

## Making a Partner Nomination Premium/Classic Plus and Nuvos Schemes

### Q Will my partner get a pension?

- A The scheme rules provide for a partner's pension if:
- you have nominated your partner and, together, you complete a joint declaration of partnership; and
  - at the time of your death:
    - you and your partner were living together in an exclusive committed long-term relationship;
    - you and your partner were free to marry or enter into a civil partnership; and
    - either your partner was financially dependent on you or the two of you were financially interdependent

### Q How do I nominate my partner?

- A You and your partner must fill in and sign the attached declaration form and send it to JSS.

The declaration is very important. A partner's pension cannot be paid without one.

You should both be aware that, after your death, your partner will need to provide information to JSS to support his or her claim to a partner's pension. Don't get too worried about this.

If, over the years, you continue to be able to sign up to all the statements on the declaration, your partner should receive a pension when you die.

### Q What's meant by an 'exclusive committed long-term' relationship?

- A We only expect to pay a pension if you are in a permanent relationship with just one person. After your death, JSS will not want to pry into your or your partner's personal life to try to 'disprove' your partner's eligibility for a pension but will need to be satisfied that there was a strong bond between you.

As a general rule, you should interpret 'long-term' as meaning 'at least two years'. Following your death, JSS will consider your case individually and take account of anything that supports the claim that you and your partner had a permanent relationship. As long as you consider that your relationship is permanent, you should not let the fact that you and your partner have been together for less than two years stop you from filling in a declaration form.

### Q What's meant by 'free to marry'?

- A Obviously neither of you can be married to anyone else. Annex A includes a list of relationships which are too close to allow a marriage.

### Q I'm waiting for my divorce to come through - will my partner get a pension if I die in the meantime?

- A If you are married or in a civil partnership, the scheme will pay a pension to your surviving wife, husband or civil partner even if you no longer live with them. If you want your partner to receive a pension, you must both be legally free to marry or enter into a civil partnership when you make your nomination.

### Q What's meant by financial dependence and interdependence?

- A Under the HMRC's rules governing occupational pension schemes, your partner must be financially dependent on you or you must be financially interdependent. 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.

**Q** I don't really want my employer to know about my relationship.

**A** You send your declaration to JSS, not to your employer. The scheme is managed away from most scheme members' places of work. All pensions documentation and casework is handled in the strictest confidence and in line with data protection legislation. You do not have to worry as your declaration will be handled with appropriate confidentiality.

**Q** What if we split up?

**A** If your relationship comes to an end, it is important that you or your ex-partner (or both of you) tell JSS as soon as possible so that they can cancel your declaration. If you enter into a new permanent relationship, you may want to make a new partner declaration at some time in the future

**Q** Should I make a will?

**A** If you want to leave anything to your partner, you should consider making a will. If you die without a will ('intestate'), your property will not automatically go to your partner. Although your partner may eventually be provided for, he or she would have to go through the ordeal of applying to court and possibly fighting against claims from family members.

You can draw up a will without using a solicitor but you should consider getting legal advice, particularly if your financial affairs are complicated.

**Q** Should I think about a power of attorney?

**A** If you are not able to make decisions about matters, your partner will not normally be allowed to make decisions on your behalf unless you have given him or her the right to do so under a legal agreement known as a power of attorney. You should get legal advice if you are considering drawing up a power of attorney.

**Q** How does the process of making a claim for a partner's pension work?

**A** When JSS hear of your death, they will contact your partner as recorded on your declaration. They will invite your partner to fill in a claim form and to provide information to support his

or her claim to a partner's pension. JSS are used to dealing with people who have recently lost someone and will handle matters sensitively.

Most people die several years into their retirement and your partner will be asked to supply information that is appropriate at the time of your death rather than at the date of your declaration. While we can outline the sort of supporting information that JSS might be looking for now, this is likely to change over the years to reflect changes in society. We cannot be definite about the sort of information your partner might be asked to provide at some time in the future after your death.

We will update this publication from time to time over the years, to reflect changes in guidance on supporting information. We strongly recommend that you keep yourself up to date. We will publicise new versions of JSS publications on our website at [www.jsspensions.org.uk](http://www.jsspensions.org.uk)

**Q** What sort of information might support my partner's claim?

- A** JSS will need to be satisfied that you met the conditions that are set out in the scheme rules. When you die, you and your partner should be:
- living together in an exclusive committed long-term relationship;
  - free to marry or enter into a civil partnership; and
  - financially interdependent (or your partner was financially dependent on you).

JSS will ask some straightforward questions about you and your partner. These will be to confirm that neither of you were married or in a civil partnership and that the pair of you were not too closely related. The answers will also help JSS build up a factual picture of your relationship. JSS will also invite your partner to provide supporting information.

There are many possible forms of supporting information and, because everyone is different, we do not want to restrict you by having a definite list.

Examples of supporting information might include:

- confirmation that you lived in a shared household;
- confirmation of shared household spending;
- children you bring up together;
- shared bank accounts or investments;
- a loan or mortgage in joint names;
- wills naming each other as the main beneficiary;
- a mutual power of attorney;
- your partner being nominated as the main beneficiary of life assurance; and
- your death leading to extra living expenses for your partner.

Remember that these are just examples and your case will be considered individually. JSS may be able to help your partner if they are stuck for things to put forward.

**Q** Do I have to own a house or flat with my partner?

- A** Most people in a permanent relationship will probably have either owned or rented property together, although this is not essential if your partner can support his or her claim in another way. But if you both maintain completely separate households and do not share each other's living expenses, it could be difficult for your partner to show financial dependence or interdependence.

