
STATUTORY RULES OF NORTHERN IRELAND

1998 No. 333

Teachers' Superannuation Regulations (Northern Ireland) 1998

Part E

Benefits

Supplementary death grants

E21.—(1) Subject to paragraph (5), this regulation applies where a person dies who—

- (a) has become entitled to payment of retirement benefits; and
- (b) is not in pensionable employment.

(2) If—

- (a) at least 10 years' reckonable service was taken into account in calculating his retirement benefits; and
- (b) the total of the amounts paid in respect of them is less than his average salary,

a supplementary death grant equal to that deficiency shall be paid.

(3) If—

- (a) less than 10 years' reckonable service was taken into account in calculating his retirement benefits; and
- (b) the amount paid in respect of his pension is less than 5 times the annual rate at which it was payable when he died,

a supplementary death grant equal to that deficiency shall be paid.

(4) For the purposes of this regulation—

- (a) any amount by which a pension was reduced under regulation E9 (avoidance of duplicate pensions) or E14 (abatement of pension during further employment), and any part of a pension allocated under regulation E11 (allocation of part of retirement pension), shall be treated as having been paid; and
- (b) a retirement lump sum shall be treated as having been paid without any deduction under these Regulations.

(5) This regulation does not apply if the person's last employment was of a kind described in Schedule 4 to the 1977 Regulations and, by virtue of regulation E3(1)(b), formed part of the qualifying period for the purposes of regulation E3.

(6) Where any supplementary death grant is paid under this regulation, it shall be paid to the individual nominated by the deceased to receive the grant or in the absence of such nomination,—

- (a) if the deceased is survived by one widow or by a widower, to the widow or widower;
- (b) if there are two or more widows, to the widows in equal shares; or
- (c) if there is no widow or widower, to the personal representatives.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(7) Any nomination for the purposes of paragraph (6) shall be made by giving written notice to the Department.