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STATUTORY RULES OF NORTHERN IRELAND

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**2000 No. 177**

**Local Government Pension Scheme  
Regulations (Northern Ireland) 2000**

**Part F**

**Surviving Spouses' Pensions**

***Death of a pensioner***

**Pensioner's spouse's short-term pension**

**F4.**—(1) Subject to regulation G8(3), if a person who—

- (a) was entitled to receive payments in respect of a retirement pension (other than a pension under regulation D18), or
- (b) would have been so entitled but for the operation of regulation H6 (commutation in exceptional circumstances of ill-health) or of Part I of Schedule D5 (re-employed pensioners),

dies leaving a surviving spouse or spouses, that spouse is entitled or, as the case may be, they are jointly entitled to a spouse's short-term pension—

- (i) if the spouse has one or more eligible children in his or her care, for six months after the deceased's death, or
- (ii) otherwise for three months after the deceased's death.

(2) Subject to regulation F6 (post retirement marriages), where paragraph (1) applies, the annual rate of the short-term pension is a rate equal to the spouse's retirement pension immediately before the date of death or the rate it would have been at that date apart from any payment under regulation H6 or the operation of Part I of Schedule D5.

**Pensioner's spouse's long-term pension**

**F5.**—(1) Where regulation F4(1) applies the surviving spouse is entitled or, as the case may be, the surviving spouses are jointly entitled, at the end of the period in respect of which a short-term pension is payable under that regulation, to a spouse's long-term pension.

(2) Subject to regulation F6 (post retirement marriages), where paragraph (1) applies and any new employment for the purposes of Part I of Schedule D5 (re-employed pensioners) was not a local government employment, the annual rate of the long-term pension is half the annual rate of the deceased's retirement pension immediately before the date of death.

(3) For the purposes of paragraph (2)—

- (a) any increase in the deceased's retirement pension by virtue of regulation D2(2)(i),
- (b) any reduction in that pension under regulation D13 or H2 or by virtue of a surrender under regulation D14, and

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(c) any extinguishment of that pension by virtue of the operation of regulation H6 or Part I of Schedule D5,  
shall be disregarded.