
STATUTORY INSTRUMENTS

2011 No. 731

The Pension Protection Fund (Pension Compensation Sharing and Attachment on Divorce etc) Regulations 2011

PART 7

Compensation for survivors

Compensation payable in the case of relevant partners and surviving dependants

22.—(1) This regulation applies where the transferee—

- (a) was before death entitled to present or future payment of periodic compensation calculated in accordance with paragraph 4 or 6 of Schedule 5 to the Act; or
- (b) would have become so entitled had they not died before the Board discharged liability for a pension compensation credit.

(2) Subject to paragraph (4), a relevant partner is entitled to periodic compensation in the circumstances prescribed in paragraph (3).

(3) The circumstances are where there is provision to pay a survivor's pension to a relevant partner under the admissible rules of the scheme (whether discretionary or otherwise); and—

- (a) the transferee—
 - (i) has supplied the Board with a valid nomination in favour of the relevant partner; and
 - (ii) the relevant partner has demonstrated to the satisfaction of the Board that they were living with the transferee at the date of the transferee's death; or
- (b) where the transferee has not supplied the Board with a valid nomination in accordance with sub-paragraph (a)(i), the relevant partner supplies evidence to the satisfaction of the Board that, at the date of the transferee's death, they were—
 - (i) financially dependent, or interdependent, on the transferee; and
 - (ii) living with the transferee.

(4) No compensation may be paid under paragraph (2) where the transferee had a civil partner or a spouse at the date of the transferee's death and there is no valid nomination in favour of the relevant partner.

(5) A surviving dependant is entitled to periodic compensation in the circumstances prescribed in paragraph (6).

(6) In the case of a surviving dependant, the circumstances are where there is supplied to the Board—

- (a) in the case of a natural child of the transferee, a birth certificate or other evidence demonstrating to the satisfaction of the Board that they are the natural child of the transferee;
- (b) in the case of an adopted child of the transferee, the adoption certificate demonstrating that they are the adopted child of the transferee; or

Changes to legislation: *There are currently no known outstanding effects for the The Pension Protection Fund (Pension Compensation Sharing and Attachment on Divorce etc) Regulations 2011, Section 22. (See end of Document for details)*

- (c) in the case of any other surviving dependant, evidence demonstrating to the satisfaction of the Board that they are a dependant of the transferee.

Changes to legislation:

There are currently no known outstanding effects for the The Pension Protection Fund (Pension Compensation Sharing and Attachment on Divorce etc) Regulations 2011, Section 22.