

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 4

Additional Contributions for past period

Part I

Method A

1.—(1) In this Part—

“the contribution period” means the period specified under regulation C3(9)(c).

“the past period” means the period specified under regulation C3(9)(a);

“the principal election” means the election made under regulation C3(2);

(2) Any reference in this Part, in relation to a person who has spent any part of the contribution period in part-time employment, to a period which a person is entitled to count as reckonable service arising from the contribution period is a reference to a period calculated by applying the formula in regulation D1(2) to the contribution period.

(3) During any period for which a person is paying additional contributions for a current period under regulation C6 or C7, for the purposes of this Part—

(a) he shall be treated as being in full-time pensionable employment; and

(b) his contributable salary is the notional salary described in regulation C6(7) or, as the case may be, regulation C7(4).

2.—(1) contribution period shall be one of not less than one year, and begins on the first day of the month following the expiry of a period of one month from the date of acceptance of the election by the Department.

(2) The contribution period and the past period shall be such that

$$A + B$$

where—

A is the rate at which the additional contributions are payable; and

B is the rate at which he pays other contributions under Part C (except any treated for the purposes of regulation G2 as employer’s contributions) or towards the provision of a pension otherwise than under these Regulations.

3. Subject to paragraphs 4 and 5, the rate at which the additional contributions are payable is the percentage ascertained from Table 1 of his contributable salary for the time being.

TABLE 1

<i>Payment period (in years)</i>	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45									
<i>Age</i>	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70
<i>Payment period (in years)</i>	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70
<i>Age</i>	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70
<i>Payment period (in years)</i>	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70
<i>Age</i>	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Payment 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35
period
(in
years)
Age *payment percentage for each extra year bought in*

- 231 996784581822669230684661139292010130600059086827976737006866646260585756545352515049
- 241 99360467476216429028164503828191205000490868279767370068666462605957565545352515
- 251 990672767800602601079624937271911050990490868279767370068666462605957565545352
- 261 898644859640126239878614836271811050990490868279767370068666462615958575655453
- 271 895694852292723219676604736261811050990490868279767370168666463616058575655
- 281 892639744232321191575594635261811050990490868279767370169676563626059585757
- 291 7888747382920291894745946352618110509904908683797704701696765646261605958
- 301 7867479332689281793745946352618110500059087838077047027068666563626160
- 311 783624431425827179374594636261812050005918784807875703700686766646362
- 321 78138433146827179475604736271912060196028884817876737017068676665
- 331 7813843314682718957661483728201307019792888582797704702701706867
- 341 78160453227202019967761493829211408020793898683807705747027170
- 351 782637634282121209778625039302215080308049087848179770570472
- 361 78265793620232212987964514031231609049905918885828079775
- 371 782994238225242399806552413224171005000602898684828079
- 381 7847445412427252501826634233251812060207049188868482
- 391 7858089442729272602836754433421619130703990593908886
- 401 78685923689012928048469564535272014090400089059390
- 411 78789454961036129058670574637292216100603000795
- 421 78793952630462310787715847383023171209060300
- 431 7886842556606643308897360494032251915120805
- 441 7963465767086634109074615041332723181411
- 451 890684858690987361192766352433631262117
- 461 8916949607021693713937865544640342924
- 471 89069406132222039149579668750433832
- 481 890604263332422401697817061544741
- 491 8906143647425232218988575668851
- 501 89062436576272543290290807062
- 511 8956734077862582902508958474
- 521 9906247903734202721139987
- 531 99661674509442965282904
- 542010628821325508734525

<p>Payment period (in years)</p> <p>Age</p> <p>Payment percentage for each extra year bought in</p>	<p>4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45</p>
---	--

<p>5520188510383567282153</p> <p>56211568934630792891</p> <p>572213025975659240</p> <p>5823110686968206</p> <p>592312818775901</p> <p>602510868246</p> <p>6124128427</p> <p>622412219</p> <p>6323.66</p>	
--	--

4.—(1) At any time during the contribution period the person may, subject to paragraph 2, by giving written notice to the Department elect to shorten it or, if he has already made one or more such elections, to shorten it further.

