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STATUTORY INSTRUMENTS

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**1997 No. 1612**

**The Local Government Pension Scheme Regulations 1997**

**PART II**

**PRIMARY PROVISIONS**

**CHAPTER IV**

**BENEFITS**

*Death grants*

**Death grants**

**38.**—(1) If a member dies, the administering authority may make payments to or for the benefit of the member's nominee or any person appearing to the authority to have been his relative or dependant at any time.

(2) The aggregate amount paid under paragraph (1) must not exceed the member's death grant.

(3) The multiplier for an active member's death grant is 2.

(4) The multiplier for a deferred member's death grant is the same as for his retirement grant.

(5) The multiplier for a pensioner member's death grant is 5, but the amount so calculated is reduced by the amounts of any retirement pension paid to him.

(6) If the administering authority have not made payments under paragraph (1) equalling in aggregate the member's death grant before the expiry of the period of 2 years beginning with his death, they must pay an amount equal to the shortfall to the member's personal representatives.

(7) For these Regulations, any payments made under paragraph (1) must be treated as payments made by way of death grant.