

SCHEDULE 10

Allocation of part of retirement pension

Part II

Procedure

2.—(1) A person who, with a view to making an allocation, gives the Department at least 4 months' notice of his intended retirement is referred to in this Schedule as a “retiring employee”.

(2) For the purposes of this Schedule a person’s relevant birthday is—

- (a) where retirement benefits become payable by virtue of regulation E4(3) (female early age retirement), her 55th; and
- (b) where retirement benefits become payable by virtue of regulation E4(7) (premature retirement), his 50th;
- (c) in any other case, his 60th.

3.—(1) Before delivering a declaration a person shall have given the Department written notice of his intention to make an allocation.

(2) The notice specified in sub-paragraph (1) shall be given—

- (a) in the case of a retiring employee, no later than his application for payment of retirement benefits; and
- (b) in any other case, no earlier than 4 months before the later of—
 - (i) the date on which the person becomes qualified for retirement benefits; and
 - (ii) his relevant birthday.

4.—(1) Before delivering a declaration a person shall also, at his own expense—

- (a) have satisfied the Department as to his health; and
- (b) have provided the Department with such information about the person for whose benefit the allocation is to be made, and verified it in such manner, as the Department may reasonably require.

(2) In order to satisfy the Department as to his health the person shall have been examined by a medical practitioner nominated by the Department; he may if he wishes be examined by a second such practitioner if the Department is not satisfied as a result of the first examination.

5.—(1) On receiving a notice under paragraph 3 the Department shall notify the person in writing of—

- (a) the amount or estimated amount of his retirement pension;
- (b) the name and address of any medical practitioner nominated under paragraph 4(2); and
- (c) the time within which any declaration is to be delivered.

(2) A declaration shall be delivered—

- (a) if the person is resident outside the United Kingdom, within 4 months; and
- (b) in any other case, within 3 months,

after receipt of the Department’s notification under sub-paragraph (1).

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(3) If the Department is satisfied as to the person's health, and with the information provided in accordance with paragraph 4(1)(b), it shall send him a suitable form on which to make the declaration.

(4) On the delivery to it of a declaration, the Department shall provide the person making it with written particulars of the alternative benefit.

6. A declaration, and any notice or other communication under this Part, may be sent by post.