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STATUTORY INSTRUMENTS

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**1995 No. 1019**

**The Local Government Pension Scheme Regulations 1995**

**PART G**

**CHILDREN'S PENSIONS**

*Preliminary*

**Meaning of “Child”**

- G1.** For the purposes of these regulations “child” means a person who—
- (a) has not attained the age of 17 years,
  - (b) has attained that age and has since been—
    - (i) receiving full-time education, or
    - (ii) undergoing a full-time course of training of not less than 2 year’s duration for a trade, profession or vocation, either continuously or continuously with the exception of a period which the appropriate administering authority have in their discretion decided to disregard (on being satisfied that his education or training ought not to be regarded as completed), or
  - (c) has attained that age and is incapacitated by reason of ill-health or infirmity of mind or body which arose either—
    - (i) before he attained that age, or
    - (ii) while receiving such full-time education or training, or
    - (iii) during a period which the authority have decided to disregard under paragraph (b).

**Meaning of “eligible child”**

**G2.—(1)** For the purposes of these regulations a child is an eligible child of a deceased person who was in a local government employment when he died and was then a member or a former member, if he is—

- (a) the deceased’s legitimate or adopted child,
- (b) the deceased’s step-child or illegitimate child,
- (c) an adopted child of a person who has been married to the deceased, or
- (d) a child accepted by the deceased as a member of the family,

and, in the case of a child within paragraph (b), (c) or (d), is wholly or mainly dependent on the deceased at the time of his death.

(2) For the purposes of these regulations a child is an eligible child of a person who has died after becoming entitled to a retirement pension if—

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**Status:** This is the original version (as it was originally made).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

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- (a) he is a legitimate child of a marriage of the deceased which took place before the date on which he became entitled to the pension, and was born before the first anniversary of that date, or
- (b) he is a child adopted by the deceased before he became entitled to the pension, or
- (c) he is a child who was wholly or mainly dependent on the deceased both before he became entitled to the retirement pension and at the time of his death and is—
  - (i) the deceased's step-child or illegitimate child,
  - (ii) an adopted child of a person who married the deceased before he became entitled to the pension, or
  - (iii) a child accepted by the deceased as a member of the family.