

REGISTERING A COHABITING PARTNER FOR SURVIVOR'S PENSION EXPLANATORY NOTES

Benefits payable on the death of a member of the Local Government Pension Scheme (LGPS) include pensions for children, for a surviving spouse or registered civil partner¹ and, provided the scheme member paid into the LGPS on or after 1 April 2008, for a registered cohabiting partner.

You can register a cohabiting partner, of either opposite or same sex, by completing the registration form and returning it to the address shown on the form.

However, to be able to register a cohabiting partner, all of the following conditions must have applied to both of you for a continuous period of at least 2 years on the date you both sign the registration form:

- both you and your cohabiting partner are, and have been, free to marry each other or enter into a civil partnership with each other, and
- you and your cohabiting partner have been living together as if you were husband and wife, or civil partners, and
- neither you or your cohabiting partner have been living with someone else as if you/they were husband and wife or civil partners, and
- either your cohabiting partner is financially dependent on you or you are financially interdependent on each other.

The registration is not valid if all of the above conditions have not been met for a continuous period of at least 2 years on the date you sign the form.

Your partner is financially dependent on you if you have the highest income. Financially interdependent means that you rely on your joint finances to support your standard of living. It doesn't mean that you need to be contributing equally. For example, if your partner's income is a lot more than yours, he or she may pay the mortgage and most of the bills, and you may pay for the weekly shopping.

On your death, a survivor's pension would be paid to your cohabiting partner if:

- the registration has effect² at the date of your death, and
- your cohabiting partner satisfies us that the above conditions had also been met for a continuous period of at least 2 years immediately prior to your death.

You and your cohabiting partner should be aware that on your death we will have to verify that the conditions for paying a survivor's pension have been satisfied. We may do this by, for example, asking for confirmation that you lived in a shared household with shared household spending, or 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 we decide not to pay a pension and your partner believes that he/she has entitlement.

Completing and returning a form is important as we cannot pay a pension to a cohabiting partner if we do not have a valid registration form.

If you are married or are in a registered civil partnership do not complete a survivor's pension registration form for your husband, wife or registered civil partner – they are automatically covered for a survivor benefit in the event of your death.

Remember to let us know of a change in your circumstances which could affect the registration, or if you wish to cancel it.

Data Protection - Please note that under the Data Protection Act 1998 personal information contained on this form will be held on computer files and/or relevant filing systems for the purpose of administering the Local Government Pension Scheme. This information will only be shared with third parties for the purpose of providing the appropriate service or meeting legislative requirements; in particular information will if requested be shared in connection with the government's National Fraud Initiative.

¹ A civil partnership is a relationship between two people of the same sex ("civil partners") which is formed when they legally register as civil partners of each other.

² A registration ceases to have effect if-

- (a) either you or your co-habiting partner gives us written notice to cancel the registration, or
- (b) you make a subsequent valid registration in favour of a new co-habiting partner, or
- (c) either you or your co-habiting partner marries, forms a civil partnership or lives with a third person as if they were husband and wife or as if they were civil partners, or
- (d) your cohabiting partner dies before you.

Registration of cohabiting partner for survivor's pension

First read the accompanying notes. If you wish to proceed, use BLOCK CAPITALS to give details about yourself and your partner as requested below.

When completed, the completed form should be returned to:
Wiltshire Pension Fund, County Hall, Trowbridge, Wiltshire BA14 8JN

IMPORTANT: THIS FORM IS NOT A WILL. Although the Wiltshire Pension Fund would attempt to comply with your wishes, we have absolute discretion in deciding whether your cohabiting is eligible to receive a survivor's pension.

YOUR DETAILS

Surname:.....**Date of birth:**.....

Forenames:.....**Title:**.....

National Insurance No:.....**Tel:**.....

Address with postcode:.....

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Employer:..... **Employee payroll No:**.....

COHABITING PARTNER'S DETAILS

Surname:.....**Date of birth:**.....

Forenames:.....**Title:**.....

National Insurance No:.....**Tel:**.....

Address with postcode:.....

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You and your cohabiting partner should also complete the declaration below.

We confirm that for a continuous period of at least 2 years prior to the date of this declaration all of the following have applied –

- we have been free to marry each other or enter into a civil partnership with each other, and,
- we have lived together as if we were husband and wife or registered civil partners¹, and
- neither of us have been living with someone else as if we were husband and wife or civil partners, and
- our financial affairs have been interdependent (or the cohabiting partner has been financially dependent upon the Scheme member).

Scheme member's signature:

Date:

Cohabiting partner's signature:

Date:

Please note: on your death we will need to be satisfied that your relationship met the qualifying conditions for the payment of a cohabiting partner's pension.

¹ For these purposes, two people of the same sex are to be regarded as living together as if they were civil partners if they would be regarded as living together as husband and wife if they were not of the same sex.