

SCHEDULE 1

ARRANGEMENT OF RULES

PART E

DEATH BENEFITS

Pensions for Adult Dependants

E.5 Amount of pensions under rules E.1 and E.2: pensioner members

(1) In the case of a deceased pensioner member, the annual amount of a pension payable under rule E.1 (surviving spouses' and civil partners' pensions) or rule E.2 (other adult dependants' pensions) is calculated by multiplying the appropriate fraction of the member's final pensionable earnings—

- (a) if the member's pension was calculated under rule D.1(3), D.2(3) or D.7(2), by the reckonable service mentioned in that rule,
- (b) if the member's pension was calculated under rule D.4(4), by the reckonable service used for the first calculation mentioned in that rule, and
- (c) if the member's pension was calculated under rule D.5(4) or D.6(2), by the figure that is N for the purposes of that rule.

This is subject to paragraph (3).

(2) The appropriate fraction is 1/112.

(3) For the purposes of paragraph (1)—

- (a) if the pension is payable to a civil partner—
 - (i) in a case within paragraph (1)(a) or (b), reckonable service within rule A.8(1)(a) only counts if and to the extent that it relates to service after 5th April 1988, and
 - (ii) in a case within paragraph (1)(c), N for the purposes of rule D.5(4) or D.6(2) is calculated on the basis that reckonable service within rule A.8(1)(a) only counts if and to the extent that it relates to service after that date, and
- (b) reckonable service exceeding 37 1/3 years does not count.

(4) This rule is subject to rule D.10 (member's option to exchange lump sum for pension).