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STATUTORY RULES OF NORTHERN IRELAND

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**2009 No. 79**

THE POLICE PENSION (NORTHERN  
IRELAND) REGULATIONS 2009

PART 4  
PENSION AWARDS

*Survivors' pensions*

**Survivors**

- 37.—**(1) For the purposes of regulation 36 a survivor shall mean—
- (a) a person who at the time of the death of the officer concerned was his spouse, civil partner or, subject to paragraph (2), other adult partner (“an adult survivor”); or
  - (b) a child of the officer concerned (“a child survivor”) who is—
    - (i) a natural child, step-child or adopted child of the officer concerned;
    - (ii) a child conceived before death of the officer concerned and born after that death to a person mentioned in paragraph 1(a); or
    - (iii) any other child who at the time of the death of the officer concerned was substantially dependent, financially or by reason of permanent disablement, on him.
- (2) An adult partner, other than a spouse or civil partner, shall not be entitled to a pension under these Regulations unless the following conditions are satisfied—
- (a) the police officer concerned had sent to the Board a declaration made and signed by the police officer and the adult partner concerned that—
    - (i) the police officer and the adult partner concerned were cohabiting as partners in an exclusive, committed and long-term relationship;
    - (ii) the adult partner was financially dependent on the officer or they were financially interdependent;
    - (iii) the police officer and the adult partner were both free to marry each other (where they are of opposite sexes) or to form a civil partnership with each other (where they are of the same sex); and
    - (iv) the police officer acknowledged an obligation to send to the Board a signed notice of revocation should the relationship terminate,and had not revoked that declaration before his death; and
  - (b) the surviving adult partner has submitted a claim in writing to the Board and satisfied the Board—
    - (i) that the circumstances mentioned in paragraphs (i), (ii) and (iii) of sub-paragraph (a) continued to subsist at the time of the officer’s death, and

(ii) that the period of cohabitation mentioned in paragraph (i) of sub-paragraph (a) had been of at least two years' duration at the time of the officer's death.

(3) The Board may in their discretion accept a shorter period of cohabitation than that mentioned in paragraph (2)(b)(ii) where they are satisfied that the police officer and the adult partner concerned would have cohabited as partners for at least two years had the police officer not died.

(4) Upon receipt of a declaration or notice of revocation of such a declaration made in accordance with paragraph (2)(a), the Board shall forthwith send to the officer concerned a written notification of its receipt.