STATUTORY INSTRUMENTS

2000 No. 1410

The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000

PART VIII

SURRENDERS AND AWARDS TO SURVIVING SPOUSESAND CHILDREN

Amount of surviving spouse's short-term and long-term compensation

22.—(1) Surviving spouse's short-term compensation is payable at an annual rate equal to that at which annual compensation would have been payable to the deceased immediately before his death in accordance with these Regulations, ignoring—

(a) any adjustment in accordance with regulation 14 or 15, or

(b) where the adjustment is under regulation 19 and is to take into account an entitlement to lump sum compensation, such an adjustment under regulation 19.

(2) Surviving spouse's long-term compensation is the relevant fraction of the annual compensation which would have been payable to the deceased immediately before his death in accordance with these Regulations ignoring any adjustment—

(a) under regulation 13, 14, 15 or 20, and

(b) if at the time of his death the deceased was in a new employment in which he was not a Scheme member, under regulation 17.

(3) Where at the time of his death the deceased was in a new employment in which he was a Scheme member, the employing authority must decide the extent to which any reduction made by them under regulation 19 to the annual compensation is to be taken into account.

(4) The amount payable under regulation 21 for a period to a surviving spouse who receives periodic payments is the amount which would have been paid to her for that period, less the total of the periodic payments received for that period.