for section 46(1) to apply to a widower who receives widowed parent's allowance.
134. *Paragraph (b)* provides for section 46(1) to apply to a widower who is entitled to a retirement pension based upon his wife's contributions, or who would be so entitled were it not for the provisions in section 43(1) of the Social Security Contributions and Benefits Act 1992. These provisions prevent an individual from receiving more than the full amount of retirement pension available to a single person.