
STATUTORY INSTRUMENTS

1978 No. 529

**The Social Security (Widow's and Widower's
Invalidity Pensions) Regulations 1978**

Rates of Category A retirement pensions for certain widows and widowers

[^{F1}3. Where the rate of a person's Category A retirement pension falls to be determined under sections 40(6)(b) or 41(5)(b) of the Contributions and Benefits Act it shall be equal to the higher of—

- (a) the weekly rate of incapacity benefit applicable to him under the said sections 40 and 41 immediately before he attained pensionable age or where there was no such rate, the rate specified in section 41(4) of the Contributions and Benefits Act; or
- (b) the rate of Category A retirement pension to which he would have been entitled apart from those sections,

whichever is more favourable to him taking into account the effect of section 52 of the Contributions and Benefits Act.]

Textual Amendments

- F1** Reg. 3 substituted (13.4.1995) by [The Social Security \(Incapacity Benefit\) \(Consequential and Transitional Amendments and Savings\) Regulations 1995 \(S.I. 1995/829\)](#), regs. 1(1), **9(4)** (with Pt. III)

Status:

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Read more**Changes to legislation:**

There are currently no known outstanding effects for the The Social Security (Widow's and Widower's Invalidity Pensions) Regulations 1978, Section 3.