(2) An election under this paragraph—

- (a) has effect only if the Department notifies the person in writing that it has been accepted; and
- (b) on acceptance, has effect as from the first day of the month following the date of its acceptance by the Department (“the effective date”).

(3) From the effective date Table 1 in paragraph 3 applies with the substitution—

- (a) for the person’s age at the date of the principal election, of his age at the date when notice of the election under this paragraph was given;
- (b) for the number of years in the contribution period, of the number of years after the effective date in the shortened period; and
- (c) for the number of years in the past period, there shall be substituted that number multiplied by

$$C \left(C \times \frac{D}{E} \right),$$

where—

C is the number of years in the past period;

D is the number of years in the contribution period up to the effective date; and

E is the number of years in the contribution period.

5.—(1) At any time during the contribution period the person may by giving written notice to the Department elect to reduce the rate at which the additional contributions are payable.

(2) An election under this paragraph shall specify whether the reduced rate is to be paid—

- (a) in respect of the balance of the contribution period, specified in the principal election, after the election under this paragraph has effect in accordance with sub-paragraph (3); or

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) for a particular period, specified in the election, extending beyond the contribution period during which additional contributions were to be paid in respect of the past period specified in the principal election.
- (3) An election under this paragraph—
 - (a) has effect only if the Department notifies the person in writing that it has been accepted; and
 - (b) on acceptance, has effect as from the first day of the month following the date of its acceptance by the Department.
- (4) Calculations relating to any change in the amount of reckonable service to which the person will become entitled, or to any change in the contribution period, resulting from an election under the paragraph shall be made on an actuarial basis.

6.—(1) Where—

- (a) the person is in pensionable employment at the end of the contribution period;
- (b) the principal election has not ceased to have effect under paragraph 7; and
- (c) at any time during the contribution period the person has been in part-time pensionable employment,

he may at any time before he becomes entitled to payment of retirement benefits by giving written notice to the Department elect to make an additional lump sum contribution determined in accordance with sub-paragraph (2) (so that paragraph 2 of Schedule 7 shall apply).

(2) The additional lump sum contribution referred to in this paragraph is such sum as would be payable under Part II in order to count as reckonable service a period equivalent to the difference between the length of reckonable service arising from the contribution period and the length of such service if the person had been in full-time employment throughout the contribution period.

7.—(1) Subject to sub-paragraph (2), if the person—

- (a) before the end of the contribution period ceases to be in pensionable employment; and
- (b) does not again enter pensionable employment within one month and before becoming entitled to retirement benefits,

the principal election ceases to have effect.

(2) Unless he receives a refund of contributions under regulation C9, he may—

- (a) if he became entitled to payment of retirement benefits on ceasing to hold his employment, on or after applying for them and before receiving a retirement lump sum; or
- (b) in any other case, within 3 months after the end of his employment,

by giving written notice to the Department make an election under paragraph 8 or 9.

(3) If the payment referred to in paragraph 8, or, as the case may be, paragraph 9 is not made within the period allowed in sub-paragraph (2) the election shall cease to have effect.

8.—(1) An election under this paragraph may be made when the person has been in full-time pensionable employment throughout the contribution period.

(2) An election under this paragraph is an election to complete the payment of additional contributions (so that paragraph 2 of Schedule 7 shall apply) by making a lump sum payment which shall be determined in accordance with sub-paragraph (3), (4) or (6) as the case may be.

(3) Where he had not attained the age of 60 when he ceased to hold his employment, the amount of the payment is, subject to sub-paragraph (4) and to paragraph 3 of Schedule 3, the actuarial

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

equivalent, when the employment ended, of the additional contributions that would have been payable for the remainder of the contribution period.

(4) Subject to sub-paragraph (5) where—

(a) when the person ceased to hold his employment he had become incapacitated and had not attained the age of 60; and

(b) he would have attained that age before the end of the contribution period,

the amount of the payment is, subject to paragraph 3 of Schedule 3, the actuarial equivalent, when the employment ended, of the additional contributions that would have been payable after he attained that age.

(5) Sub-paragraph (4) does not apply in a case where the declaration required by regulation C3(9) (d) was not made in good faith.

