

SCHEDULE 1

ARRANGEMENT OF RULES

PART E

DEATH BENEFITS

Pensions for Adult Dependants

E.1 Surviving spouses' and civil partners' pensions

(1) If an active member, a deferred member or a pensioner member dies leaving a surviving spouse or civil partner, the surviving spouse or civil partner is entitled to a pension for life.

(2) Paragraph (1) does not apply if the member is an active member who would not have qualified for a pension under rule D.2 (retirement before reaching pension age) if his service had ceased on the date of death otherwise than by reason of death.

(3) The Secretary of State may withhold the pension—

- (a) where it would be payable to a surviving spouse, if the member and the surviving spouse married less than six months before the member's death, and
- (b) where it would be payable to a surviving civil partner, if the civil partnership was formed less than six months before the member's death.

(4) Paragraph (3) is subject to rule E.28 (guaranteed minimum pensions for surviving spouses).