
STATUTORY INSTRUMENTS

1995 No. 1019

The Local Government Pension Scheme Regulations 1995

PART C

MEMBERS' CONTRIBUTIONS

Additional payments to improve benefits

Payments to increase widower's pension by counting membership before 6th April 1988

C14.—(1) Subject to the following provisions of this regulation, a member who—

- (a) is a married woman,
- (b) is entitled to count a period of membership before 6th April 1988, and
- (c) was not a member on 27th July 1989 or has not been a member continuously since that date,

may, by notice in writing given to the appropriate administering authority, elect to make additional periodical payments in order to count all or part of her period of membership before 6th April 1988 as membership for the purposes of calculating a widower's pension in accordance with regulation F8(2)(b)(iii).

(2) A notice under paragraph (1) shall specify whether it relates to the whole or only a specified part of the woman's period of membership which is membership—

- (a) before 1st April 1972, or
- (b) after 31st March 1972 but before 6th April 1988, or is treated as being such membership for the purposes of paragraph 3(2) of Schedule D2 (reduction in standard retirement grant on account of contingent spouse's pension).

(3) A notice under paragraph (1) may not be given in respect of a period of less than one year unless—

- (a) the whole of the woman's period of membership before 6th April 1988, or
- (b) where she has previously given a notice in respect of part of that membership, the remainder of it,

amounts to less than one year.

(4) Notice under paragraph (1) may be given by a member on more than one occasion but, unless the appropriate administering authority otherwise agree, it shall be given before the expiry of the period of 12 months beginning—

- (a) with the date of any marriage or re-marriage, or
- (b) if her husband becomes permanently incapacitated by reason of ill-health or infirmity of mind or body and wholly or mainly dependent on her, with the date on which a medical certificate to that effect is received by the appropriate administering authority.

Status: This is the original version (as it was originally made).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

(5) For the purposes of paragraph (1)(c), the reference to a woman having been a member continuously includes a reference to a woman who, having ceased to be a member became or becomes a member again—

- (a) within one month of so ceasing, or
- (b) within one month of returning to work in accordance with section 39 or 41 of the Employment Protection (Consolidation) Act 1978⁽¹⁾ (which confer the right to return to work following pregnancy or confinement).

⁽¹⁾ 1978 c. 44; sections 39 and 41 were substituted by the Trade Union Reform and Employment Rights Act 1993 (c. 19), section 23, Schedule 2.