
STATUTORY RULES OF NORTHERN IRELAND

1992 No. 547

**Local Government (Superannuation)
Regulations (Northern Ireland) 1992**

**PART E
BENEFITS**

Entitlement to widow's short-term and long-term pensions

E5.—(1) If, at the time of his death, a man—

- (a) was entitled to receive payments in respect of a retirement pension; or
- (b) would have been so entitled but for the operation of regulation E13 (reduction of certain retirement pensions); or
- (c) was in a local government employment and—
 - (i) the total of his reckonable service and any qualifying service was not less than 2 years; or
 - (ii) he would if he had then ceased to be employed otherwise than by reason of his death have become entitled to benefits by virtue of regulation E2(1)(e),

and he leaves a widow or widows she is, or as the case may be, they are jointly, entitled, subject to paragraphs (3) to (5), to a widow's short-term pension for 3 months after his death and then to a widow's long-term pension.

(2) If at the time of his death a man was entitled to preserved benefits and he leaves a widow or widows she is, or as the case may be, they are jointly, entitled, subject to paragraphs (3) to (5), to a widow's long-term pension.

(3) A widow is not entitled to any pension by virtue of paragraphs (1) or (2) if when her husband died or became entitled to a retirement pension she was judicially separated from him.

(4) A widow is not entitled to any pension by virtue of paragraph (1)(a) or (b) or paragraph (2) if—

- (a) she was not her husband's wife at some time while he was in local government employment after 31st March 1972 and before the date on which he became entitled to a retirement pension; or
- (b) her husband became entitled to a retirement pension by virtue of regulation E2(2).

(5) Where, but for paragraph (4)(a), a widow would have been entitled—

- (a) under paragraph (1) to a widow's short-term pension and to a widow's long-term pension; or
- (b) under paragraph (2) to a widow's long-term pension,

she is entitled where sub-paragraph (a) applies to a short-term pension and a long-term pension and where sub-paragraph (b) applies to a long-term pension only, calculated in each case in accordance with regulation E6(4).

Status: This is the original version (as it was originally made).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

- (6) A pension to which a widow is entitled by virtue of this regulation—
 - (a) is not payable to her during any subsequent marriage or any period of cohabitation outside marriage; and
 - (b) is payable from the end of any such marriage or period only if the Committee in their discretion so decide.