

SCHEDULES

SCHEDULE 3

Regulation 26

Schedule to be inserted in the Reserve Forces (Full-Time Reserve Service) Pension Scheme 1997

“SCHEDULE 2

Transitional Provision

PART 1

Interpretation

Interpretation

1. In this Schedule—

“AFPS 2015” means the scheme established by the AFP Regulations 2014⁽¹⁾;

“AFP Regulations 2014” means the Armed Forces Pension Regulations 2014;

“continuity of service” in relation to a transition member has the meaning given in paragraph 2;

“connected scheme” means another statutory pension scheme that is connected with this scheme within the meaning of section 4(6) of the 2013 Act;

“FTRS 1997” means the pension scheme established by the Reserve Forces (Full-Time Reserve Service Pension Scheme 1997) Regulations 2010⁽²⁾;

“full commitment” member means a member who undertakes—

- (a) a full commitment full-time reserve service;
- (b) a short term volunteer commission; or
- (c) an S-type engagement.

“full protection member” has the meaning given in Part 2;

“pensionable public service” means pensionable service under an existing scheme or a public body pension scheme;

“protection period” has the meaning given in paragraph 5;

“scheme employment” has the meaning given in regulation 13 of the AFP Regulations 2014;

“transition date” in relation to a transition member means 1st April 2015 or, if later, the day a person ceased to be a full protection member of the FTRS 1997;

“transition member means a person—

(1) [S.I. 2014/2336](#).

(2) These Regulations are Defence Council Regulations. These Regulations were amended by the Reserve Forces (Full-Time Reserve Service Pension Scheme 1997) (Amendment) Regulations 2012, which included a replacement of the whole of Part D. These instruments can be found at www.gov.uk/government/publications/reserve-forces-pension-scheme-regulations. Hard copies can be obtained from CDP-Remuneration, Armed Forces Pensions, Level 6, Zone M, Ministry of Defence, Main Building, London SW1A 2HB.

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- (a) who is a member of FTRS 1997 by virtue of their pensionable service under the FTRS 1997 before the transition date; and
- (b) who is also a member of the AFPS 2015 by virtue of their pensionable service under that scheme;

“the 2013 Act” means the Public Service Pensions Act 2013;

“transfer payment” means payment of a transfer value;

“transfer value” has the meaning given in Part 8 of the AFP Regulations 2014; and

“WRP Act 1999” means the Welfare Reform and Pensions Act 1999⁽³⁾.

Meaning of “continuity of service”

2.—(1) For the purposes of this Schedule, a transition member (T) has continuity of service between pensionable service in the FTRS 1997 and pensionable service in the AFPS 2015 (“continuity of service”) unless T has a gap in service exceeding 5 years which—

- (a) begins on or before T’s transition date; and
- (b) ends on the day on which T becomes an active member of the AFPS 2015.

(2) For the purpose of sub-paragraph (1), during the period starting with T’s transition date, T is not on a gap in service while T is in service which is pensionable under an existing scheme, a public body pension scheme or a scheme under section 1 of the 2013 Act.

Commencement of active membership of the AFPS 2015 for a transition member

3.—(1) A person who is a transition member on entering pensionable service under the AFPS 2015 who does not have continuity of service becomes an active member of the AFPS 2015 on the day the person begins pensionable service in a scheme employment.

(2) A person who is a transition member on entering pensionable service under the AFPS 2015 who has continuity of service (T) becomes an active member of the AFPS 2015—

- (a) if T is in pensionable service in a scheme employment on T’s transition date, on that date; or
- (b) if T is not in pensionable service on a scheme employment on T’s transition date, on the date T enters pensionable service in a scheme employment after that date.

PART 2

Exception to section 18(1) of the 2013 Act: full protection members of the FTRS 1997

Full protection members of the FTRS 1997

4.—(1) A person (P) is a full protection member of the FTRS 1997, where—

- (a) P was a conditional full protection member of the FTRS 1997 on 31st March 2015 and on 31st March 2012, and
- (b) unless P dies—
 - (i) P would reach age 55 on or before 1st April 2022 (if serving under one of the types of commitment referred to in rule A.14(a)); or

(3) 1999 c. 30.

- (ii) P would reach age 60 on or before 1st April 2022 (if serving under one of the types of commitment referred to in rule A.14(b)).
- (2) For the purpose of this paragraph, a member is a conditional full protection member of the FTRS 1997 on a given date if on that date—
 - (a) the member is in service in respect of which the member is eligible to be a member of the FTRS 1997; or
 - (b) the member is in qualifying service under rule A.10 of the FTRS 1997.
- (3) P ceases to be a full protection member of the FTRS 1997 when P ceases to be in pensionable service under the FTRS 1997.

