
STATUTORY INSTRUMENTS

2014 No. 1964

**The Public Service (Civil Servants and
Others) Pensions Regulations 2014**

PART 6

Retirement benefits

CHAPTER 6

Allocation of part of pension

Restriction on total amount of pension that may be allocated

87.—(1) The sum of the following must not exceed an amount equal to the annual rate of retirement pension that would be payable to the member (P)—

- (a) the total amount of retirement pension allocated under this regulation (“total allocation amount”); and
 - (b) the annual rate of surviving adult’s pension that would be payable on P’s death.
- (2) In determining whether the restriction in paragraph (1) is met, it is assumed that—
- (a) P will have become a pensioner member before P’s death;
 - (b) P will exercise the commutation option so as to exchange for a lump sum the maximum amount possible of the whole of P’s accrued pensions;
 - (c) P’s spouse or civil partner status will not change before P dies;
 - (d) all of P’s beneficiaries will survive P; and
 - (e) any beneficiary who would have been P’s dependant for the purposes of paragraph 15(2) or (3) of Schedule 28 (registered pension schemes: authorised pensions – supplementary) to FA 2004(1) will be such a dependant when P dies.

(3) If at the time an allocation election is made it would result in the restriction in paragraph (1) not being met, the scheme manager may treat the election (or each of the elections) as allocating a smaller amount that would result in the election (or the elections taken together) complying.