

# STAFFORDSHIRE COUNTY PENSION FUND

## LOCAL GOVERNMENT PENSION SCHEME REGULATIONS 1997

### Regulation 38: Payment of lump sum death grant Deferred and pensioner members

#### POLICY OF STAFFORDSHIRE COUNTY COUNCIL

*If you are considering making a nomination in respect of your death grant  
you should have regard to the following:*

Although you may nominate any person as the potential recipient of your death grant, your nomination will not override the discretion of the County Council in making such a payment.

The discretion of the County Council is absolute.

The County Council's policy regarding payment of the death grant is as follows –

The death grant will be paid to the legal personal representatives of the deceased, as named in Grant of Probate or Letters of Administration, in all circumstances unless:

(a) there is a clear, effective and valid nomination by the Scheme member –

- made in writing, and
- which does not disclose any reason to believe that the nomination is otherwise than genuine and intended to have effect, and
- a nominee is not a minor or person incapable of managing his/her own affairs at the date of death of the Scheme member, and
- the Council are not aware at the date of death of the Scheme member of any circumstance which would lead the Council to believe that the nomination was otherwise than genuine and intended to have effect – the Council will, for example, consider a nomination to be “otherwise than genuine and intended to have effect” in all cases where, after the date of nomination, there is evidence that the Scheme member has married, formed a civil partnership, remarried, formed a subsequent civil partnership or that a marriage or civil partnership has ended in divorce or dissolution;

or

(b) the total sums payable in respect of the deceased under the Local Government Pension Scheme Regulations are £10,000 or less and, in the absence of there being a nomination acceptable to the Council, a Form of Application is completed satisfactorily so that the Council can identify a person or persons appearing to be beneficially entitled to the estate.