
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 113

The Police Pensions Regulations (Northern Ireland) 2015

PART 9

Death benefits

Chapter 2

Pensions for surviving adults

Entitlement to surviving adult's pension

136.—(1) This regulation applies in relation to a member who was at the date of death—

- (a) an active member of this scheme with at least 2 years qualifying service;
- (b) a deferred member of this scheme; or
- (c) a pensioner member of this scheme.

(2) The surviving adult of the member is entitled to payment for life of a surviving adult's pension as follows—

- (a) if the member was entitled to the immediate payment of a retirement earned pension at the date of the member's death, or would have become entitled to such a pension had the member not died, a surviving adult's earned pension;
- (b) if the member was entitled to the payment for life of a lower tier ill-health pension at the date of the member's death, a surviving adult's lower tier ill-health pension;
- (c) if the member was entitled to the payment for life of both a lower tier ill-health pension and an enhanced upper tier ill-health pension at the date of the member's death, a surviving adult's lower tier ill-health pension and a surviving adult's enhanced upper tier ill-health pension;
- (d) if the member was entitled to the payment for life of a retirement added (all beneficiaries) pension as at the date of the member's death or would have become entitled to such a pension had the member not died, a surviving adult's added pension.

(3) The scheme manager may withhold a surviving adult's pension that would otherwise be payable to the surviving spouse, if the member and the surviving spouse married less than 6 months before the member's death;

(4) The scheme manager may withhold a surviving adult's pension that would otherwise be payable to a surviving civil partner if the civil partnership was formed less than 6 months before the member's death.

(5) Paragraphs (3) and (4) are subject to regulation 150 (guaranteed minimum pensions for surviving spouses and civil partners).