

SCHEDULE 1

ARRANGEMENT OF RULES

PART E

DEATH BENEFITS

General Provisions

E.25 Provisional awards of children's pensions: later adjustments

(1) This rule applies where after the death of an active member, a deferred member or a pensioner member—

(a) a pension is paid in respect of one or more persons under this Part on the basis that they were eligible children at the date of the member's death and that there were then no other eligible children, and

(b) subsequently it appears—

(i) that a person in respect of whom such a pension has been paid was not then an eligible child, or

(ii) that a further person was then an eligible child, or

(iii) that a child who was born after the member's death is an eligible child.

(2) The Secretary of State may make such adjustments in the amount of the pensions payable in respect of the children in question as are required in view of the facts as they subsequently appear.

(3) Paragraph (2) does not affect the Secretary of State's right to recover a payment or overpayment in any case where he considers it appropriate to do so.