
STATUTORY RULES OF NORTHERN IRELAND

1996 No. 493

The Occupational Pension Schemes (Contracting-out) Regulations (Northern Ireland) 1996

Part VII

Guaranteed Minimum Pensions

Circumstances in which widower's guaranteed minimum pension is to be payable

57. For the purposes of section 13(6) of the Act (for a scheme to be contracted out it must provide for a widower's guaranteed minimum pension to be payable in prescribed circumstances and for a prescribed period) the prescribed circumstances are that—

- (a) the widower and the earner were both over pensionable age when the earner died;
- (b) the widower is entitled to child benefit (which expression has in this regulation the same meaning as in the Contributions and Benefits Act) in respect of a child who is, or residing with a child under 16 who is—
 - (i) a son or daughter of the widower and the earner;
 - (ii) a child in respect of whom the earner, immediately before her death, was, or would have been if the child had not been absent from Northern Ireland, entitled to child benefit, or
 - (iii) if the widower and the earner were residing together immediately before the earner's death, a child in respect of whom he then was, or would have been if the child had not been absent from Northern Ireland, entitled to child benefit, or
- (c) the widower had attained the age of 45 either—
 - (i) when the earner died, or
 - (ii) during a period when the circumstances mentioned in paragraph (b) existed.