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STATUTORY INSTRUMENTS

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**2009 No. 2206**

**SOCIAL SECURITY**

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

*Made - - - - 17th August 2009*

*Laid before Parliament 20th August 2009*

*Coming into force in accordance with regulation 1*

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred on her by the enactments specified in the Schedule.

The Social Security Advisory Committee has agreed that proposals in respect of these Regulations should not be referred to it<sup>(1)</sup>.

**PART 1**

**General**

**Citation and commencement**

1.—(1) These Regulations may be cited as the Social Security (State Pension and National Insurance Credits) Regulations 2009.

(2) Regulations 23 to 26 shall come into force on 6th April of the flat rate introduction year.

(3) The other provisions of these Regulations shall come into force on 6th April 2010.

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<sup>(1)</sup> Section 173(1)(b) of the Social Security Administration Act 1992 (c. 5) provides that matters which would otherwise be referable to the Social Security Advisory Committee may not be so referred with the agreement of that Committee. These Regulations would otherwise be referable to the Committee by virtue of section 170 of that Act.

## PART 2

### Graduated retirement benefit - amendment of primary legislation

#### **Amendment of the National Insurance Act 1965**

2. The National Insurance Act 1965(2) is amended as follows.

3.—(1) In subsection (2) of section 36 (graduated retirement benefit), for “the units” to the end substitute “, a unit of graduated contributions shall be £7.50.”.

(2) The amendment in paragraph (1) does not apply—

- (a) in relation to a woman who attained pensionable age before 6th April 2010; or
- (b) for the purposes of the reference to the graduated retirement benefit of a deceased person in section 37(1) (as amended by regulation 4), where the deceased person was a woman who would have attained pensionable age before 6th April 2010.

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).

## PART 3

### State pension reform - amendment of secondary legislation

#### **Amendment of the Social Security (Widow’s Benefit and Retirement Pensions) Regulations 1979**

5. The Social Security (Widow’s Benefit and Retirement Pensions) Regulations 1979(3) are amended as follows.

6.—(1) Regulation 1 (citation, commencement and interpretation) is amended in accordance with this regulation.

(2) In paragraph (2), omit the definitions of “home responsibilities year” and “qualifying year”.

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- (2) 1965 c. 51. Sections 36 and 37 of the National Insurance Act 1965 (c. 51) were repealed by the Social Security Act 1973 (c. 38) with effect from 6th April 1975 but continue in force by virtue of regulations made under Schedule 3 to the Social Security (Consequential Provisions) Act 1992 (c. 6). The relevant regulations are the Social Security (Graduated Retirement Benefit) (No.2) Regulations 1978 (S.I. 1978/393) as amended by S.I. 1989/1642, S.I. 1995/2606, S.I. 1996/1345, S.I. 1997/454, S.I. 1999/2422, S.I. 2005/454, S.I. 2005/3078 and S.I. 2009/497.
- (3) S.I. 1979/642. Relevant amending instruments are S.I. 1989/1642, S.I. 1990/2642, S.I. 1991/2742, S.I. 1996/1345, S.I. 1999/2422, S.I. 2000/1483, S.I. 2003/937, S.I. 2005/453, S.I. 2005/1551, S.I. 2005/2877, S.I. 2005/2878 and S.I. 2006/516.

(3) The amendment in paragraph (2) does not apply where the person concerned attained pensionable age or died before 6th April 2010.

7.—(1) Regulation 2 (election to be treated as not having retired) is amended in accordance with this regulation.

(2) For paragraph (2) substitute—

“(2) Paragraph (1) shall not apply to a person who has previously made such an election.”.

(3) In paragraph (3), omit “or consent”.

(4) In paragraph (4), for “paragraphs (5) and (6)” substitute “paragraph (6)”.

(5) Omit paragraph (5).

8.—(1) Regulation 3 (provisions applying after election) is amended in accordance with this regulation.

(2) In paragraph (a), omit the words from “and no Category B retirement pension” to “his contributions”.

(3) At the end of paragraph (b), omit “and”.

(4) Omit paragraph (c).

9. In paragraph (1)(a) of regulation 4 (days to be treated as days of increment), omit the words from “or, in the case of a married woman” to “a Category B retirement pension,”.

