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## SCHEDULES

### SCHEDULE 4

Section 7

#### SURVIVOR'S PENSION UNDER SECTION 7: UP-RATING

##### *Introduction*

- 1 This Schedule sets out how to up-rate the rate of a person's state pension under section 7.

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**Commencement Information**

**I1** Sch. 4 para. 1 in force at 6.4.2016, see s. 56(1)(4)

- 2 In this Schedule a reference to the rate of a person's state pension is to the rate—
- (a) ignoring any reduction under section 7(4) (in the case of a state pension under section 7),
  - (b) taking into account any reduction under section 14 (in the case of a state pension under section 4), and
  - (c) ignoring any increase under section 17.

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**Commencement Information**

**I2** Sch. 4 para. 2 in force at 6.4.2016, see s. 56(1)(4)

- 3 In this Schedule a reference to “the amount of any state pension that has priority” means the rate of any state pension to which the person is entitled under section 2, 4 or 12.

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**Commencement Information**

**I3** Sch. 4 para. 3 in force at 6.4.2016, see s. 56(1)(4)

*Rate of section 7 pension, when added to any priority pension, is less than the full rate*

- 4 (1) The rate of the person's state pension under section 7 is to be increased under this paragraph if, when added to the amount of any state pension that has priority, it is equal to or less than the full rate of the state pension.
- (2) If at any time the full rate is increased, the rate of the person's state pension under section 7 is increased (at that time) by the same percentage as the increase in the full rate.

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### Commencement Information

**I4** Sch. 4 para. 4 in force at 6.4.2016, see s. 56(1)(4)

*Rate of section 7 pension, when added to any priority pension, straddles the full rate*

- 5 (1) The rate of the person's state pension under section 7 is to be increased under this paragraph if—
- (a) the amount of any state pension that has priority is less than the full rate of the state pension, but
  - (b) the rate of the state pension under section 7, when added to the amount of any state pension that has priority, exceeds the full rate.
- (2) If at any time the full rate of the state pension is increased, the rate of the person's state pension under section 7 is increased (at that time) by an amount equal to the appropriate percentage of the shortfall immediately before that time.
- (3) If at any time an order under section 151A of the Administration Act comes into force, the rate of the person's state pension under section 7 is increased (at that time) by an amount equal to the appropriate percentage of the excess immediately before the order comes into force.
- (4) In this paragraph—
- “the appropriate percentage”—
- (a) in sub-paragraph (2), means the percentage by which the full rate is increased;
  - (b) in sub-paragraph (3), means the percentage specified in the order;
- “the excess” means the amount by which the rate of the state pension under section 7, when added to the amount of any state pension that has priority, exceeds the full rate;
- “the shortfall” means the amount by which the amount of any state pension that has priority is less than the full rate.

### Modifications etc. (not altering text)

- C1** Sch. 4 para. 5(3) sums amended (with effect in accordance with arts. 1(4), 7 of the amending S.I.) by [The Social Security Benefits Up-rating Order 2017 \(S.I. 2017/260\)](#), arts. 1(2)(c), **6(4)(c)**
- C2** Sch. 4 para. 5(3) sums amended (with effect in accordance with arts. 1(3)(4), 7 of the amending S.I.) by [The Social Security Benefits Up-rating Order 2018 \(S.I. 2018/281\)](#), arts. 1(2)(c), **6(4)(c)**
- C3** Sch. 4 para. 5(3) sums amended (with effect in accordance with arts. 1(4)(5), 7 of the amending S.I.) by [The Social Security Benefits Up-rating Order 2019 \(S.I. 2019/480\)](#), arts. 1(3)(c), **6(4)(c)**
- C4** Sch. 4 para. 5(3) sums amended (with effect in accordance with arts. 1(4)(5), 7 of the amending S.I.) by [The Social Security Benefits Up-rating Order 2020 \(S.I. 2020/234\)](#), arts. 1(3)(c), **6(4)(c)**
- C5** Sch. 4 para. 5(3): sums modified (with effect in accordance with arts. 1(4)(5), 7 of the amending S.I.) by [The Social Security Benefits Up-rating Order 2021 \(S.I. 2021/162\)](#), arts. 1(3)(c), **6(4)**
- C6** Sch. 4 para. 5(3): sums modified (with effect in accordance with arts. 1(4)(5), 7 of the amending S.I.) by [The Social Security Benefits Up-rating Order 2022 \(S.I. 2022/292\)](#), arts. 1(3)(c), **6(4)**
- C7** Sch. 4 para. 5(3): sums amended (coming into force in accordance with arts. 1(4)(5), 7 of the amending S.I.) by [The Social Security Benefits Up-rating Order 2023 \(S.I. 2023/316\)](#), arts. 1(3)(c), **6(3)(c)**

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#### Commencement Information

**I5** Sch. 4 para. 5 in force at 6.4.2016, see s. 56(1)(4)

PROSPECTIVE

*Priority pension alone is equal to or higher than the full rate*

- 6 (1) The rate of the person's state pension under section 7 is to be increased under this paragraph if the amount of any state pension that has priority is equal to or higher than the full rate of the state pension.
- (2) If at any time an order under section 151A of the Administration Act comes into force, the rate of the person's state pension under section 7 is increased (at that time) by the percentage specified in the order.

#### Modifications etc. (not altering text)

- C8** Sch. 4 para. 6 sums amended (with effect in accordance with arts. 1(4), 7 of the amending S.I.) by [The Social Security Benefits Up-rating Order 2017 \(S.I. 2017/260\)](#), arts. 1(2)(c), **6(4)(c)**
- C9** Sch. 4 para. 6 sums amended (with effect in accordance with arts. 1(3)(4), 7 of the amending S.I.) by [The Social Security Benefits Up-rating Order 2018 \(S.I. 2018/281\)](#), arts. 1(2)(c), **6(4)(c)**
- C10** Sch. 4 para. 6 sums amended (with effect in accordance with arts. 1(4)(5), 7 of the amending S.I.) by [The Social Security Benefits Up-rating Order 2019 \(S.I. 2019/480\)](#), arts. 1(3)(c), **6(4)(c)**
- C11** Sch. 4 para. 6 sums amended (with effect in accordance with arts. 1(4)(5), 7 of the amending S.I.) by [The Social Security Benefits Up-rating Order 2020 \(S.I. 2020/234\)](#), arts. 1(3)(c), **6(4)(c)**
- C12** Sch. 4 para. 6: sums modified (with effect in accordance with arts. 1(4)(5), 7 of the amending S.I.) by [The Social Security Benefits Up-rating Order 2021 \(S.I. 2021/162\)](#), arts. 1(3)(c), **6(4)**
- C13** Sch. 4 para. 6: sums modified (with effect in accordance with arts. 1(4)(5), 7 of the amending S.I.) by [The Social Security Benefits Up-rating Order 2022 \(S.I. 2022/292\)](#), arts. 1(3)(c), **6(4)**
- C14** Sch. 4 para. 6: sums amended (coming into force in accordance with arts. 1(4)(5), 7 of the amending S.I.) by [The Social Security Benefits Up-rating Order 2023 \(S.I. 2023/316\)](#), arts. 1(3)(c), **6(3)(c)**

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**Changes and effects yet to be applied to :**

- Sch. 4 para. 5(3) sums amended by [S.I. 2024/242 art. 6\(3\)\(c\)](#)
- Sch. 4 para. 6 sums amended by [S.I. 2024/242 art. 6\(3\)\(c\)](#)