Exception for full protection member during protection period

- 5.—(1) The protection period for a person (P) who is a full protection member of the FTRS 1997 is the period which—
- (a) begins on 1st April 2015; and
 - (b) ends when P ceases to be a full protection member of the FTRS 1997.
- (2) During the protection period—
- (a) P is in pensionable service under the FTRS 1997;
 - (b) section 18(1) of the 2013 Act does not apply in respect of that pensionable service; and
 - (c) benefits are to be provided under the FTRS 1997 to or in respect of P in relation to that pensionable service.

Full protection member not eligible to join the AFPS 2015

6. While a person (P) is a full protection member of the FTRS 1997, P is not eligible to be an active member of the AFPS 2015.

PART 3

Payment of ill-health benefits to transition members with continuity of service

Transition members not to receive early ill-health benefits except in accordance with this Part

7. A transition member with continuity of service is not to receive early benefits on ill-health retirement except as provided by this Part.

Active transition member on full commitment with permanent serious ill-health who has not reached the age of 55

- 8.—(1) This paragraph applies in relation to a transition member on full commitment with continuity of service (T) who—
- (a) meets the criteria for an ill-health pension (active member with permanent serious ill-health) under regulation 51 of the AFP Regulations 2014; and
 - (b) has not reached age 55.
- (2) If this paragraph applies—
- (a) early benefits on ill-health are not payable under the FTRS 1997; and

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(b) ill-health benefits (active member with permanent serious ill-health) are payable under the AFPS 2015 in accordance with this paragraph.

(3) The ill-health benefits payable under paragraph (2)(b) comprise benefits payable in respect of service before T's transition date and benefits payable in respect of service from T's transition date.

(4) The benefits payable in respect of service before T's transition date are calculated in accordance with the rules in Part C of the FTRS 1997 but when calculating the rate of pension, the only service that is taken into account is the service before the transition date.

(5) For the purposes of calculating the benefits payable under sub-paragraph (4) the following is to be substituted for paragraph (3) in rule C.5 (amount of pension under rule C.4: officers)—

“(3) Subject to paragraphs (5) and (6), in the case of a member who has at least 5 years' qualifying service of which at least 2 years' qualifying service was served from the age of 21, the amount of the pension payable under rule C.4 is the amount found by adding:

(i) The pension as if the member were entitled under rule C.1 in respect of service before the transition date; and

(ii) The amount X calculated according to the following formula—

Step 1: Take the amount specified for a person of the member's pension rank with the number of whole years' reckonable service that the member had as at their transition date in the relevant table setting out the rates of service invaliding pension in the pension code in force on the day the member leaves AFPS 2015 service;

Step 2: Multiply the resulting value in step 1 by the member's representative rate of pay, based on total reckonable service in the FTRS 1997 and pensionable service in the AFPS 2015, in force on the day the member leaves AFPS 2015 service;

Step 3: Divide the resulting value in step 2 by the member's representative rate of pay, based on service up to their transition date, in force on the day the member leaves AFPS 2015 service;

Step 4: Subtract the amount calculated in (i) above from the resulting value in step 3;

Step 5: Multiply the resulting value in step 4 by the reckonable service in FTRS 1997 and divide by the total reckonable service in the FTRS 1997 and pensionable service in the AFPS 2015;

and applying the appropriate fraction of the applicable increase.”.

(6) For the purposes of calculating the benefits payable under sub-paragraph (4) the following is to be substituted for paragraph (3) of rule C.6 (amount of pension under rule C.4: other ranks)—

“(3) Subject to paragraphs (5) and (6), in the case of a member who has at least 5 years' qualifying service of which at least 2 years' qualifying service was served from the age of 18, the amount of the pension payable under rule C.4 is the amount found by adding—

(i) the pension as if the member were entitled under rule C.1 in respect of service before the transition date; and

(ii) the amount X calculated according to the following formula—

Step 1: Take the amount specified for a person of the member's pension rank with the number of whole years' reckonable service that the member had as at their transition date in the relevant table setting out the rates of service invaliding pension in the pension code in force on the day the member leaves AFPS 2015 service;

Step 2: Multiply the resulting value in step 1 by the member's representative rate of pay, based on total reckonable service in the FTRS 1997 and pensionable service in the AFPS 2015, in force on the day the member leaves AFPS 2015 service;

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Step 3: Divide the resulting value in step 2 by the member's representative rate of pay, based on service up to their transition date, in force on the day the member leaves AFPS 2015 service;

Step 4: Subtract the amount calculated in (i) from the resulting value in step 3;

Step 5: Multiply the resulting value in step 4 by the reckonable service in FTRS 1997 and divide by the total of reckonable service in the FTRS 1997 and pensionable service in the AFPS 2015;

and applying the appropriate fraction of the applicable increase.”.