10. For the heading to regulation 6 (benefit at reduced rates for those who do not satisfy the contribution conditions in full) substitute—

*“Rate of benefit where the second contribution condition in paragraph 5 of Schedule 3 to the Social Security Contributions and Benefits Act 1992 is not satisfied”.*

11.—(1) Regulation 6 is amended in accordance with this regulation.

(2) In paragraph (3B), for “Subject to paragraph (4) of this regulation, the” substitute “The”.

(3) Omit paragraph (4).

(4) After paragraph (5) insert—

“(6) For the purposes of this regulation, “qualifying year” means a year for which a person’s earnings factor is sufficient to satisfy paragraph 5(3)(b) of Schedule 3 to the Social Security Contributions and Benefits Act 1992 and includes a year which is treated as such a year by virtue of regulation 8(4).”.

(5) The amendments in paragraphs (2) to (4) do not apply where the contributor concerned attained pensionable age or died before 6th April 2010.

12. After regulation 6 insert—

**“Proportion of retirement pension where the contribution condition in paragraph 5A of Schedule 3 to the Social Security Contributions and Benefits Act 1992 is not satisfied**

6A.—(1) This regulation applies where the contribution condition in paragraph 5A of Schedule 3 (contribution conditions for entitlement to benefit) to the Social Security Contributions and Benefits Act 1992 (“the 1992 Act”) is not satisfied in relation to a benefit to which that paragraph applies.

- (2) The amount of such a benefit to which a person is nevertheless entitled shall be—
  - (a) 1/30th of the weekly rate of basic pension in that benefit for each year in the contributor’s working life in relation to which the requirements of paragraph 5A(2)(a) and (b) of Schedule 3 to the 1992 Act are satisfied; and
  - (b) any additional pension in that benefit arising from one or more surpluses in the contributor’s earnings factors for the relevant years.

(3) For the purposes of paragraph (2)(a), satisfaction of the requirements of paragraph 5A(2)(a) and (b) of Schedule 3 to the 1992 Act in relation to a year includes satisfaction of those requirements by virtue of regulation 8.

(4) Paragraph (5) of regulation 6 applies to entitlement to a Category A retirement pension by virtue of this regulation as it does to such entitlement by virtue of that regulation.

**Regulations 6 and 6A: supplemental**

**6B.** In regulations 6 and 6A, “basic pension” includes the weekly rate of Category B retirement pension specified in paragraph 5 of Part 1 (contributory periodical benefits) of Schedule 4 (rates of benefit, etc) to the Social Security Contributions and Benefits Act 1992.”.

**13.**—(1) Regulation 8 (substitution of former spouse’s or former civil partner’s contribution record to give entitlement to a Category A retirement pension) is amended in accordance with this regulation.

(2) In paragraph (1)(c), after “any person” insert “, other than one to whom regulation 8A applies,”.

(3) In paragraph (2), for “to the Act” substitute “to the Social Security Contributions and Benefits Act 1992 (“the 1992 Act”) or the contribution condition for such a pension specified in paragraph 5A of that Schedule to that Act”.

(4) For paragraph (3), substitute—

“(3) The beneficiary shall be treated as satisfying the first contribution condition specified in paragraph 5 of Schedule 3 to the 1992 Act if his former spouse or former civil partner—

- (a) had satisfied that condition; or
- (b) would have satisfied that condition had paragraph 5A of Schedule 3 not been applicable,

as respects any year of his working life up to (inclusive) the year in which the marriage or civil partnership terminated.”.

(5) In paragraph (4), after “the second contribution condition” insert “specified in paragraph 5 of Schedule 3 to the 1992 Act or the contribution condition specified in paragraph 5A of that Schedule to that Act”.

(6) In paragraph (5), after “regulation 6” insert “or 6A”.

(7) Omit paragraph (6).

(8) The amendment in paragraph (7) does not apply where the person concerned attained pensionable age before 6th April 2010.

**14.** After regulation 8 insert—

“**8A.**—(1) This regulation applies to a person—

- (a) whose marriage or civil partnership terminated otherwise than by the death of that person's spouse or civil partner;
- (b) whose marriage or civil partnership terminated after—
  - (i) that person; and
  - (ii) that person's former spouse or former civil partner, attained pensionable age;
- (c) who attained pensionable age on or after 6th April 2010;
- (d) whose former spouse or former civil partner attained pensionable age on or after 6th April 2010; and
- (e) whose former spouse or former civil partner satisfied the contribution condition specified in paragraph 5A(2) of Schedule 3 (contribution conditions for entitlement to benefit) to the Social Security Contributions and Benefits Act 1992 ("the 1992 Act").

