
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 79

**THE POLICE PENSION (NORTHERN
IRELAND) REGULATIONS 2009**

PART 4

PENSION AWARDS

Awards on death - additional provisions

Lump-sum death grant

43.—(1) On the death of a person while serving as a police officer a lump-sum death grant becomes payable unless an election under regulation 7 not to pay pension contributions had effect at the time of the death.

(2) The grant is payable whether or not any adult survivor's pension or death gratuity to a dependant of the officer or his estate is payable under regulation 36, 41 or 42 respectively.

(3) The amount of the grant is three times that of the deceased officer's pensionable pay, expressed as an annual rate—

- (a) at the time of death, or
- (b) if he was then absent from duty without pay, immediately before that absence began.

(4) The grant is to be paid—

- (a) to any surviving spouse or surviving civil partner who qualifies for it; or
- (b) if no person is qualified under sub-paragraph (a), and if the Board in their discretion so decide, to a surviving adult partner where the requirements of regulation 37(2)(a) and (b) are met; or
- (c) if no payment is made under sub-paragraph (a) or (b), and if the Board in their discretion so decide, to a person in respect of whom a nomination by the officer in accordance with regulation 44 had effect at the time of his death; or
- (d) otherwise, if the Board in their discretion so decide, to his legal personal representative.

(5) A surviving spouse or surviving civil partner qualifies for the grant unless at the time of the death—

- (a) the deceased officer and his spouse or, as the case may be, civil partner were separated by an order or decree of a competent court, and
- (b) the deceased was not required by such an order to contribute, and was not in fact regularly contributing to, the support of the spouse or civil partner or to the spouse or civil partner for the support of a child of the spouse or civil partner.