Draft Regulations laid before Parliament under section 52(8) of the Welfare Reform and Pensions Act 1999 for approval by resolution of each House of Parliament

DRAFT STATUTORY INSTRUMENTS

2005 No.

SOCIAL SECURITY

The Social Security (Inherited SERPS) (Amendment) Regulations 2005

Made - - - -	*2005*
Coming into force - -	*6th April 2005*

Whereas a draft of this Instrument was laid before Parliament in accordance with the provisions of section 52(8) of the Welfare Reform and Pensions Act 1999(**1**) and approved by resolution of each House of Parliament:

Now therefore, the Secretary of State for Work and Pensions, in exercise of the powers conferred on him by sections 52(1), (2) and (9) and 83(6) of that Act(**2**) and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Social Security (Inherited SERPS)(Amendment) Regulations 2005 and shall come into force on 6th April 2005.

Amendment of the Social Security (Inherited SERPS) Regulations 2001

2. In the Social Security (Inherited SERPS) Regulations 2001(**3**)—

(a) after paragraph (3) of regulation 2 (modification of Part II of the Contributions and Benefits Act) there shall be added the following paragraph—

"(4) Where, on or after 6th April 2006, a person becomes a person of a description specified in Column 1 of the Schedule to these Regulations and entitled to a widowed person's lump sum under paragraph 7A of Schedule 5 to the Contributions and Benefits Act(**4**), paragraph 7B(3) of Schedule 5 to that Act shall have effect so that the half of

(**1**) 1999 c.30.
(**2**) Section 52(2) was amended by the Pensions Act 2004 (c.35), section 297 and Schedule 11, paragraph 25. Section 52(9) is cited because of the meaning ascribed to the word "prescribed".
(**3**) S.I.2001/1085.
(**4**) i.e. the Social Security Contributions and Benefits Act 1992 (c.4). Paragraphs 7A and 7B were inserted by the Pensions Act 2004, Schedule 11, paragraph 11(1).