(2) Where a person to whom this regulation applies does not satisfy the contribution condition specified in paragraph 5A(2) of Schedule 3 to the 1992 Act, that person shall be treated as having satisfied that condition by virtue of the contributions of the former spouse or civil partner.”.

**15.**—(1) Schedule 1 (method of treating former spouse's or former civil partner's contributions as those of the beneficiary so as to entitle him to a Category A retirement pension) is amended in accordance with this regulation.

(2) At the end of sub-paragraph (b) of paragraph 1 insert—  
“; and

- (c) “qualifying year” means a year for which the former spouse's or former civil partner's earnings factor is sufficient to satisfy—
  - (i) paragraph 5(3)(b); or
  - (ii) paragraph 5A(2)(b),of Schedule 3 to the Social Security Contributions and Benefits Act 1992 and does not include a year which is treated as such a year by virtue of regulation 8(4).”.

(3) The amendment in paragraph (2) does not apply so as to include in the definition of “qualifying year” any years credited by virtue of section 23A(5) of the Social Security Contributions and Benefits Act 1992(4) where the marriage or civil partnership terminated before 6th April 2010.

### **Amendment of the Social Security (Widow's Benefit, Retirement Pensions and Other Benefits) (Transitional) Regulations 1979**

**16.** The Social Security (Widow's Benefit, Retirement Pensions and Other Benefits) (Transitional) Regulations 1979(5) are amended as follows.

**17.** In paragraph (1) of regulation 2 (interpretation), before the definition of “the Act” insert—  
““the 1992 Act” means the Social Security Contributions and Benefits Act 1992;”.

**18.** In the heading to regulation 3 (modifications of the Act and the Pensions Act in their application to pre-1975 beneficiaries and pre-1975 contributors), for “the Act and the Pensions Act in their” substitute “pensions legislation in its”.

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(4) 1992 c. 4. Section 23A was inserted by section 3 of the Pensions Act 2007 (c. 22).

(5) S.I. 1979/643. Relevant amending instruments are S.I. 1981/1627 and S.I. 1999/2422.

**19.** In regulation 3, for “the Act and the Pensions Act” substitute “the Act, the Pensions Act and the 1992 Act”.

**20.** In the heading to regulation 7 (modifications relating to the second contribution condition for widowed mother’s allowance, widow’s pension and Category A and B retirement pension), at the end insert “and to the contribution condition for Category A and B retirement pension for those attaining pensionable age on or after 6th April 2010”.

**21.** In paragraph (1) of regulation 7, for the words from “only for the purposes” to the end substitute—

“for the purposes of—

- (a) the second contribution condition for a widowed mother’s allowance, a widow’s pension or a Category A or Category B retirement pension specified in paragraph 5(3) of Schedule 3 to the 1992 Act; and
- (b) the contribution condition for a Category A or Category B retirement pension specified in paragraph 5A(2) of that Schedule.”.

**22.—**(1) Regulation 13 (provision relating to treatment of reckonable years) is amended in accordance with this regulation.

(2) In paragraph (1), for “paragraphs 5(2)(b) and 5(3)(b) of Schedule 3 to the Act” substitute “paragraph 5(2)(b) and (3)(b) and paragraph 5A(2)(b) of Schedule 3 to the 1992 Act”.

(3) In paragraph (2), for “to the Act” substitute “to the 1992 Act or paragraph (b) of the contribution condition specified in paragraph 5A(2) of that Schedule”.

### **Amendment of the Additional Pension and Social Security Pensions (Home Responsibilities) (Amendment) Regulations 2001**

**23.** The Additional Pension and Social Security Pensions (Home Responsibilities) (Amendment) Regulations 2001(6) are amended as follows.

**24.—**(1) Paragraph (2) of regulation 1 (citation, commencement and interpretation) is amended in accordance with this regulation.

(2) Before the definition of “the Administration Act” insert—

““the 2007 Act” means the Welfare Reform Act 2007(7);”.