If your circumstances force you to spend your final years away from home, for example, in residential nursing care, JSS will take account of your situation when you were living at home as well as at the time of your death.

**Q** Why don't married people and those in civil partnerships have to go through the same process?

- A** Marriage and civil partnerships give people rights and responsibilities, including certain rights over each other's property. If people either cannot marry or choose not to marry JSS needs to be satisfied that the relationship is - apart from the marriage or civil partnership certificate - not very different from a marriage or civil partnership.

**Can my partner appeal if they are turned down for a pension?**

If your partner thinks they have been turned down without a good reason, they may ask for their case to be reconsidered under the Internal Dispute Resolution process. A leaflet 'Internal Dispute Resolution' is available from JSS.

**How can I contact JSS?**

Write to JSS at:  
Polaris House  
North Star Avenue  
Swindon SN2 IUY  
or, look under 'Contact us' on the JSS website at <http://jsspensions.nerc.ac.uk/contact.asp>

## Annex A

### Guide to relationships that are not allowed to marry in the UK

**Note:** This list is based on the statutory list in the Marriage Act 1949, (section 1, schedule 1) and applies to England and Wales. Slightly different restrictions apply in Scotland. The statutory list may change so the following list is only a guide.

<p><b>Part 1</b></p> <p><b>A man may not marry his:</b></p> <ul style="list-style-type: none"> <li>• mother, adoptive mother, former adoptive mother;</li> <li>• daughter, adoptive daughter, former adoptive daughter;</li> <li>• grandmother;</li> <li>• granddaughter;</li> <li>• sister;</li> <li>• aunt; or</li> <li>• niece.</li> </ul>	<p><b>Part 1</b></p> <p><b>A woman may not marry her:</b></p> <ul style="list-style-type: none"> <li>• father, adoptive father, former adoptive father;</li> <li>• son, adoptive son, former adoptive son:</li> <li>• grandfather;</li> <li>• grandson;</li> <li>• brother;</li> <li>• uncle; or</li> <li>• nephew.</li> </ul>
<p><b>Part 2</b></p> <p><b>A man may not marry any of the following female relations unless:</b></p> <ul style="list-style-type: none"> <li>• both he and the woman have reached 21; and</li> <li>• the younger person has never been treated as a child of the family of the older person before age 18.</li> <li>• The daughter of an ex-wife</li> <li>• The ex-wife of their father</li> <li>• The ex-wife of a grandfather</li> <li>• The granddaughter of an ex-wife</li> </ul>	<p><b>Part 2</b></p> <p><b>A woman may not marry any of the following male relations unless:</b></p> <ul style="list-style-type: none"> <li>• both she and the man have reached 21; and</li> <li>• the younger person has never been treated as a child or the family of the older person before age 18.</li> <li>• The son of an ex-husband</li> <li>• The ex-husband of their mother</li> <li>• The ex-husband of a grandmother</li> <li>• The grandson of an ex-husband</li> </ul>
<p><b>Part 3</b></p> <p><b>A man cannot marry:</b></p> <ul style="list-style-type: none"> <li>• the mother of his ex-wife unless both the ex-wife and the ex-wife's father are dead: or</li> <li>• the ex-wife of his son unless both the son and the son's mother are dead.</li> <li>• In either case, both people must be 21 or over.</li> </ul>	<p><b>Part 3</b></p> <p><b>A woman cannot marry:</b></p> <ul style="list-style-type: none"> <li>• the father of her ex-husband unless both the ex-husband and the ex-husband's mother are dead: or</li> <li>• the ex-husband of her daughter unless both the daughter and the daughter's father are dead.</li> <li>• In either case, both people must be 21 or over.</li> </ul>

# Partner Declaration form

➔ Please fill in this form in **BLOCK CAPITALS**, and send it to JSS. JSS will acknowledge that they have received the form by returning a copy of it to you.

Scheme member's name

I nominate my partner named below to receive an adult dependant's pension payable under rule E 2 of Section I of the Pension Scheme

Scheme No.

Partner's full name including title

Address

Date of birth

Address

Postcode

Phone number

Postcode

Signature

Date

➔ We will only accept this nomination if both the scheme member and the partner make the declaration below.

## Declaration by scheme member and partner

- We confirm the following
  - We have lived together for  years, during which time our financial affairs have been interdependent (or the partner has been financially dependent on the scheme member).
  - We have a committed relationship with each other, and we intend to continue this indefinitely.
  - We are mutually responsible for each other's welfare.
  - We are not related in a way that will prevent marriage (please see the list in Annex A).
  - Neither of us is married to anyone else.
  - Neither of us is currently nominated as the partner of anyone else.
  - We will tell JSS if our relationship comes to an end.
  - We understand that benefits will not be paid unless the partner provides satisfactory evidence that the declaration above is valid when the scheme member dies.

Scheme member's signature

Date

Partner's signature

Date

## Witness

This must be someone other than the scheme member or partner.

Witness name

Address

Postcode

Signature of witness

Date

You should not rely on this nomination alone giving the partner entitlement to a pension. When the scheme member dies, JSS will need to be satisfied that your relationship continued to meet the qualifying conditions for the payment of a pension. Please read this scheme leaflet for more information.

## For JSS use

This nomination has been recorded.

Signature

Date

### Privacy Notice:

JSS has appropriate procedures in place to ensure your personal data and rights are protected. The personal information on this form is processed in accordance with the JSS Privacy Notice. For more information about how JSS manage your personal data, please visit our website <http://jsspensions.nerc.ac.uk/help/information.asp>