
STATUTORY INSTRUMENTS

2019 No. 1449

**The Local Government Pension Scheme
(Amendment) Regulations 2019**

Amendment of the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014

2.—(1) Regulation 17 of the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014⁽¹⁾ (survivor benefits) is amended in accordance with paragraphs (2) to (6).

(2) In paragraph (9)(c), for “surviving civil partner”, substitute “surviving same-sex civil partner”.

(3) After paragraph (9)(c), insert—

“(ca) any calculation of the survivor pension payable under the Earlier Regulations to a person who is the surviving opposite-sex civil partner of a member is to be on the basis that the survivor is a widow or widower, depending on their sex;”.

(4) After paragraph (11)(d), insert—

“, or

(e) the male survivor of a female—

- (i) deferred member,
- (ii) deferred pensioner member, or
- (iii) pensioner member,

where the survivor was in an opposite-sex civil partnership with the member which was formed after the member’s active membership ceased.”.

(5) In paragraph (12)—

(a) in paragraph (a), for “civil partnership”, substitute “same-sex civil partnership”;

(b) after paragraph (b), insert—

“, or

(c) a male deferred member, deferred pensioner member or pensioner member enters into an opposite-sex civil partnership and dies leaving a female survivor.”.

(6) For paragraph (17), substitute—

“(17) In this regulation—

“opposite-sex civil partnership” means a civil partnership formed between two persons who are not of the same sex;

“same-sex civil partnership” means a civil partnership formed between two persons who are of the same sex;

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“surviving same-sex civil partner of a member” means a person who, at the time of a member’s death, was in a civil partnership with the member and was of the same sex as the member;

“surviving opposite-sex civil partner of a member” means a person who, at the time of a member’s death, was in a civil partnership with the member and was of the opposite sex to the member; and

“surviving spouse of a same sex marriage with a member” means a person who, at the time of a member’s death, was married to the member and was of the same sex as the member.”.