
STATUTORY INSTRUMENTS

2009 No. 2206

**The Social Security (State Pension and
National Insurance Credits) Regulations 2009**

PART 2

Graduated retirement benefit - amendment of primary legislation

Amendment of the National Insurance Act 1965

4.—(1) Subsection (1) of section 37 (special provisions as to graduated retirement benefit for widows, widowers and surviving civil partners) is amended in accordance with this regulation.

(2) For paragraphs (a) to (c) substitute—

“, where a person, having paid graduated contributions as an insured person, dies leaving a widow, widower or surviving civil partner and the survivor—

- (a) has attained pensionable age at the time of the death; or
- (b) remains that person’s widow, widower or surviving civil partner (as the case may be) when attaining pensionable age.”

(3) Omit the words from “; and where a man” to the end of the subsection.

(4) The amendment in paragraph (2) does not apply where the survivor attained pensionable age before 6th April 2010 (and it is immaterial for this purpose when the deceased person died).