

---

STATUTORY RULES OF NORTHERN IRELAND

---

**2006 No. 6**

**Local Government Pension Scheme (Civil Partnership)  
(Amendment) Regulations (Northern Ireland) 2006**

**Local Government Pension Scheme Regulations (Northern Ireland) 2002**

**3.**—(1) The Local Government Pension Scheme Regulations (Northern Ireland) 2002(1) shall be amended in accordance with paragraphs (2) to (21).

(2) In regulation 18(2)(b) (general qualification for benefits) after the words “surviving spouse's” there shall be inserted “or civil partner's”.

(3) In regulation 22(4) (final pay) after the words “surviving spouse's” there shall be inserted “, civil partner's”.

(4) In regulation 36(1) (surrenders of pension) after the word “spouse” there shall be inserted “, civil partner”.

(5) For regulation 42(1) to (3) (surviving spouse’s short-term pension) there shall be substituted—  
“Surviving spouses' or civil partner’s pensions

**Surviving spouse’s or civil partner’s short term pension**

**42.**—(1) If an active or pensioner member dies leaving a surviving spouse or civil partner, the spouse or civil partner is entitled to a short-term pension.

(2) It is payable for three months after the member’s death.

(3) But if there are eligible children in the spouse’s or civil partner’s care, it is payable for a further three months.”.

(6) For regulation 43(1) (surviving spouse’s long-term pension) there shall be substituted—

**“Surviving spouse’s or civil partner’s long-term pension**

**43.**—(1) If a member dies leaving a surviving spouse or civil partner, the spouse or civil partner is entitled to a spouse’s or civil partner’s long-term pension.”.

(7) After regulation 44 (reduction of some surviving spouses' pensions) there shall be inserted—

**“Calculation of pension for surviving civil partner**

**44A.** For the purpose of calculating the pension to which a surviving civil partner is entitled under regulation 42 or 43 (surviving spouse’s or civil partner’s short-term or long-term pension) account shall only be taken of the deceased member’s membership after 5th April 1988. This shall include relevant additional membership (as defined in regulation 44(4)).”.

(8) For regulation 45(1) (surviving spouse’s guaranteed minimum pension) there shall be substituted—

**“Surviving spouse’s or civil partner’s guaranteed minimum pension**

**45.—**(1) If the guaranteed minimum pension rule applies, the pension to which a person is entitled under regulation 42 or 43 must be not less than the surviving spouse’s or civil partner’s guaranteed minimum.”.

(9) In regulation 47 (children’s short-term pensions)—

- (a) in paragraph (2) and in both places where it occurs in paragraph (7) after the words “surviving spouse” there shall be inserted “or civil partner”;
- (b) in paragraph (8) after the words “surviving spouse's” there shall be inserted “or civil partner's”.

(10) In regulation 48 (children’s long-term pensions)—

- (a) in paragraph (2) after the word “spouse's” there shall be inserted “or civil partner's”;
- (b) in paragraph (10)(a)(i) and (b)(i) after the words “surviving spouse's” there shall be inserted “or civil partner's”.

(11) In regulation 51 (commutation: small pensions)—

- (a) in paragraph (2) after the words “surviving spouse” there shall be inserted “or civil partner”;
- (b) in paragraph (6) after the word “spouse” in both places where it occurs there shall be inserted “or civil partner”;

(12) In regulation 89(2) (exclusion of rights to return of contributions) after the word “spouse” there shall be inserted “, civil partner”.

(13) In regulation 95(8) (interest on late payment of certain benefits) after the words “surviving spouse” there shall be inserted “, civil partner”.

(14) In regulation 102(2)(a) (right to apply for an appointed person to review a decision) after the words “or surviving” there shall be inserted “civil partner or”.

(15) In regulation 117(1) (protection of GMP rights) for the words “or widower's” there shall be substituted “, widower’s or surviving civil partner's”.

(16) In regulation 118(5)(b) (transfer of sums from the fund to compensate for former member’s misconduct) after the word “spouse” there shall be inserted “, civil partner”.

(17) In regulation 121(5)(a) (contracting-out requirements affecting transfers out) after the words “surviving spouse's” there shall be inserted “or civil partner's”.

(18) In regulation 127(2)(c) (rights as to service not matched by credited period) after the words “surviving spouse's” there shall be inserted “or civil partner's”.

(19) In regulation 128(1) (community scheme transferees) after the words “surviving spouses” there shall be inserted “, civil partner”.

(20) In Schedule 1 (interpretation) in the definition of “guaranteed minimum pension” for the words “widows and widowers” there shall be substituted “widows, widowers and surviving civil partner”.

(21) In Schedule 4 (revenue restrictions)—

(a) in paragraph 2 (class A members)—

- (i) in sub-paragraph (12) after the words “surviving spouse” in both places where it occurs there shall be inserted “or civil partner”;
- (ii) in sub-paragraph (13) after the words “surviving spouse” there shall be inserted “or civil partner”;

(b) in paragraph 4—

- (i) in sub-paragraph (8) after the words “surviving spouse” in both places where it occurs there shall be inserted “or civil partner”;
- (ii) in sub-paragraph (9) after the words “surviving spouse” there shall be inserted “or civil partner”.