
STATUTORY INSTRUMENTS

1979 No. 1432

**The Social Security Benefit (Persons Abroad)
Amendment (No. 2) Regulations 1979**

Amendment of regulation 4 of the principal regulations

2. Regulation 4 of the principal regulations (modification of the Act in relation to widow's benefit, child's special allowance, guardian's allowance and retirement pension) shall be amended as follows:

- (a) in paragraph (2)(b) for the words "9 of the Special Provisions Regulations" there shall be substituted the words "6 of the Social Security (Widow's Benefit and Retirement Pensions) Regulations 1979";

- (b) after paragraph (2)(b) there shall be inserted the following paragraphs:

"(3) In the case of a Category A retirement pension the basic component of which falls to be increased under the provisions of section 9(2) or section 10(2) of the Social Security Pensions Act 1975(1)(special provisions for surviving spouses and for married women), the amount of the increase shall not exceed the sum which would be required to raise the basic component of that Category A retirement pension to the sum specified in section 6(1)(a) of the Social Security Pensions Act 1975 (rate of basic component of Category A retirement pension) or the weekly rate of Category B retirement pension specified in paragraph 9 of Part I of Schedule 4 to the Act, as the case may be, current at—

- (a) the date of retirement of the person whose pension falls to be so increased; or
(b) the date on which that person was last ordinarily resident in Great Britain;

whichever is the later.

(4) Where, in the case of a Category A retirement pension the additional component of which falls to be increased under the provisions of section 9(3) of the Social Security Pensions Act 1975, the surviving spouse whose pension falls to be so increased, being over pensionable age at the date of the death of the former spouse, is not ordinarily resident in Great Britain, the amount of the increase shall not exceed the sum which would be required to raise the additional component of that Category A retirement pension to the maximum prescribed by regulation 2 of the Social Security (Maximum Additional Component) Regulations 1978(2) as amended by the Social Security (Maximum Additional Component) Amendment Regulations 1979(3) which would have been appropriate had the former spouse died on—

- (a) the date on which the surviving spouse was last ordinarily resident in Great Britain; or
(b) 6th April 1979;

whichever is the later."

(1) 1975 c.60.
(2) S.I. 1978/949.
(3) S.I. 1979/1428.

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