
STATUTORY INSTRUMENTS

1995 No. 1019

The Local Government Pension Scheme Regulations 1995

PART G

CHILDREN'S PENSIONS

Death of a pensioner

Pensioner's children's long-term pension

G6.—(1) Subject to paragraph (4), where a person who—

- (a) was entitled to receive payments in respect of a retirement pension (other than a pension sole entitlement to which is under regulation D17 or a pension under regulation D19), or
- (b) would have been entitled but for regulation H6 (commutation in exceptional circumstances of ill-health) or Part I of Schedule D5 (re-employed pensioners),

dies leaving one or more eligible children, they are entitled until they cease to be children to or to the benefit of a children's long-term pension payable from the death.

(2) Subject to regulations G9 and G10, the annual amount of a children's long-term pension is the appropriate fraction (within the meaning of regulation G3(3)) of the deceased person's retirement pension.

(3) Subject to regulation G9, for the purposes of paragraph (2) the retirement pension of a person who is entitled at the time of his death to receive payments in respect of a retirement pension (or would have been so entitled apart from regulation H6 or Part I of Schedule D5) shall be taken to be the retirement pension that would have been payable on the assumption that no payment under regulation H6 had been made and on the relevant assumptions (within the meaning of regulation G3(5)).

(4) In a case where a children's short-term pension is payable under regulation G7, the children's long-term pension does not become payable until the expiry of the period in respect of which that pension is payable under that regulation (or would be so payable if it were not for payment being suspended under regulation G8(2)).

Pensioner's children's short-term pension

G7.—(1) Subject to regulation G8(2), where a person who—

- (a) was entitled to receive payments in respect of a retirement pension (other than a pension sole entitlement to which is under regulation D17 or a pension under regulation D19), or
- (b) would have been so entitled but for a payment under regulation H6 (commutation in exceptional circumstances of ill-health) or the operation of Part I of Schedule D5 (re-employed pensioners),

dies leaving one or more eligible children, they are entitled to or to the benefit of a children's short-term pension for 6 months after the death.

Status: This is the original version (as it was originally made).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

(2) Subject to regulation G8(1), the annual rate of a children's short-term pension is the rate at which a surviving spouse's short-term pension would have been payable by virtue of regulation F4 (but, in a case where there is a widower, disregarding regulation F8(2)).