

**FALKIRK COUNCIL PENSION FUND  
LOCAL GOVERNMENT PENSION SCHEME**

**SURVIVOR'S PENSION - COHABITING PARTNER - NOMINATION FORM**

After completing this form, please print, sign and send it to:

**Pensions Section, PO Box 14882, Falkirk Council, Municipal Buildings, Falkirk FK1 5ZF**

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**Scheme Member details:**

Title:  First Name:  Surname:

Address:

Post Code:  Employer:

Date of Birth:  Marital Status:  NI No.:

Payroll No.:  Pension Ref. No.:

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**Partner of Scheme Member details:**

Title:  First Name:  Surname:

Date of Birth:  Marital Status:  NI No.:

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**Declaration**

I, the scheme member named above, confirm that I have read the explanatory notes overleaf and wish to nominate my partner named above as my cohabiting partner for the purposes of entitlement to a survivor's pension.

We, the scheme member and the cohabiting partner, confirm that all of the following conditions apply:

- we are free to marry each other or to enter into a civil partnership with each other;
- we have lived together as if we were husband and wife or registered civil partners **for a continuous period of at least 2 years;**
- during this time, neither of us has been living with someone else as if we were husband and wife or civil partners; and
- our financial affairs have been interdependent (or the nominated cohabiting partner has been financially dependent on the scheme member) **for a continuous period of at least 2 years.**

We acknowledge that before any partner's pension can be put into payment, Falkirk Council will require documentary evidence to confirm that the above conditions have been met.

Signature of Scheme Member \_\_\_\_\_

Dated \_\_\_\_\_

Signature of Partner \_\_\_\_\_

Dated \_\_\_\_\_

## EXPLANATORY NOTES

### BACKGROUND

When a member of the Local Government Pension Scheme (LGPS) dies, the benefits payable can include a lump sum death benefit as well as pensions for a surviving spouse or civil partner and children. If the scheme member has paid into the LGPS on or after 1st April 2009 then the death benefits can include a survivor's pension to be paid to the surviving partner of the deceased. A survivor's pension however, can only be paid if the partner has previously been nominated by the scheme member as his or her nominated cohabiting partner.

So, if you are **not** married and **not** in a civil partnership but you **are** living with a partner, fill in the details requested overleaf to nominate them so that they will have an opportunity of getting a pension if you die before them.

**Do not fill in this form if you are already married or in a civil partnership** - in either case a pension would be payable to your spouse or civil partner should you die before them.

### CONDITIONS TO BE MET BEFORE A NOMINATION CAN BE MADE

In order to make a valid nomination, all of the following conditions must apply to you and your partner:

- a) you and your partner are free to marry or to enter into a civil partnership with each other;
- b) you and your partner have been living together as if you were husband and wife or civil partners **for a continuous period of at least 2 years**;
- c) during this time, neither you nor your partner has been living with someone else as if you were married or in a civil partnership; and
- d) either your partner is financially dependent on you or you are financially interdependent on each other and this has been the case **for a continuous period of at least 2 years**.

### MEANING OF "FINANCIALLY DEPENDENT" AND "INTERDEPENDENT"

"Financially dependent" means that your partner will be deemed financially dependent on you if you have the higher income.

"Financially interdependent" means that you rely on your joint finances to support your standard of living. It doesn't mean that you necessarily contribute equally. During your relationship, you and your partner should keep evidence of your financial interdependence so that this can be produced to support any claim for a survivor's pension.

### IN WHAT CIRCUMSTANCES WILL MY PARTNER GET A PENSION

A survivor's pension will be paid to your partner on your death if your partner satisfies the Council that the conditions met in making that nomination have remained in place until your death.

Failure to complete a nomination does not mean that a partner's pension will not be payable, however, making a nomination will make any assessment of whether a partner's pension can be paid more straightforward.

You and your partner should be aware that on your death the Council will have to verify that the conditions for paying the survivor's pension have been satisfied. We may do this, for example, by asking for evidence that you lived in your shared household with shared household spending, and your partner may be asked to demonstrate that you had a bank account or mortgage in joint names. There would be a right of appeal if the Council decided not to pay a pension and your partner believed that he/she had an entitlement.

### FINAL POINTS FOR CONSIDERATION

Please remember to let us know of any change in your circumstances, which could affect the nomination, for example, you are no longer cohabiting with your nominated partner, your relationship ends, you get married etc.

### LUMP SUM DEATH BENEFIT

The LGPS provides for the payment of a lump sum death benefit on the death of a scheme member. As a scheme member you can nominate a person or persons to receive that benefit on your death and Falkirk Council may, at its discretion, take your wishes into account when deciding who should receive the payment. **A separate nomination is needed for this** and a form is available on the web site or by contacting Pensions on 01324 506329.

*For further information, contact the Pensions Section on 01324 506329*