

SCHEDULE 2

Scheme flexibilities

PART 2

Additional pension election

CHAPTER 5

Revocation and refund

Death in service before end of contributions payment period

- 20.**—(1) This paragraph applies on the death of a member (D)—
- (a) whose additional pension election is for an additional (self only) pension and an additional (surviving adult) pension;
 - (b) who dies in service within the meaning of Part 6 before the end of the contributions payment period for that election.
- (2) If D dies before the end of the refund period—
- (a) the monthly payments must be refunded to D’s surviving adult; and
 - (b) the additional pension account must be closed.
- (3) If D dies after the end of the refund period—
- (a) the monthly payments cease to be payable as at the date of D’s death; and
 - (b) for the purpose of calculating a survivor’s pension, the amount of accrued additional pension is—
 - (i) if the declaration that accompanied the additional pension election was made in good faith, the amount of accrued additional pension calculated under regulation 44 or 45 as at the day of D’s death; or
 - (ii) if that declaration was not made in good faith, an amount determined by the scheme manager having regard to the contributions paid or treated as being paid.