



Retirement Pensions

*A guide to*

Retirement  
Pensions

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way cannot be more than the number of years in your working life up to April 1975.

For example, your working life started in June 1946. You get 118 contributions credited as described in the previous paragraph. Between 5 July 1948 and 5 April 1975 you pay or are credited with a total of 1,219 contributions.

Your grand total is  $1,219 + 118 = 1,337$  contributions

Your qualifying years will be  $\frac{1,337}{50} = 27$  years

### *How having lived outside Great Britain may affect you*

SSA Act 1992 177 &amp; 179

If you have lived in Northern Ireland or the Isle of Man, any contributions you have paid there will count towards your pension.

If you have lived in a European Community (EC) country including Gibraltar (see page 11), or in any country whose social security system is linked to Britain's by a reciprocal agreement, any social security contributions you have made there, or your residence there, may help you to meet the contribution conditions for Basic Pension.

You may also be entitled to a pension from the other country or countries.

The countries with agreements affecting Retirement Pensions are: Australia (agreement ends on 28 February 2001), Barbados, Bermuda, Canada, Cyprus, Israel, Jamaica, Jersey and Guernsey, Malta, Mauritius, New Zealand, Philippines, Switzerland, Turkey, USA and the former Yugoslavia (includes Serbia and Montenegro and the successor states of Croatia, Slovenia, Bosnia Hercegovina and the former Yugoslav Republic of Macedonia).

Ask at your social security office if you think that your right to a pension may be affected by any of these arrangements.

## *Home Responsibilities Protection (HRP)*

### *The purpose of HRP*

SS Pen (HR &amp; Misc A) Regs 1978,

SS Pen (HR) Regs 1994

HRP has been available for complete tax years from April 1978. It is intended to help protect the Basic Retirement Pension (and widow's benefits) of people precluded from regular employment because they are caring for children or a sick or disabled person at home.

When your Basic Pension is worked out, the number of years for which you get HRP is taken away from the number of qualifying years otherwise needed to calculate your pension.

For a full Basic Pension, however, HRP cannot reduce the number of qualifying years below 20. From 6 April 2020, when pensionable age for men and women is equalised at 65, HRP cannot reduce the number of qualifying years below 22.

If you have less than 20 qualifying years (22 from 6 April 2020), you may get a reduced pension. See Example A on page 30.

### *Will you need HRP?*

You will need HRP if the amount of your earnings in the tax year is less than the level needed to make the year a qualifying year. If you are getting benefits such as Incapacity Benefit or Invalid Care Allowance, you can be credited with earnings.

HRP can cover each tax year from 6 April 1978 in which:

- you do not work at all and have no qualifying earnings for the full tax year
- or you do some work but your earnings for the tax year are not enough to make it a qualifying year.

Alternatively, even if you can get HRP, you may still get a higher rate of pension if you pay Class 3 (voluntary) contributions to make up the year into a qualifying year.

If you have qualifying earnings from standard rate Class 1 contributions in a tax year but not enough to make it a qualifying year, a statement of your NI account will be sent to your last recorded address 15 to 18 months after the end of the tax year. This will tell you how many Class 3 contributions you need to pay to make the

year a qualifying year. You can then ask your social security office whether it is worth paying the contributions. For further information get leaflet CA08 *National Insurance voluntary contributions* from your social security office.

### **Can you get HRP?**

You can get HRP for any tax year from April 1978 if, throughout the year:

- you were the main payee (ie yours is the first name on the order book or shown at the top of any letters from the Child Benefit Centre) getting Child Benefit for a child under 16
- or you have been regularly looking after someone for at least 35 hours a week who has been getting Attendance Allowance (AA), Constant Attendance Allowance (CAA) or the highest or middle rate of Disability Living Allowance (DLA) care component:
  - throughout the whole of tax years up to 5.4.1988
  - and for at least 48 weeks in tax years from 6.4.1988
- or you have been getting Income Support and were not required to be available for employment so that you could look after a sick or disabled person at home
- or you have been covered by a combination of these conditions.

**Married women and widows cannot get HRP** for any tax year in which they have reduced contribution liability. But you will have lost your right to reduced liability if, for any two whole consecutive tax years since 6 April 1978, you have not been liable to pay NI contributions or you have not been self-employed. This is known as the **2 year test**.

Unless you are certain of your position you should check it with your social security office. You may find that you no longer have reduced liability and therefore can get HRP.

### **How to get HRP**

Provided your NI number is known to the people who pay the benefit listed, you will get HRP without applying for it if any of the following apply to you:

- you are the main payee for Child Benefit and you are a woman who has been getting Child Benefit for a child under 16 for the whole tax year. HRP will be given to you for the period when the Child Benefit stops or your youngest child reaches 16, whichever is earlier
- or you are the main payee for Child Benefit and you are a man who has been getting Child Benefit for a child under 16 for the whole tax year. (If you are a married man, you can get Child Benefit only if you produce a signed statement from your wife that she does not wish to claim that benefit. See leaflet CH1 *Child Benefit* which you can get from your social security office)
- or you are a man or woman who has been getting Income Support so that you could look after a sick or disabled person at home. Your HRP should be recorded at the end of each tax year.

You must apply for HRP for each tax year if:

- you are looking after someone who is getting AA, CAA or the highest or middle rate of DLA care component
- or you are covered for the whole tax year partly by one of the conditions explained above and partly by another.

### **How to apply for HRP**

If you have to apply for HRP, complete form CF411 *How to protect your state Retirement Pension if you are looking after someone at home* which you can only get from a social security office. Apply any time after the end of the tax year for which you want HRP.

### **Contribution conditions only partly satisfied**

If you cannot get a full rate Basic Pension, you may get one at a reduced rate if:

- you satisfy the first contribution condition
- and you have enough qualifying years to give you at least a quarter of the full rate of Basic Pension. Below this no Basic Pension is payable.

NI17A April 2001



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Maternity Benefits

*A guide to*

# Maternity Benefits

*Statutory Maternity Pay and Maternity Allowance*



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if your contract of employment gives you different rights to statutory minimum set out above, you can take advantage of whichever is better for you.

**More information** is given in the Department of Trade and Industry leaflet URN99/1191 *Maternity Rights: a guide for employers and employees*, available from your Jobcentre or by calling 0870 1502 500.

### **Unemployment**

If you do not return to work for your employer after your SMP ends then you may be able to claim Jobseeker's Allowance. But remember that you can claim Jobseeker's Allowance only if you are capable of, available for and actively seeking work. Contact your Jobcentre. You do not have to pay SMP back even if you do not return to work.

From 10 April 2001.

- Families already getting Working Families' Tax Credit or Disabled Person's Tax Credit can apply for additional help as soon as they have a new child (this means once a new child is born or legally adopted, or once a parental order has been obtained for a surrogate child) **without having to wait for an existing award to end**
- Mothers who were working at least 16 hours a week immediately before going on maternity leave may be able to claim tax credits while they are due SMP **without having to wait until they return to work**
- It may also be possible to get help with the costs of eligible childcare for other children in the family before a mother returns to work.

For more information on Working Families' Tax Credit, phone the information helpline on **0845 609 5000**. People with speech or hearing problems using a textphone can dial **0845 606 6668**.

For more information on Disabled Person's Tax Credit, phone the information helpline on **0845 605 5858**. People with speech or hearing problems using a textphone can dial **0845 608 8844**.

Keep a note of the period during which you received SMP. If you were not paying NI contributions during this period, credits may be awarded later to keep your NI record in order and entitle you to benefits in later years.

These credits will only be needed if you receive notice that your National Insurance record is deficient in the tax year or years when you received SMP.