
STATUTORY INSTRUMENTS

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.6 Recent leavers

(1) If—

- (a) a recent leaver dies leaving a surviving spouse or civil partner who has a guaranteed minimum under section 17 of the 1993 Act in relation to benefits in respect of the recent leaver under the Scheme, and
- (b) the member has died before reaching the age of 65,

the surviving spouse or civil partner is entitled to a pension that is payable for life of an amount equal to that person's guaranteed minimum pension (disregarding any additional pension), unless paragraph (2) applies.

(2) This paragraph applies if the Secretary of State's liability to provide a guaranteed minimum pension in respect of the surviving adult is discharged by the payment of a contributions equivalent premium under section 55(2) of the 1993 Act.

(3) In this Part "recent leaver" means a person—

- (a) who left pensionable service less than 12 months before the date of death,
- (b) who is not a deferred member or a pensioner member because of rights resulting from that employment, and
- (c) in respect of whom no transfer value or refund of contributions has been paid in respect of that employment.