
STATUTORY INSTRUMENTS

2008 No. 239

**The Local Government Pension Scheme
(Administration) Regulations 2008**

PART 5

PAYMENT OF BENEFITS ETC

Commencement of pensions

50.—(1) The first period for which any retirement pension which is payable immediately on a member leaving any employment is payable begins with the day after the date on which his employment ends.

(2) In the case of a member who leaves local government employment and is not entitled to immediate payment of retirement pension under any of regulations 16 to 20 of the Benefits Regulations and does not make a choice under regulation 30 of those Regulations (choice of early payment of pension), the first period for which any retirement pension is payable begins, unless he asks by notice in writing to his administering authority to defer payment, with his 65th birthday (but any such deferral shall not extend beyond the day before his 75th birthday).

(3) The first period for which any retirement pension under regulation 30 of the Benefits Regulations is payable begins with the day on which the member chooses under paragraph (1) of that regulation.

(4) The first period for which any retirement pension under regulation 31 (early payment of pension: ill-health) of the Benefits Regulations is payable begins on the date when the member became permanently incapable as determined under regulation 31 of those Regulations.

(5) The first period for which any survivor's benefits are payable under regulation 24 (survivor benefits: active members), 27 (children's pensions), 33 (survivor benefits: deferred members), 34 (children's pensions: deferred members), 36 (survivor benefits: pensioners) or 37 (children's pensions: pensioner members) of the Benefits Regulations on the death of a member begins with the day after the date on which he dies.

(6) A person who is entitled to a retirement pension under regulation 16 (retirement benefits) or 17 (retirement after normal retirement date) of the Benefits Regulations may choose to defer payment until a date no later than the day before his 75th birthday.

(7) He must notify his appropriate administering authority in writing of his choice of date and such notice must be given not less than three months before the beginning of the first period for which the benefit would otherwise be payable.

(8) A person may by notice in writing to his administering authority alter the date specified in a notice referred to in paragraph (7) or in any subsequent notice under this paragraph but any such subsequent notice must be given not less than three months before the date specified in the preceding notice in order for the change of payment date to take effect.