(6) Where the person had attained the age of 60 when he ceased to hold his employment, the amount of the payment is, subject to paragraph 3 of Schedule 3,

$$E \times F,$$

where—

E is the amount of the additional contributions for one year at the rate at which they were last payable; and

F is the multiplier ascertained from, or where the remainder of the contribution period is not an exact number of years, by extrapolation from Table 2.

TABLE 2

<i>Years remaining in contribution period</i>	<i>Multiplier</i>
1	0.989
2	1.956
3	2.902
4	3.827
5	4.732
6	5.617
7	6.482
8	7.328
9	8.156
10	8.965

9.—(1) An election under this paragraph may be made where the person has been in part-time pensionable employment at any time during the contribution period.

(2) An election under this paragraph may be either—

(a) an election to make a payment such that the person will be entitled to count as reckonable service the number of years which he would have been entitled to count if he had been in full-time pensionable employment throughout such of the contribution period as had elapsed before he ceased to be in pensionable employment (so that paragraph 3 of Schedule 7 will apply accordingly);

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) an election to complete payment of additional contributions as if he had been in full-time pensionable employment from the date on which he ceased to be in pensionable employment to the end of the contribution period (so that paragraph 3 of Schedule 7 will apply accordingly); or
- (c) an election to complete payment of additional contributions as if he had been in full-time pensionable employment throughout the contribution period (so that paragraph 2 of Schedule 7 will apply accordingly),

in each case by making a lump sum payment.

(3) Where the election is made under sub-paragraph (2)(a) the amount of the lump sum payment shall be such amount as would be payable under Part II in order to count as reckonable service the difference between the length of reckonable service arising from such of the contribution period as had elapsed before the person ceased to be in pensionable employment and the length of such service if the person had been in full-time pensionable employment throughout that period.

(4) Where an election is made under sub-paragraph (2)(b) the amount of the lump sum payment is one of the following amounts as appropriate—

- (a) the amount referred to in paragraph 8(3) on the assumption that the person would have been in full-time pensionable employment for the remainder of the contribution period;
- (b) the amount referred to in paragraph 8(4) on the assumption that the person would have been in full-time employment during such part of the contribution period as would have fallen after he attained the age of 60; or
- (c) the amount referred to in paragraph 8(6) modified (in a case where the person was employed part-time immediately before he ceased to be in pensionable employment) such that in place of the definition of E there is substituted the following definition—

“E is the amount of the additional contributions for one year at the rate at which they would have been last payable on the assumption that the person would have been in full-time employment”.

(5) Where an election is made under sub-paragraph (2)(c) the amount of the lump sum payment is the aggregate of the amounts referred to in sub-paragraphs (3) and (4).

(6) An election under this paragraph shall state whether it is an election under head (a), under head (b) or under head (c) of sub-paragraph (2).

10. Where paragraph 7 has become applicable and the person is entitled to a retirement lump sum which is smaller than the payment he could elect to make under that paragraph, he may instead elect, in the same way and during the same period, to make a payment under this paragraph of a lump sum equal to the retirement lump sum (so that paragraph 7 of Schedule 7 will apply accordingly).

11. Any retirement lump sum to which the person is entitled may, subject to paragraph 12(2)(d), be set off in whole or part against any payment to be made under paragraph 8, 9 or 10.

12.—(1) This paragraph applies—

- (a) where paragraph 7 has become applicable because the person died while in pensionable employment; or
- (b) where he dies within 3 months after ceasing to be in pensionable employment without having made an election under paragraph 8 or 9,

and another person (“the pensioner”) is entitled under regulation E26 to a long-term pension in respect of him.

(2) Where this paragraph applies—

- (a) the person shall be treated as having ceased to hold the employment when incapacitated;

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) any election that could have been made under paragraph 8 or 9 may, within 3 months after the death, be made by the pensioner, or in the case of a child by a person acting on his behalf;
- (c) if any payment due by virtue of such an election is not made within 3 months after the death the election ceased to have effect; and
- (d) a terminal sum may be set off against such a payment only to the extent that the person entitled to it consents.