

STATUTORY RULES OF NORTHERN IRELAND

**2010 No. 136**

**The Teachers' (Compensation for Redundancy and  
Premature Retirement) Regulations (Northern Ireland) 2010**

**PART 5**

Discretionary compensation for premature retirement

**Duration of compensation on death**

**15.**—(1) Subject to paragraphs (2) and (5), a person's short-term compensation under regulation 13 is payable from the day after that of the death, and the duration of the short-term compensation payable shall be ascertained from the table below.

**Table 1**

<i>Category</i>	<i>Person entitled to short-term compensation</i>	<i>Duration of compensation (months)</i>
1.	Spouse, civil partner, surviving nominated partner or nominated beneficiary	3
2.	One child or more where adult compensation is payable	3
3.	One child or more where no adult compensation is payable	6

In the table above "adult compensation" means short-term compensation payable to a spouse, civil partner, surviving nominated partner or nominated beneficiary.

(2) Unless the compensating authority determines otherwise in the particular case, long-term adult compensation—

- (a) is not payable if, at the date of the deceased's death, the person to whom it would (apart from this sub-paragraph) have been payable is living with someone as if they were husband and wife or as if they were civil partners, and
- (b) ceases to be payable when the person to whom it was payable marries, forms a civil partnership or begins to live with someone as if they were husband and wife or as if they were civil partners.

(3) But paragraph (4) does not apply to any long-term adult compensation payable following the death of a person who was in pensionable employment after 31<sup>st</sup> March 2007 or who would have been in such employment after that date but for an election under regulation B4 of the Superannuation Regulations.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(4) Short-term or long-term compensation payable to or for the benefit of a child ceases to be payable when he ceases to be a child.

(5) For the purposes of this regulation, two people of the same sex are to be regarded as living together as if they were civil partners if they would be regarded as living together as husband and wife if they were not of the same sex.