(7) The benefits payable in respect of service from T's transition date are calculated in accordance with the AFP Regulations 2014 but when calculating the rate of annual pension, the following is substituted for regulation 54(2)(b) of the AFP Regulations 2014—

- “(b) B is the sum of—
- (i) the member's pensionable service under the Scheme as calculated in accordance with regulation 54(2)(a)(i) and (ii); and
 - (ii) X multiplied by N.
- (c) In this paragraph, X is equal to the member's years of pensionable service in the AFPS 2015 divided by the member's years of reckonable service in the FTRS 1997 and the member's years of pensionable service in the AFPS 2015.
- (d) In this paragraph, N is the greater of—
- (i) half of the further reckonable service which the member would have been able to count under the Scheme if the member had been an accruing member from the date of the ill-health retirement until age 60; and
 - (ii) the lesser of Y and Z.
- (e) In this paragraph, Y is equal to 25 minus the total of the member's years of reckonable service in the FTRS 1997 and the sum of—
- (i) for all years up to the last active year, the number of scheme years (or parts of scheme years) for which amounts of earned pension were specified in the active member's account; and
 - (ii) in the last active scheme year, the number of calendar days (expressed as a proportion of a year) where the member was eligible for active membership.
- (f) In this paragraph Z is equal to the further pensionable service which the member would have been able to count under the scheme if the member had been an accruing member from the date of the ill-health retirement until age 60.”.

Active transition member on home or limited commitment with permanent serious ill-health who has not reached age 60

9.—(1) This paragraph applies in relation to a transition member on home or limited commitment with continuity of service (T) who—

- (a) meets the criteria for an ill-health pension (active member with permanent serious ill-health) under regulation 51 of the AFP Regulations 2014; and
 - (b) has not reached age 60.
- (2) If this paragraph applies—
- (a) early benefits on ill-health are not payable under the FTRS 1997; and
 - (b) ill-health benefits (active member with permanent serious ill-health) are payable under the AFPS 2015 in accordance with this paragraph.

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(3) The ill-health benefits payable under paragraph (2)(b) comprise benefits payable in respect of service before T's transition date and benefits payable in respect of service from T's transition date.

(4) The benefits payable in respect of service before T's transition date are calculated in accordance with the rules in Part C of the FTRS 1997 but when calculating the rate of pension, the only service that is taken into account is the service before the transition date.

(5) For the purposes of calculating the benefits payable under sub-paragraph (4) the following is to be substituted for paragraph (3) in rule C.5 (amount of pension under rule C.4: officers)—

“(3) Subject to paragraphs (5) and (6), in the case of a member who has at least 5 years' qualifying service of which at least 2 years' qualifying service was served from the age of 21, the amount of the pension payable under rule C.4 is the amount found by adding:

(i) The pension as if the member were entitled under rule C.1 in respect of service before the transition date; and

(ii) The amount X calculated according to the following formula:

Step 1: Take the amount specified for a person of the member's pension rank with the number of whole years' reckonable service that the member had as at their transition date in the relevant table setting out the rates of service invaliding pension in the pension code in force on the day the member leaves AFPS 2015 service;

Step 2: Multiply the resulting value in step 1 by the member's representative rate of pay, based on total reckonable service in the FTRS 1997 and pensionable service in the AFPS 2015, in force on the day the member leaves AFPS 2015 service;

Step 3: Divide the resulting value in step 2 by the member's representative rate of pay, based on service up to their transition date, in force on the day the member leaves AFPS 2015 service;

Step 4: Subtract the amount calculated in (i) above from the resulting value in step 3;

Step 5: Multiply the resulting value in step 4 by the reckonable service in FTRS 1997 and divide by the total of reckonable service in the FTRS 1997 and pensionable service in the AFPS 2015;

and applying the appropriate fraction of the applicable increase.”.

