
STATUTORY INSTRUMENTS

1997 No. 1612

The Local Government Pension Scheme Regulations 1997

PART II

PRIMARY PROVISIONS

CHAPTER IV

BENEFITS

Surviving spouses' pensions

Surviving spouse's long-term pension

41.—(1) If a member dies leaving a surviving spouse, the spouse is entitled to a spouse's long-term pension.

(2) If the deceased was an active or pensioner member, the long-term pension is payable from the end of the period for which the short-term pension is payable.

(3) The long-term pension payable on a deferred member's death is payable from the death.

(4) If the deceased was an active member with a total membership of at least two years, the long-term pension is equal to half the ill-health pension to which the deceased would have been entitled under regulation 27 if he had become entitled to a pension under that regulation on the date he died.

(5) If the deceased was an active member with a total membership of less than two years or a deferred member, the multiplier for the long-term pension is—

$$\frac{\text{the deceased's total membership}}{160}$$

(but see regulation 42).

(6) If the deceased was a pensioner member, the long-term pension is equal to half his retirement pension immediately before the date of death (but see regulation 42).

(7) If there is more than one surviving spouse, they become jointly entitled under paragraph (1).