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STATUTORY INSTRUMENTS

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**1975 No. 1092**

**The Colleges of Education (Compensation) Regulations 1975**

**PART V**

**RETIREMENT COMPENSATION AND PAYMENTS ON DEATH**

**Balance payable to claimant's widow or personal representatives**

**25.**—(1) If no sum is payable to the widow, child or other dependant of any person under regulation 23(2) or (8)(a) and no sum is payable under regulation 24 and the person dies before he has received in the aggregate by way of retirement compensation a sum equivalent to the aggregate of—

- (i) any superannuation contributions paid by him which have not been returned to him, and
- (ii) any amount paid by him in accordance with regulations 21(1),

together with compound interest thereon calculated—

- (a) at the rate of 3 per cent per annum with half yearly rests up to the date of his death as from 1st April or 1st October following the half year in which the amount was paid, or
- (b) in such other manner as may be provided by the last relevant pension scheme

(whichever calculation gives the greater amount), there shall be paid to his personal representatives the difference between the aggregate amount received by way of retirement compensation as aforesaid and the said equivalent sum.

(2) If any annual sum which became payable to a widow under regulation 23(2) or (8)(a) has ceased to be payable on her remarriage or death, and any sum payable to a child or other dependant under either of these paragraphs has ceased to be payable, and if the aggregate amount of the payments which were made as aforesaid to her husband by way of retirement compensation and to the widow or personal representatives or trustees under regulation 24 is less than a sum equivalent to the amount which would have been payable to the personal representatives under that regulation if no sum had been payable under either of the said paragraphs (2) or (8)(a), there shall be paid to her or her personal representatives the difference between such aggregate amount and the said equivalent sum.

(3) For the purpose of this regulation, a person who has surrendered any part of his retirement compensation under regulation 17(6), or whose retirement compensation has been reduced in accordance with regulation 30(3), shall be deemed to have received during any period the amount of compensation for that period which he would have received but for such a surrender or such a reduction.