
STATUTORY RULES OF NORTHERN IRELAND

1998 No. 333

Teachers' Superannuation Regulations (Northern Ireland) 1998

Part E

Benefits

Amounts of children's long-term pensions

E29.—(1) Subject to paragraphs (3) to (6), if long-term pensions become payable under regulation E26—

- (a) to a surviving spouse or a nominated beneficiary (an “adult pension”); and
- (b) to or for the benefit of a child or children (a “children’s pension”),

the annual rate of the children’s pension is the appropriate fraction of the deceased’s average salary multiplied by the length of his family benefit service.

(2) In paragraph (1) the appropriate fraction—

- (a) while a children’s pension is payable to or for the benefit of 2 or more children, is 1/160th; and
- (b) while a children’s pension is payable to or for the benefit of one child, is 1/320th.

(3) Subject to paragraphs (4) to (6), if—

- (a) an adult pension becomes payable to a woman whom the deceased married after his last day in pensionable employment;
- (b) before that day he had married another woman; and
- (c) the persons to or for whose benefit a children’s pension is payable include a child who was, or children who were, a child or children of the deceased’s at any time during the earlier marriage, the annual rate of the children’s pension is the appropriate fraction of his average salary multiplied by the length of what would have been his family benefit service if regulation E28(4) had applied (“the notional family benefit service”).

(4) If the children’s pension is payable to, or for the benefit of—

- (a) one child who was a child of the deceased’s during the earlier marriage; and
- (b) one or more children who were not children of his during that marriage,

the annual rate of the children’s pension is

$$\mathbf{A + B,}$$

where—

A is 1/320th of his average salary multiplied by the length of the notional family benefit service; and

B is 1/320th of his average salary multiplied by the actual length of his family benefit service.

(5) If—

- (a) no adult pension becomes payable; or
- (b) an adult pension ceases to be payable,

the annual rate of a children's pension is the applicable fraction of the deceased's average salary multiplied by the greater of C and D, or where regulation E28(8) applies, the greater of

C and (D + E),

where—

C is the notional family benefit service;

D is the deceased's effective reckonable service apart from E; and

E is the period which was, or would if regulation E8 had applied have been, the appropriate period within the meaning of that regulation.

- (6) In paragraph (5) the applicable fraction—
 - (a) while a children's pension is payable to or for the benefit of 2 or more children, is 1/120th; and
 - (b) while a children's pension is payable to or for the benefit of one child, is 1/240th.