
STATUTORY INSTRUMENTS

2008 No. 653

The National Health Service Pension Scheme Regulations 2008

PART 2

BENEFITS FOR OFFICERS

CHAPTER 2.E

DEATH BENEFITS

Lump sum death benefits

2.E.18 Amount of lump sum: dual capacity members (disregarding regulation 2.D.5 employments)

(1) Paragraph (2) applies for determining the lump sum payable by virtue of this regulation on the death of a member who—

- (a) was an active member otherwise than in service in an employment in respect of which the member had exercised the option under regulation 2.D.5 (partial retirement: members aged at least 55), and
- (b) was also a pensioner member.

(2) The lump sum is an amount equal to the sum of—

- (a) five times the annual rate of the pension—
 - (i) payable under regulation 2.D.8(4) (tier 1 ill-health pension), if the deceased had not reached the age of 65 on the date of death,
 - (ii) payable under regulation 2.D.1 (normal retirement pensions), if the deceased had reached the age of 65 on the date of death,

to which the member would have been entitled on the date of death, and

- (b) in respect of each pension to which the person has been entitled for less than 5 years, the lesser of—
 - (i) five times the annual rate of the pension payable after exercising any option under regulation 2.D.14 (general option to exchange part of pension for lump sum), less the amount of the pension payments already made to the member, and
 - (ii) an amount equal to twice the member's reckonable pay by reference to which the pension was calculated, less any lump sum paid to the member when the pension came into payment as a result of the member exercising the option under regulation 2.D.14 (general option to exchange part of pension for lump sum).

(3) If the pensioner member exercised the option under regulation 2.D.18, the reference in paragraph (2)(b) to the amount of the pension payments already made to the member is a reference to the amount of the pension payments that would have been made apart from the election.