(3) In the definition of “contracted-out employment”, after “means” insert “, subject to regulation 3(5),”.

**25.—**(1) Regulation 2 (calculation of additional pension where contributions equivalent premium paid or treated as paid) is amended in accordance with this regulation.

(2) For “section 45(2)(c) of the 1992 Act” substitute “section 45(2)(c) or (d) of the Contributions and Benefits Act”.

(3) For “Schedule 4A to the 1992 Act” substitute “Schedule 4A to the Contributions and Benefits Act or, as the case may be, Parts 1 and 2 of Schedule 4B to that Act(8)”.

**26.—**(1) Regulation 3 (calculation of additional pension: earnings partly from employment with contracted-out scheme membership) is amended in accordance with this regulation.

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(6) S.I. 2001/1323.

(7) 2007 c. 5.

(8) Section 45(2)(d) was inserted by section 11(2) of the Pensions Act 2007 (c. 22) and Schedule 4B was inserted by Schedule 2 to that Act.

(2) In paragraph (2), after “Schedule 4A” insert “or, as the case may be, in paragraph 1(1) of Schedule 4B”.

(3) In paragraph (3), after “Schedule 4A” insert “or, as the case may be, in paragraphs 8 and 9 of Schedule 4B”.

(4) In paragraph (4)(d), after “Schedule 4A” insert “or, as the case may be, in paragraph 10(1)(c) of Schedule 4B”.

(5) After paragraph (4) insert—

“(5) In so far as paragraphs (1) to (4) apply in respect of the calculation of additional pension under Schedule 4B to the Contributions and Benefits Act, the definition of “contracted-out employment” has effect as if the words from “or a money purchase contracted-out scheme” to the end were omitted.”.

27. After regulation 5 insert—

**“Earnings factor credits eligibility for pensioners to whom employment and support allowance was payable**

5A.—(1) For the purposes of subsection (3) of section 44C (earnings factor credits) of the Contributions and Benefits Act(9), a pensioner is eligible for earnings factor enhancement in respect of a week if that pensioner satisfies one or more of the conditions in paragraph (2) and was—

- (a) a person to whom employment and support allowance was payable for any part of that week;
- (b) a person to whom that allowance would have been payable but for the fact that that person did not satisfy the contribution condition in paragraph 1 or paragraph 2 of Schedule 1 to the 2007 Act; or
- (c) a person to whom that allowance would have been payable but for the fact that under regulations the amount was reduced to nil because of—
  - (i) receipt of other benefits; or
  - (ii) receipt of payments from an occupational pension scheme or personal pension scheme.

(2) The conditions are—

- (a) immediately prior to that week, employment and support allowance was payable or would have been payable for—
  - (i) a continuous period of 52 weeks; or
  - (ii) a period of 52 weeks treated as continuous by virtue of regulations made under paragraph 4 of Schedule 2 to the 2007 Act;
- (b) that allowance included or would have included the support component under section 2(2) of the 2007 Act; or
- (c) immediately prior to that week, in the case of—
  - (i) a man born in the period beginning with 6th April 1946 and ending with 5th April 1947; or
  - (ii) a woman born in the period beginning with 6th October 1950 and ending with 5th April 1951,

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(9) Section 44C was inserted by section 9 of the Pensions Act 2007 (c. 22).

that allowance was payable or would have been payable for a continuous period of 13 weeks immediately following a period throughout which statutory sick pay was payable.

(3) In this regulation, “employment and support allowance” means an employment and support allowance under Part 1 (employment and support allowance) of the 2007 Act.”.

## PART 4

### National insurance credits - amendment of secondary legislation

#### **Amendment of the Social Security (Credits) Regulations 1975**

**28.** The Social Security (Credits) Regulations 1975<sup>(10)</sup> are amended as follows.

**29.**—(1) Regulation 3 (general provisions relating to the crediting of contributions and earnings) is amended in accordance with this regulation.

