

Payments following death policy

Regulation References

There are a number of regulations which cover the payment of death grants. The 2013 regulations cover the CARE element of the benefits, with the earlier regulations and transitional provisions covering the final salary element of benefits.

The Local Government Pension Scheme Regulations 2013

17(12) – Discretion to pay AVC fund on death (where that AVC was taken out on or after 1 April 2014)

40 (2), 43 (2), 46 (2) – Discretion to pay death grants in respect of deceased active, deferred, pension credit and pensioner members

The appropriate administering authority may, at its absolute discretion, pay the death grant to or for the benefit of the member's nominee, personal representatives or any person appearing to the authority to have been a relative or dependent of the member.

82(2) - Whether to make payments due in respect of a deceased person to personal representatives or anyone appearing to be beneficially entitled to the estate without need for grant of probate / letters of administration where payment is less than amount specified in s6 of the Administration of Estates (Small Payments) Act 1965

Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007

23(2), 32(2), 35(2)

Local Government Pension Scheme Regulations 1997

155(4), 95, 38(1)

Local Government Pension Scheme Regulations 1995

E8

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

17(5) to (8)

The Local Government Pension Scheme (Administration) Regulations 2008

52(2)