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STATUTORY INSTRUMENTS

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**2023 No. 279**

**The Local Government Pension Scheme  
(Amendment) Regulations 2023**

**Revaluation date: revaluation adjustments, survivor benefits for partners and children of deferred and deferred pensioner members**

**6.—(1)** In regulation 44 (survivor benefits: partners of deferred members and deferred pensioner members)—

(a) after paragraph (4), insert—

“(4A) For the purposes of paragraph (4), if the member—

(a) died in the period beginning with 1st April and ending with 5th April in the Scheme year following the Scheme year in which the member ceased to be an active member; or

(b) ceased to be an active member and became a deferred member in the period beginning with 1st April and ending with 5th April in a Scheme year and subsequently died within that same period,

the pension is deemed to include the revaluation adjustment that would have been due at the next revaluation date.”;

(b) in paragraph (5)—

(i) for “at the beginning of” substitute “on the revaluation date in”;

(ii) after “was opened,” in the second place where it occurs, insert “and takes effect from the start of the Scheme year following the Scheme year in which the survivor member’s account was opened,”;

(c) in paragraph (6)(a)—

(i) omit “revalued”;

(ii) in the second place where it occurs, for “(5)” substitute “(3)”;

(iii) following “Scheme year,” insert “and the revaluation adjustment is applied to the balance in accordance with paragraph (5)”;

(d) after paragraph 6, insert—

“(6A) Where an index rate adjustment is due to be made on a revaluation date, any such adjustment must be made immediately after the revaluation adjustment is made.”.

**(2)** In regulation 45 (survivor benefits: children of deferred members)—

(a) after paragraph (4), insert—

“(4A) For the purposes of paragraph (4), if the member—

(a) died in the period beginning with 1st April and ending with 5th April in the Scheme year following the Scheme year in which the member ceased to be an active member; or

- (b) ceased to be an active member and became a deferred member in the period beginning with 1st April and ending with 5th April in a Scheme year and subsequently died within that same period,

the pension is deemed to include the revaluation adjustment that would have been due at the next revaluation date.”.

- (b) after paragraph (5), insert—

“(5A) For the purposes of paragraph (5), if the member—

- (a) died in the period beginning with 1st April and ending with 5th April in the Scheme year following the Scheme year in which the member ceased to be an active member; or
- (b) ceased to be an active member and became a deferred member in the period beginning with 1st April and ending with 5th April in a Scheme year and subsequently died within that same period,

the pension is deemed to include the revaluation adjustment that would have been due at the next revaluation date.”.

- (c) after paragraph (9), insert—

“(9A) For the purposes of paragraph (9), if the member—

- (a) died in the period beginning with 1st April and ending with 5th April in the Scheme year following the Scheme year in which the member became a deferred member; or
- (b) ceased to be an active member and became a deferred member in the period beginning with 1st April and ending with 5th April in a Scheme year and subsequently died within that same period,

the pension is deemed to include the revaluation adjustment that would have been due at the next revaluation date.”.

- (d) after paragraph (10), insert—

“(10A) For the purposes of paragraph (10), if the member—

- (a) died in the period beginning with 1st April and ending with 5th April in the Scheme year following the Scheme year in which the member ceased to be an active member; or
- (b) ceased to be an active member and became a deferred member in the period beginning with 1st April and ending with 5th April in a Scheme year and subsequently died within that same period,

the pension is deemed to include the revaluation adjustment that would have been due at the next revaluation date.”.

- (e) in paragraph (12)—

- (i) for “at the beginning of” substitute “on the revaluation date in”;
- (ii) after “was opened,” in the second place where it occurs, insert “and takes effect from the start of the Scheme year following the Scheme year in which the survivor member’s pension account was opened,”;

- (f) in paragraph (13)(a)—

- (i) omit “revalued”;
- (ii) in the second place where it occurs, for “(12)” substitute “(3) or (8)”;
- (iii) following “Scheme year” insert “and the revaluation adjustment is applied to the balance in accordance with paragraph (12)”;

(g) after paragraph (13), insert—

“(13A) Where an index rate adjustment is due to be made on a revaluation date, any such adjustment must be made immediately after the revaluation adjustment is made.”.