(2) For paragraph (1)(a) substitute—

“(aa) in relation to short-term incapacity benefit, the second contribution condition specified in paragraph 2(3) of Schedule 3 (contribution conditions for entitlement to benefit) to the Contributions and Benefits Act;

(ab) in relation to—

- (i) widowed mother’s allowance;
- (ii) widowed parent’s allowance;
- (iii) bereavement allowance; and
- (iv) widow’s pension,

the second contribution condition specified in paragraph 5(3) of Schedule 3 to the Contributions and Benefits Act;

(ac) in relation to a Category A or Category B retirement pension—

- (i) in the case of a retirement pension to which paragraph 5 of Schedule 3 to the Contributions and Benefits Act applies, the second contribution condition specified in paragraph 5(3); and
- (ii) otherwise, the contribution condition specified in paragraph 5A(2) of Schedule 3 to that Act;”.

**30.**—(1) Regulation 9A is amended in accordance with this regulation.

(2) In paragraph (1), for “he” substitute “a person to whom this regulation applies”.

(3) After paragraph (1) insert—

“(1A) This regulation applies to a man born before 6th October 1954 but who has not attained the age of 65.”.

(4) For paragraph (2) substitute—

“(2) This regulation shall apply to—

- (a) the tax year in which a man attains the age which is pensionable age in the case of a woman born on the same day as that man; and

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<sup>(10)</sup> S.I. 1975/556. Relevant amending instruments are S.I. 1983/463, S.I. 1994/1837, S.I. 1996/2367, S.I. 2000/1483 and S.I. 2008/1554.



(b) to any succeeding tax year,  
but not including the tax year in which he attains the age of 65 or any subsequent tax year.”.

Signed by authority of the Secretary of State for Work and Pensions

17th August 2009

*William D.Mckenzie.*  
Parliamentary Under-Secretary of State  
Department for Work and Pensions

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

## SCHEDULE

Preamble

Enactments conferring powers under which these Regulations are made

Subsections (1) and (2)(c) of section 63 (transitional provisions) of the Social Security Pensions Act 1975**(11)**.

The following provisions of the Social Security Contributions and Benefits Act 1992**(12)**—

- (a) subsection (5) of section 22**(13)** (earnings factors);
- (b) subsection (3)(e) of section 44C**(14)** (earnings factor credits);
- (c) subsection (1) of section 48**(15)** (use of former spouse's contributions);
- (d) subsection (1) of section 54**(16)** (category A and category B retirement pensions: supplemental provisions);
- (e) subsection (1) of section 60**(17)** (complete or partial failure to satisfy contribution conditions);
- (f) subsection (2) of section 60A**(18)** (failure to satisfy contribution condition in paragraph 5A of Schedule 3);
- (g) subsection (1)(a), (ab) and (b) of section 62**(19)** (graduated retirement benefit);
- (h) subsection (1) of section 122**(20)** (interpretation of Parts 1 to 6 and supplementary provisions);
- (i) subsections (1), (3) and (4) of section 175**(21)** (regulations, orders and schemes);
- (j) paragraph 5A(4) of Schedule 3**(22)** (contribution conditions for entitlement to benefit);
- (k) paragraph 11 of Schedule 4B**(23)** (additional pension: accrual rates for purposes of section 45(2)(d));
- (l) paragraph 2(2) of Schedule 5**(24)** (pension increase or lump sum where entitlement to retirement pension is deferred).

Paragraph 15 of Schedule 3 to the Social Security (Consequential Provisions) Act 1992**(25)**.