(6) For the purposes of calculating the benefits payable under sub-paragraph (4) the following is to be substituted for paragraph (3) of rule C.6 (amount of pension under rule C.4: other ranks)—

“(3) Subject to paragraphs (5) and (6), in the case of a member who has at least 5 years' qualifying service of which at least 2 years' qualifying service was served from the age of 18, the amount of the pension payable under rule C.4 is the amount found by adding:

(i) the pension as if the member were entitled under rule C.1 in respect of service before the transition date; and

(ii) the amount X calculated according to the following formula—

Step 1: Take the amount specified for a person of the member's pension rank with the number of whole years' reckonable service that the member had as at their transition date in the relevant table setting out the rates of service invaliding pension in the pension code in force on the day the member leaves AFPS 2015 service;

Step 2: Multiply the resulting value in step 1 by the member's representative rate of pay, based on total reckonable service in the FTRS 1997 and pensionable service in the AFPS 2015, in force on the day the member leaves AFPS 2015 service;

Step 3: Divide the resulting value in step 2 by the member's representative rate of pay, based on service up to their transition date, in force on the day the member leaves AFPS 2015 service;

Step 4: Subtract the amount calculated in (i) above from the resulting value in step 3;

Step 5: Multiply the resulting value in step 4 by the reckonable service in FTRS 1997 and divide by the total reckonable service in the FTRS 1997 and pensionable service in the AFPS 2015;

and applying the appropriate fraction of the applicable increase.”

(7) The benefits payable in respect of service from T’s transition date are calculated in accordance with the AFP Regulations 2014 but when calculating the rate of annual pension, the following is to be substituted for regulation 54(2)(b) of the AFP Regulations 2014—

- “(b) B is the sum of—
- (i) the member’s pensionable service under the Scheme as calculated in accordance with regulation 54(2)(a)(i) and (ii); and
 - (ii) X multiplied by N.
- (c) In this paragraph, X is equal to the member’s years of pensionable service in the AFPS 2015 divided by the total of the member’s years of reckonable service in the FTRS 1997 and the member’s years of pensionable service in the AFPS 2015.
- (d) In this paragraph, N is the greater of—
- (i) half of the further reckonable service which the member would have been able to count under the scheme if the member had been an accruing member from the date of the ill-health retirement until age 60; and
 - (ii) the lesser of Y and Z.
- (e) In this paragraph, Y is equal to 25 minus the total of the member’s years of reckonable service in the FTRS 1997 and the sum of—
- (i) for all the years up to the last active year, the number of scheme years (or parts of scheme years) for which amounts of earned pension were specified in the active member’s account; and
 - (ii) in the last active scheme year, the number of calendar days (expressed as a proportion of a year) where the member was eligible for active membership;
- (f) In this paragraph, Z is equal to the further pensionable service which the member would have been able to count under the scheme, if the member had been an accruing member from the date of the ill-health retirement until age 60.”

Transition member on full commitment who reaches age 55 with permanent serious ill-health

10.—(1) This paragraph applies in relation to a former full commitment transition member with continuity of service (T) who is receiving an ill-health pension (active members with permanent serious ill-health) in accordance with paragraph 8.

- (2) On the day the member reaches age 55—
- (a) of the benefits that were payable under paragraph 8(2)(b), the FTRS 1997 basic earned benefits cease to be payable under paragraph 8(2)(b) and instead become payable under the FTRS 1997; and
 - (b) of the benefits that were payable under paragraph 8(2)(b), the FTRS 1997 ill-health enhancement benefits continue to be payable under paragraph 8(2)(b).
- (3) For the purpose of this regulation, subject to sub-paragraph (4)—

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- (a) the “FTRS 1997 basic earned benefits” means the amount arrived at by multiplying 1.5% of T’s final pensionable earnings by T’s reckonable service before T’s transition date expressed as number of years; and
 - (b) the “FTRS 1997 ill-health enhancement benefits” means the benefits payable at paragraph 8(5) in respect of service before T’s transition date minus the FTRS 1997 basic earned benefits.
- (4) Where T is a pension debit member of the FTRS 1997 whose benefits have been reduced in accordance with section 31 of the WRP Act 1999—
- (a) “the FTRS basic earned benefits” are the amount specified at paragraph (3)(a) reduced by the amount referred to in section 31 of the WRP Act 1999;
 - (b) where the amount referred to in section 31 of the WRP Act 1999 is greater than the amount at paragraph (3)(a), the “FTRS 1997 ill-health enhancement benefits” are the amount specified at paragraph (3)(b) reduced by the difference between the amount specified at paragraph (3)(a) and the amount referred to at section 31 of the WRP Act 1999.

