

## SCHEDULE

### *Benefit limits*

## PART III

### *Dependants' pensions*

**14.**—(1) The annual rate of a dependant's pension under these Regulations, or where more than one such pension is payable the total of their annual rates, must not be such as to cause the total of the annual rates of the relevant benefits to exceed the permitted amount.

(2) Where only one dependant's pension is payable, the relevant benefits are—

- (a) that pension;
- (b) any similar pension payable to the dependant under the 1995 Regulations or under a free-standing additional voluntary contributions scheme to which contributions were paid while the participator was in pensionable employment;

and the permitted amount is 2/3rds of the maximum retirement pension.

(3) Where two or more dependants' pensions are payable, the relevant benefits are—

- (a) those pensions;
- (b) any similar pensions payable as mentioned in sub-paragraph (2)(b);

and the permitted amount is the annual rate of the maximum retirement pension:

Provided that for each dependant's pension the relevant benefits shall not exceed the permitted amount specified in sub-paragraph (2).

(4) Subject to sub-paragraph (5), the maximum retirement pension is the participator's permitted amount calculated in accordance with paragraphs 8 to 13 but disregarding any retained benefits.

(5) In calculating the maximum retirement pension—

- (a) if the participator died in pensionable employment and had not attained the age of 60, it is to be assumed that he continued in pensionable employment at the same salary up to, and retired on, his 60th birthday, and
- (b) if the participator died in pensionable employment and had attained the age of 60, it is to be assumed that he retired on the day before death.