

NHS Pensions - Civil Partnership Act – Employer FAQs

Q Why is the adult dependant's pension only based on membership from 6 April 1988 or the membership start date?

A The Civil Partnership (Contracted-Out Occupational and Appropriate Personal Pension Schemes) (Surviving Civil Partners) Order 2005, signed by authority of the Secretary of State for Work and Pensions, amended legislation applying to schemes that contracted out of the State Pension Scheme. This amendment requires that the NHS Pension Scheme, and other contracted out occupational pension schemes, must provide benefits for surviving civil partners based on the members contracted out rights accrued from 6 April 1988. The benefits provided are parallel to those provided for widowers and nominated qualifying partners.

Q Can extra cover be bought in respect of membership prior to 6 April 1988?

A There was a time-limited option for members of the Scheme, until 30 June 2009, to buy increased survivor pension cover for any membership before 6 April 1988; therefore, this is no longer an option.

Q Would a photocopy of the Civil Partnership certificate be acceptable?

A No. We must have sight of the original or a copy that has been certified by a Solicitor or a Commissioner of Oaths as a true copy of the original.

Q Are the dependent children of a Civil Partnership recognised for death benefit purposes?

A Yes.

Q Why is the adult dependant's pension withdrawn for some and not for others if they live with someone else as their partner?

A The Scheme contribution rates increased after 1 April 2008, resulting in improvements to dependents cover; therefore, if the deceased member's NHS Pension Scheme membership ended on or after 1 April 2008 then the adult dependant's pension continues to be payable if the surviving partner lives with someone else as their partner,

but if the deceased member's membership ended before 1 April 2008 then any adult dependant's pension would be withdrawn.

Q Can the adult dependant's pension be restarted at anytime?

A Possibly. If stopping payment of the adult dependant's pension causes **severe** financial hardship NHS Pensions may consider restarting the adult dependant's pension upon receipt of a written request.

Q If the member dies before retirement will the registered civil partner have automatic entitlement to the lump sum on death benefit?

A Yes, unless the member has nominated someone else to receive it.