Transition member on home or limited commitment who reaches age 60 with permanent serious ill-health

- 11.**—(1) This paragraph applies in relation to a former home or limited commitment transition member with continuity of service (T) who is receiving an ill-health pension (active members with permanent serious ill-health) in accordance with paragraph 9.
- (2) On the day the member reaches age 60—
- (a) of the benefits that were payable under paragraph 9(2)(b), the FTRS 1997 basic earned benefits cease to be payable under paragraph 9(2)(b) and instead become payable under the FTRS 1997; and
 - (b) of the benefits that were payable under paragraph 9(2)(b), the FTRS 1997 ill-health enhancement benefits continue to be payable under paragraph 9(2)(b).
- (3) For the purpose of this paragraph, subject to sub-paragraph (4)—
- (a) the “FTRS 1997 basic earned benefits” means the amount arrived at by multiplying 1.25% of T’s final pensionable earnings by T’s reckonable service before T’s transition date expressed as number of years; and
 - (b) the “FTRS 1997 ill-health enhancement benefits” means the benefits payable at paragraph 9(5) in respect of service before T’s transition date minus the FTRS 1997 basic earned benefits.
- (4) Where T is a pension debit member of the FTRS 1997 whose benefits have been reduced in accordance with section 31 of the 1999 Act—
- (a) “the FTRS basic earned benefits” are the amount specified at paragraph (3)(a) reduced by the amount referred to in section 31 of the WRP Act 1999;
 - (b) where the amount referred to in section 31 of the WRP Act 1999 is greater than the amount at paragraph (3)(a), the “FTRS 1997 ill-health enhancement benefits” are the amount specified at paragraph (3)(b) reduced by the difference between the amount specified at paragraph (3)(a) and the amount referred to at section 31 of the WRP Act 1999.

Active transition member on full commitment who leaves service with permanent serious ill-health on or after reaching age 55 but before reaching age 60

- 12.**—(1) This paragraph applies in relation to a transition member on full commitment with continuity of service (T) who—

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- (a) meets the criteria for an ill-health pension (active member with permanent serious ill-health) under regulation 51 of the AFP Regulations 2014; and
 - (b) has reached age 55 but has not reached age 60.
- (2) Early benefits on ill health are payable under rule C.4 (early payment of benefits: active members' ill health) of the FTRS 1997 in respect of service before T's transition date, but when calculating the amount of pension only the service before the transition date is taken into account.
- (3) Early benefits on permanent serious ill health are payable under regulation 54 of the AFP Regulations 2014 in respect of service from T's transition date but when calculating the amount of annual pension, regulation 54(2)(b) is amended as specified in paragraph 8(7).
- (4) If a transition member has reached age 55, and if when calculating the annual amount of pension under rules C.5(5) or C.6(5) of the FTRS 1997 the higher rate is that falling under rule C.4 (as amended by paragraph 8(5) and (6)), the FTRS 1997 ill health enhancement benefits under rule C.4 are to be paid from the AFPS 2015 and the FTRS 1997 basic earned benefits are to be paid from the FTRS 1997.
- (5) For the purposes of sub-paragraph (4), FTRS 1997 ill health enhancement benefits and FTRS 1997 basic earned benefits have the same meaning as given in paragraph 10.

Active transition member on full commitment with significant impairment of capacity for gainful employment who has not reached age 55

- 13.—(1) This paragraph applies in relation to a transition member on full commitment with continuity of service (T) who—
- (a) meets the criteria for an ill-health pension (active members with significant impairment of capacity for gainful employment) under regulation 52 of the AFP Regulations 2014; and
 - (b) has not reached age 55.
- (2) If this paragraph applies—
- (a) early benefits on ill health are not payable under the FTRS 1997; and
 - (b) ill-health benefits (active members with significant impairment of capacity for gainful employment) are payable under the AFPS 2015 in accordance with this paragraph.
- (3) The ill-health benefits payable under paragraph (2)(b) comprise benefits payable in respect of service before T's transition date and benefits payable in respect of service from T's transition date.
- (4) The benefits payable in respect of service before T's transition date are calculated in accordance with the rules in Part C of the FTRS 1997 but when calculating the rate of pension, the only service that is taken into account is the service before the transition date.
- (5) For the purposes of calculating the benefits payable under paragraph (4) the following is to be substituted for paragraph (3) of rule C.5(amount of pension under rule C.4: officers)—
- “(3) Subject to paragraphs (5) and (6), in the case of a member who has at least 5 years' qualifying service of which at least 2 years' qualifying service was served from the age of 21, the amount of the pension payable under rule C.4 is the amount found by adding:
- (i) the pension as if the member were entitled under rule C.1 in respect of service before the transition date; and
 - (ii) the amount X calculated according to the following formula:
Step 1: Take the amount specified for a person of the member's pension rank with the number of whole years' reckonable service that the member had as at their transition date in the relevant table setting out the rates of service invaliding pension in the pension code in force on the day the member leaves AFPS 2015 service;

