

SCHEDULES

^{F1} SCHEDULE 6

PENSION COMPENSATION PROVISIONS

F1 mod. by SR 2005/171

Modifications etc. (not altering text)

- C1** Sch. 6 modified (1.8.2006) by Pension Protection Fund (Pension Sharing) Regulations (Northern Ireland) 2006 (S.R. 2006/282), **reg. 3(2)**
- C1** Sch. 6 modified by S.R. 2005/149, **reg. 13A** (as inserted (1.4.2009) by Pension Protection Fund (Miscellaneous Amendments) Regulations (Northern Ireland) 2009 (S.R. 2009/78), **reg. 4**)
- C1** Sch. 6 modified by S.R. 2005/149, **reg. 23(2)** (as substituted (24.7.2014) by The Pensions (2012 Act) (Transitional, Consequential and Supplementary Provisions) Regulations (Northern Ireland) 2014 (S.R. 2014/204), **regs. 1(1), 59(4)(c)**)
- C1** Sch. 6 modified by S.R. 2005/149 **reg. 28(1)** (as added (2.10.2018) by The Pension Protection Fund (Pensionable Service) and Occupational Pension Schemes (Investment and Disclosure) (Amendment and Modification) Regulations (Northern Ireland) 2018 (S.R. 2018/165), **regs. 1(2), 2(3)**)
- C1** Sch. 6 modified by S.R. 2005/149, **reg. 024(02)** (as added (6.4.2010) by The Pension Protection Fund (Miscellaneous Amendments) Regulations (Northern Ireland) 2010 (S.R. 2010/80), **regs. 1(b), 4(4)**)
- C1** Sch. 6 modified by S.R. 2005/149 **reg. 27(2)** (as added (24.2.2018) by The Pension Protection Fund (Compensation) (Amendment) Regulations (Northern Ireland) 2018 (S.R. 2018/26), **regs. 1, 2(6)**)

Pensions in payment at assessment date

4.—(1) This paragraph applies where—

- (a) the pensioner dies on or after the assessment date, and
- (b) the pension was attributable—
 - (i) to the pensioner's pensionable service, or
 - (ii) (directly or indirectly) to a pension credit to which the pensioner became entitled under Article 26(1)(b) of the 1999 Order.

(2) Subject to sub-paragraph (4), the pensioner's widow or widower is entitled to periodic compensation commencing on the day following the pensioner's death and continuing for life.

(3) The annual rate of the periodic compensation at any time is half of the annual rate of the periodic compensation (including any increases under paragraph 28) to which the pensioner would at that time have been entitled under paragraph 3 in respect of the pension had the pensioner not died.

(4) The pensioner's widow or widower is not entitled to periodic compensation under this paragraph in such circumstances as may be prescribed.

(5) In this paragraph “the pension” and “the pensioner” are to be construed in accordance with paragraph 3.

Changes to legislation:

The Pensions (Northern Ireland) Order 2005, Paragraph 4 is up to date with all changes known to be in force on or before 23 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 6 para. 21(2)(c)-(cc) substituted for (b)(c) by [2008 c. 13 \(N.I.\) Sch. 6 para. 11](#)
- art. 2(4)(b)(viii)-(x) inserted by [2016 c. 1 \(N.I.\) Sch. 2 para. 21\(3\)\(b\)](#)
- art. 19(1A) inserted by [2016 c. 1 \(N.I.\) Sch. 2 para. 24\(3\)](#)
- art. 19(10A) inserted by [2016 c. 1 \(N.I.\) Sch. 2 para. 24\(5\)](#)
- art. 34(1)-(1B) substituted for art. 34(1) by [2016 c. 1 \(N.I.\) Sch. 2 para. 25](#)
- art. 34(7)(da) inserted by [2021 c. 1 Sch. 8 para. 3\(2\)](#)
- art. 39(1)-(1B) substituted for art. 39(1) by [2016 c. 1 \(N.I.\) Sch. 2 para. 26\(2\)](#)
- art. 48(1)-(1B) substituted for art. 48(1) by [2016 c. 1 \(N.I.\) Sch. 2 para. 27](#)
- art. 75(1)(a)(iib) inserted by [2021 c. 1 Sch. 8 para. 8\(2\)](#)
- art. 110(1)-(1B) substituted for art. 110(1) by [2016 c. 1 \(N.I.\) Sch. 2 para. 29](#)
- art. 191(5) added by [2008 c. 13 \(N.I.\) Sch. 9 para. 6](#)
- art. 267(4)(f) and word inserted by [2021 c. 1 Sch. 6 para. 20\(b\)](#)