

BERMUDA STATUTORY INSTRUMENT

SR&O 48/1973

**CONTRIBUTORY PENSIONS (WIDOWERS' AND WIDOWS'
ALLOWANCE) REGULATIONS 1973**

[made under section 38 of the Contributory Pensions Act 1970 [title 18 item 7] and brought into operation on 6 August 1973]

ARRANGEMENT OF REGULATIONS

- 1 Interpretation
- 2 When widow deemed to have care of child
- 3 When widow deemed to be incapable of self-support
- 4 [omitted]

Interpretation

1 (1) In these Regulations "the husband" means the deceased husband of the widow and in relation to a woman who has been married more than once, means her last husband.

(2) These Regulations shall, *mutatis mutandis*, be read and construed as applying to widowers.

When widow deemed to have care of child

2 (1) For the purposes of section 16(4) of the Contributory Pensions Act 1970 [*title 18 item 7*] a widow shall be deemed to have the care of a child if the child in question—

(a) is the issue of the husband and the widow or one of them; and

(b) is either—

(i) living with the widow; or

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(ii) wholly or mainly maintained by the widow.

(2) For the purposes of paragraph (1) (b) (i) a widow and child shall not be deemed to have ceased to live together by reason of any temporary absence of either or both of them and in particular by reason of any absence at school or while receiving medical treatment as an in-patient in a hospital.

When widow deemed to be incapable of self-support

3 (1) For the purposes of section 16(5) of the Contributory Pensions Act 1970 [*title 18 item 7*] a widow shall be deemed to be incapable of self-support if she is incapable of supporting herself by reason of physical or mental infirmity and is likely to remain so incapable for a prolonged period.

(2) A certificate of incapacity.

4 [*omitted*]

[*Amended by*

BR 10/1985]