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STATUTORY RULES OF NORTHERN IRELAND

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**1998 No. 333**

**Teachers' Superannuation Regulations (Northern Ireland) 1998**

**Part E**

**Benefits**

**Entitlement to long-term family benefits**

**E26.**—(1) Long-term pensions are payable in accordance with paragraph (2) if a person dies who—

- (a) has been in pensionable employment at any time after 31st March 1972; and
- (b) has relevant service within the meaning of regulation E27 amounting to at least 2 years,

but in the case of a person who ceased to be in pensionable employment before 6th April 1988 sub-paragraph (b) has effect with the substitution for “2 years” of “5 years”.

(2) If paragraph (1) applies—

- (a) subject to paragraph (3) a long-term pension is payable to any surviving spouse;
- (b) if a nomination under regulation E23 had effect at the time of the death, a long-term pension is payable to the nominated beneficiary provided that at the date of death of the deceased the nominated beneficiary was wholly or mainly dependent on the deceased; and
- (c) if a pension is payable under sub-paragraph (a) or (b) and the deceased is survived by a child or children of his, a long-term pension is payable to or for the benefit of the child or, as the case may be, the children jointly.

(3) Subject to paragraph (5), unless family benefit contributions have, or are to be treated as having, been paid under Part II of Schedule 6, no long-term pension is payable to a widower if one is payable to another person as a nominated beneficiary.

(4) If when a person dies paragraph (2) does not apply but he—

- (a) has been in pensionable employment at any time after 31st March 1972;
- (b) is qualified for retirement benefits; and
- (c) is survived by a child or children of his,

a long-term pension is payable to or for the benefit of the child or, as the case may be, the children jointly.

(5) Subject to paragraph (6), if neither paragraph (2) nor paragraph (4) applies but the deceased had a guaranteed minimum in relation to benefits under these Regulations and leaves a surviving spouse, a long-term pension is payable to the surviving spouse.

(6) If a contributions equivalent premium is paid by the Department, paragraph (5) shall be treated as not having applied.

(7) Where two or more persons, by virtue of this regulation, confer on the same child or, as the case may be, children entitlement to a long-term pension, the child or, as the case may be, children shall be entitled to receive payment of the long-term pension in respect of not more than two persons;

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but where entitlement derives from the relevant service of three or more persons, the child, or, as the case may be, children shall be entitled to receive payment of the long-term pension in respect of the two persons which by virtue of their relevant service provide pensions of the largest amounts.