

---

STATUTORY INSTRUMENTS

---

**2023 No. 972**

**The Local Government Pension Scheme  
(Amendment) (No. 3) Regulations 2023**

**PART 3**

Provision for certain classes of person

**Pensioner member death grants in respect of members who died before 1st October 2023**

7.—(1) This regulation applies to a person in category A, B or C—

- (a) who died before 1st October 2023; and
- (b) in respect of whom a death grant was calculated under regulation 46 of the 2013 Regulations before that date and paid, whether or not under that regulation.

(2) Where a final guarantee amount is to be paid in respect of the person under regulation 5(5) or (6), the death grant is to be recalculated in accordance with regulation 46 of the 2013 Regulations, with the final guarantee amount included in the amount the person would have been entitled to receive as retirement pension annually, but with any increase under regulation 4 excluded, for the purposes of the recalculation.

(3) Where the recalculated death grant exceeds the death grant that has already been paid in respect of the person, the difference is to be paid by the administering authority, without undue delay—

- (a) where there was a single recipient of the death grant, to that recipient; or
- (b) where there was more than one recipient, to those recipients in the same proportions as they were paid the death grant.