
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 117

**The National Health Service Superannuation
Scheme (Scotland) Regulations 2011**

PART G

SURVIVING PARTNER PENSIONS

Dependent widower's pension

G8.—(1) A female member may, by giving notice in writing to the Scottish Ministers, nominate her husband to receive a dependent widower's pension on her death in respect of any pensionable service before 6th April 1988 for which she did not elect to purchase an increased widower's pension.

(2) The member must give notice to the Scottish Ministers before leaving pensionable employment or, if earlier, reaching age 70.

(3) The Scottish Ministers will accept the member's nomination only if they are satisfied that the member's husband is permanently incapable of earning a living because of physical or mental infirmity and is wholly or mainly dependent on the member.

(4) If the Scottish Ministers have accepted the member's nomination and the member subsequently dies before her husband, the dependent widower will be entitled to a dependent widower's pension.

(5) The dependent widower's pension will be calculated in the same way as a widow's pension under regulations G1 to G6 (pensions for widows), and will be based on all of the member's pensionable service; in which case no widower's pension will be payable under regulation G7.

(6) If the Scottish Ministers accept a member's nomination for a dependent widower's pension and the member's pensionable service started before 25th March 1972 any lump sum payable to the member under regulation E13 (lump sum on retirement) will be reduced by an amount equal to 2 times the yearly rate of the part of the member's pension that is based on pensionable service before 25th March 1972 except to the extent that the reduction has been off-set by payments made under regulation Q2 (right to buy an unreduced retirement lump sum).