



## **SPOUSE/PARTNER PENSIONS IF THE MEMBER DIES IN RETIREMENT**

### **Which scheme will pay the pension?**

There are currently three pension schemes to which members of the Regular Armed Forces can belong:

- AFPS 75 for those who joined before 6 April 2005;
- AFPS 05 for those who joined on or after 6 April 2005, or who chose to transfer to it as part of the Offer To Transfer in 2006; or
- AFPS 15 for those who joined on or after 1 April 2015.

Members of AFPS 75 or AFPS 05 who were over age 48 on 1 April 2015 remained on those schemes: everybody else was transferred to AFPS 15 with protected benefits in their 'old' scheme. This means that the majority of members will have benefits in more than one scheme and, if the deceased had benefits in more than one scheme, the spouse/partner may have too.

### **What happens when a member dies in retirement?**

When Veterans UK are notified of the death of a member they send a form to the person who notified them asking about family members who might be eligible for pension benefits. If the dependant is a spouse or civil partner Veterans UK will require documentation to prove a marriage or civil partnership. If the dependant is an unmarried partner ('an eligible partner') the eligibility test is more involved – but more of that later.

### **AFPS 75 Spouse/Civil Partner Benefits**

**AFPS 75** only pays pensions to the spouse or civil partner of the member and, since 1 April 2015 these are now paid for life, regardless of any subsequent marriage or relationship. Note that a civil partnership does not mean 'the person you live with', it is a formal alternative to marriage. People who are not married or in a civil partnership will get nothing under AFPS 75.

If the member dies with his or her pension in payment the pension is paid in two stages. First is the Short Term Family Pension (STFP). This means the family receives the member's full pension in the immediate aftermath of the member's death for 91 days if there were no eligible children or 182 days if there were. After the STFP the spouse/civil partner pension reduces to 50% of the member's entitlement and this pension is payable for life.

When the member dies with a preserved AFPS 75 pension (that is a pension not yet in payment), the spouse or civil partner entitlement is 50% of the member's pension entitlement (so, no STFP entitlement). The member's preserved benefits would include a lump sum of three times the pension and it is paid, automatically, to the spouse or civil partner. If there is no spouse or civil partner, the lump sum is paid to the children. If there are none, it is paid into the deceased's estate.



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## **AFPS 05 and AFPS 15 Spouse/Partner Benefits**

**AFPS 05 and AFPS 15** pay adult pensions to the member's spouse, civil partner or eligible partner, and these pensions are payable for life. An eligible partner is an unmarried partner of either sex, who lives with the member and can demonstrate financial dependence or interdependence. Examples of the sort of financial evidence that Veterans UK will be looking for could include:

- A joint bank account,
- A joint rent book,
- Evidence of bill sharing, or
- A will which names the unmarried partner as the beneficiary.

This list is not exhaustive and there is something the member can do to help Veterans UK make their decision. Submitting an AFPS Form 2, nominating the partner as the recipient of any lump sums due from the pension scheme in the event of the member's death, provides clear evidence of the member's intention to make longer-term financial provision for the partner. (Please see AFF Pensions Leaflet 5 – Lump Sums on Death and Nomination.)

AFPS 05 adult pensions are **normally** 62.5% of the member's pension entitlement – for members with more than 37.33 years' reckonable service, it would be slightly less. AFPS 15 adult pensions are **always** 62.5% of the member's pension entitlement.

If the member dies within five years of his or her AFPS 05 or AFPS 15 pension being in payment, Veterans UK will work out how much five years' pension is worth, subtract the amount of pension and lump sum which have been paid, and pay any balance to the spouse, civil partner, eligible partner or the deceased's estate.

If the member dies with a preserved AFPS 05 pension, part of the entitlement is a lump sum of three times the pension. This will be paid to whomsoever the member has nominated. (See AFF Pensions Leaflet 5.)

If the member dies with a deferred AFPS 15 pension (the pension is not yet in payment) the nominee will receive a lump sum of three times the pension.

### **Where can I get more information?**

MOD Booklets:

Armed Forces Pension Scheme 1975 Family Benefits

Armed Forces Pension Scheme 2005: Family Benefits

The Armed Forces Pension Scheme 2015 Your Pension Scheme Explained

Veterans UK/DBS website:

<https://www.gov.uk/government/organisations/veterans-uk>

AFF Pensions Leaflet 5 – Lump sums on Death and Nomination