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STATUTORY RULES OF NORTHERN IRELAND

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**2001 No. 367**

**The Health and Personal Social Services (Injury Benefits) Regulations (Northern Ireland) 2001**

**Part III**

**Benefits on Death of Injured Person**

**Incidental provisions**

**13.**—(1) For the purposes of this Part, the amount of a pension payable under a relevant pension scheme shall be deemed not to include any amount by which that pension is increased under the Pensions (Increase) Act (Northern Ireland) 1971 after the date at which the average remuneration used in the calculation of the allowance was calculated.

(2) Where the relevant pension scheme is a scheme mentioned in regulation 4(7), the pension payable under such a scheme shall, for the purposes of this Part, be deemed to include such sum, if any, which, in the opinion of the Department, represents the value, expressed as an annual amount, of the benefits payable under that scheme in respect of the deceased to the person entitled to the allowance.

(3) Where the deceased was a practitioner who received payments under regulation 65 of the 1962 Regulations or regulation 72 of the 1984 Regulations, there shall, for the purposes of regulations 8 to 10, be deemed to be payable under the relevant pension scheme a pension of such amount, if any, as the Department thinks fit, but not exceeding the amount of the widow's or the widower's pension or the child's allowance, as the case may be, which would, if the deceased had not been entitled to such payments, have been payable under the superannuation scheme Regulations in respect of the period for which such payments were made to him.

(4) Any child who becomes entitled to benefits in respect of more than one deceased shall be entitled to receive benefits in respect of not more than two deceased and if a benefit would be payable in respect of more than two, then the benefit shall be equal to the sum of the two highest benefits.