
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 224

The National Health Service Pension
Scheme (Scotland) Regulations 2008

PART 3

BENEFITS FOR PRACTITIONERS, ETC.

CHAPTER 3.E

DEATH BENEFITS

Pensions for surviving adults

Meaning of “surviving nominated partner”

3.E.2.—(1) A person is a surviving nominated partner in relation to a member for the purposes of this Part if—

- (a) the person and the member jointly made and signed a declaration in such form as the Scottish Ministers require that remains effective at the member’s death; and
 - (b) the person satisfies the Scottish Ministers that for a continuous period of 2 years ending with the member’s death—
 - (i) the person and the member were living together in an exclusive relationship as if they were husband and wife or civil partners;
 - (ii) the person and the member were not prevented from marrying or forming a civil partnership; and
 - (iii) the person was financially dependent on the member or the person and the member were financially interdependent.
- (2) A declaration for the purposes of paragraph (1)(a) ceases to have effect if—
- (a) it is revoked by the member or other person by a signed notice in writing to the Scottish Ministers in such form as the Scottish Ministers may require or are willing to accept;
 - (b) the member makes a further declaration for the purpose of paragraph (1)(a); or
 - (c) the person or the member marries or forms a civil partnership.