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- (11)** 1975 c.60. Section 63 was amended by Schedule 5 to the Pension Schemes Act 1993 (c. 48).
  - (12)** 1992 c.4.
  - (13)** Section 22(5) was amended by paragraph 22 of Schedule 2 to the Jobseekers Act 1995 (c. 18) and by paragraph 9(1) and (3) (b) of Schedule 3 to the Welfare Reform Act 2007 (c. 5).
  - (14)** Section 44C was inserted by section 9(1) of the Pensions Act 2007 (c. 22).
  - (15)** Section 48 was amended by paragraph 24 of Schedule 24 to the Civil Partnership Act 2004 (c. 33).
  - (16)** Section 54(1) was amended by paragraph 6(1) of Schedule 4 and Schedule 7 to the Pensions Act 1995 (c. 26) and by paragraphs 14 and 22 of Schedule 12 to the Welfare Reform and Pensions Act 1999 (c. 30).
  - (17)** Section 60(1) was amended by paragraphs 2 and 8(1) and (2) of Schedule 8 to the Welfare Reform and Pensions Act 1999 (c. 30).
  - (18)** Section 60A was inserted by paragraph 5 of Schedule 1 to the Pensions Act 2007 (c. 22).
  - (19)** Section 62(1) was amended by paragraph 7 of Schedule 4 to the Pensions Act 1995 (c. 26), paragraphs 16 and 17 of Schedule 11 to the Pensions Act 2004 (c. 35), paragraph 33 of Schedule 24 to the Civil Partnership Act 2004 (c. 33), S.I. 2005/2053 and S.I. 2005/3029.
  - (20)** Section 122 is cited due to the meaning ascribed to the word "prescribed". There are no relevant amendments.
  - (21)** Section 175 was amended by paragraph 29 of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc) Act 1999 (c. 2) and Schedule 6 to the Tax Credits Act 2002 (c. 21).
  - (22)** Paragraph 5A of Schedule 3 was inserted by section 1(1) and (3) of the Pensions Act 2007 (c. 22).
  - (23)** Schedule 4B was inserted by paragraph 1 of Schedule 2 to the Pensions Act 2007 (c. 22).
  - (24)** Paragraph 2(2) of Schedule 5 was amended by paragraph 6(2)(a) of Schedule 4 and by Schedule 7 to the Pensions Act 1995 (c. 26).
  - (25)** 1992 c. 6.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend various enactments in consequence of the equalisation of state pension provision for men and women introduced by the Pensions Act 1995 (c. 26) and the reforms to state pensions introduced by the Pensions Act 2007 (c. 22).

Part 1 contains general provisions.

Part 2 amends the National Insurance Act 1965 (c. 51) with respect to the equalisation of Graduated Retirement Benefit units for men and women. It also provides that widowers and surviving civil partners reaching state pension age on or after 6th April 2010 may inherit their deceased wife's or civil partner's graduated retirement benefit under the same circumstances as currently apply to widows.

Part 3 amends secondary legislation with respect to state pension reform. In particular:

- regulation 12 inserts regulation 6A into the Social Security (Widow's Benefit and Retirement Pensions) Regulations 1979 (S.I. 1979/642) to provide that the amount of Category A or Category B basic pension payable where a contributor has fewer than the 30 qualifying years required for a full basic pension will be 1/30th of the weekly rate for each qualifying year;
- regulation 14 inserts regulation 8A into those Regulations to make provision with respect to entitlement to a basic state pension by virtue of the contributions of a former spouse or civil partner for persons whose marriage or civil partnership has terminated otherwise than by the death of that person's spouse or civil partner;
- regulations 16 to 22 amend the Social Security (Widow's Benefit, Retirement Pensions and Other Benefits) (Transitional) Regulations 1979 (S.I. 1979/643) to ensure that the paid and credited contributions of persons who attain pensionable age after 5th April 2010 who were insured under the National Insurance Act 1965 (c. 51) are taken into account for the purpose of satisfying the new single contribution condition for a Category A or Category B state pension;
- regulations 23 to 26 amend the Additional Pension and Social Security Pensions (Home Responsibilities) (Amendment) Regulations 2001 (S.I. 2001/1323) to make provision for those who have both contracted out and non-contracted out working patterns within a tax year; these amendments apply from the flat rate introduction year, as defined by section 122 of the Social Security Contributions and Benefits Act 1992 (c. 4);
- regulation 27 amends those Regulations to provide that a pensioner who was entitled to employment and support allowance shall be credited with earnings factors for the purposes of the state second pension.

Part 4 amends the Social Security (Credits) Regulations 1975 (S.I. 1975/556) with respect to the equalisation of state pension age and state pension reform as follows:

- regulation 29 amends those Regulations to make provision for the single contribution condition in relation to a Category A or Category B retirement pension specified in paragraph 5A(2) of Schedule 3 to the Social Security Contributions and Benefits Act 1992 (c. 4);
- regulation 30 amends those Regulations to phase out credits which are automatically available to men approaching state pension age; credits will only be available to men for the period between the start of the tax year in which a woman born on the same day would reach state pension age and the end of the tax year in which the man attains the age of 64.

**Status:** *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

A full impact assessment has not been produced for this instrument as it has no impact on the private or voluntary sectors.