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STATUTORY INSTRUMENTS

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**1995 No. 1019**

**The Local Government Pension Scheme Regulations 1995**

**PART F**

**SURVIVING SPOUSES' PENSIONS**

*Death of a member*

**Member's spouse's short-term pension**

**F1.**—(1) Subject to regulations F7 (remarriage and cohabitation) and G8(3), if a member dies living a surviving spouse or spouses, that spouse is entitled or, as the case may be, they are jointly entitled, to a spouse's short-term pension—

- (a) if the spouse has one or more eligible children in his or her care, for six months after the member's death, or
- (b) otherwise for three months after the member's death.

(2) Where paragraph (1) applies then, subject to paragraph 21 of Schedule D5 (re-employed pensioners), the annual rate of the short-term pension is a rate equal to the spouse's pensionable remuneration.

(3) Paragraph 7 of Schedule D1 (by virtue of which member is, in respect of any period of part-time local government employment, to be treated as having received the remuneration which would have been paid in respect of a single comparable whole-time employment) does not apply to the application of regulation D1 and that Schedule to this regulation.