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STATUTORY INSTRUMENTS

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**2008 No. 653**

The National Health Service Pension Scheme Regulations 2008

PART 2

BENEFITS FOR OFFICERS

CHAPTER 2.E

DEATH BENEFITS

*Pensions for surviving adults*

**2.E.5 Amount of pensions under regulation 2.E.1: deferred members**

(1) In the case of a deferred member—

- (a) who left pensionable service less than 12 months before the date of death, and
- (b) whose surviving adult dependant would have been the member's surviving adult dependant if the member had died on the member's last day of pensionable service,

the rate of the pension payable under regulation 2.E.1 is equal to 37.5% of the tier 2 ill-health pension under regulation 2.D.8 to which the member would have been entitled if on the date the member's pensionable service ceased the member had become entitled to such a pension under regulation 2.D.8 (but disregarding any additional pension).

(2) In the case of any other deferred member whose surviving adult dependant would have been the member's surviving adult dependant if the member had died on the member's last day of pensionable service, the rate of the pension payable under regulation 2.E.1 is equal to 37.5% of the pension under regulation 2.D.1 (normal retirement pensions) in respect of any period of pensionable service to which the member would have been entitled if on the date of death the member had become entitled to such a pension.