
DRAFT STATUTORY RULES OF NORTHERN IRELAND

2015 No.

The Judicial Pensions Regulations (Northern Ireland) 2015

PART 6

Retirement benefits

CHAPTER 6

Allocation of part of pension

Effect of allocation election

- 81.**—(1) If an allocation election takes effect—
- (a) the member's pension is reduced accordingly (and this reduction applies even if the beneficiary predeceases the member); and
 - (b) if the beneficiary survives the member, on the member's death the beneficiary becomes entitled to the payment of a pension for life ("allocated pension") of an amount determined by the scheme manager, after consultation with the scheme actuary, having regard to—
 - (i) the amount of retirement pension allocated under the election, and
 - (ii) the beneficiary's age and gender.
- (2) The scheme manager may withhold payment from the beneficiary if—
- (a) the member dies before the end of the period of 2 years beginning with the date on which the election takes effect; and
 - (b) the scheme manager is satisfied that the member made a false declaration about the member's state of health when making the election.
- (3) An allocation election in relation to a retirement pension has no effect if it would result in an allocated pension being paid—
- (a) on the member becoming entitled to the retirement pension, to a person who is not—
 - (i) the member's spouse or civil partner;
 - (ii) financially wholly or mainly dependent on the member; or
 - (iii) financially interdependent with the member;
 - (b) on the death of the member, to a person who is not—
 - (i) the member's surviving adult; or
 - (ii) a dependant of the member for the purposes of paragraph 15(2) or (3) of Schedule 28 (registered pension schemes: authorised pensions - supplementary) to the 2004 Act.