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Step 2: Multiply the resulting value in step 1 by the member's representative rate of pay, based on the total of reckonable service in the FTRS 1997 and pensionable service in the AFPS 2015, in force on the day the member leaves AFPS 2015 service;

Step 3: Divide the resulting value in step 2 by the member's representative rate of pay, based on service up to their transition date, in force on the day the member leaves AFPS 2015 service;

Step 4: Subtract the amount calculated in (i) above from the resulting value in step 3;

Step 5: Multiply the resulting value in step 4 by the reckonable service in FTRS 1997 and divide by the total of reckonable service in the FTRS 1997 and pensionable service in the AFPS 2015;

and applying the appropriate fraction of the applicable increase.”.

(6) For the purposes of calculating the benefits payable under sub-paragraph (4) the following is to be substituted for paragraph (3) of rule C.6(amount of pension under rule C.4: other ranks)—

“(3) Subject to paragraphs (5) and (6), in the case of a member who has at least 5 years' qualifying service of which at least 2 years' qualifying service was served from the age of 18, the amount of the pension payable under rule C.4 is the amount found by adding:

- (i) the pension as if the member were entitled under rule C.1 in respect of service before the transition date; and
- (ii) the amount X calculated according to the following formula—

Step 1: Take the amount specified for a person of the member's pension rank with the number of whole years' reckonable service that the member had as at their transition date in the relevant table setting out the rates of service invaliding pension in the pension code in force on the day the member leaves AFPS 2015 service;

Step 2: Multiply the resulting value in step 1 by the member's representative rate of pay, based on total reckonable service in the FTRS 1997 and pensionable service in the AFPS 2015, in force on the day the member leaves AFPS 2015 service;

Step 3: Divide the resulting value in step 2 by the member's representative rate of pay, based on service up to their transition date, in force on the day the member leaves AFPS 2015 service;

Step 4: Subtract the amount calculated in (i) above from the resulting value in step 3;

Step 5: Multiply the resulting value in step 4 by the reckonable service in FTRS 1997 and divide by the total of reckonable service in the FTRS 1997 and pensionable service in the AFPS 2015;

and applying the appropriate fraction of the applicable increase.”.

(7) The benefits payable in respect of service from T's transition date are calculated in accordance with the AFP Regulations 2014 but when calculating the rate of annual pension the following is substituted for regulation 55(2)(b)—

- “(b) B is the sum of—
 - (i) the member's pensionable service under the Scheme as calculated in accordance with regulation 55(2)(a)(i) and (ii); and
 - (ii) X multiplied by N.

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- (c) In this paragraph, X is equal to the member's years of pensionable service in the AFPS 2015 divided by the total of member's years of reckonable service in the FTRS 1997 and the member's years of pensionable service in the AFPS 2015.
- (d) In this paragraph, N is equal to one third of the further pensionable service which the member would have been able to count under the scheme if the member had remained an accruing member from the date of the ill-health retirement until age 60."

Active transition member with home or limited commitment with significant impairment of capacity for gainful employment who has not reached age 60

14.—(1) This paragraph applies in relation to a transition member on home or limited commitment with continuity of service (T) who—

- (a) meets the criteria for an ill-health pension (active members with significant impairment of capacity for gainful employment) under regulation 52 of the AFP Regulations 2014; and
- (b) has not reached their pension age under the rules of FTRS 1997.

(2) If this paragraph applies—

- (a) early benefits on ill health are not payable under the FTRS 1997; and
- (b) ill-health benefits (active members with significant impairment of capacity for gainful employment) are payable under the AFPS 2015 in accordance with this paragraph.

(3) The ill-health benefits payable under paragraph (2)(b) comprises benefits payable in respect of service before T's transition date and benefits payable in respect of service from T's transition date.

(4) The benefits payable in respect of service before T's transition date are calculated in accordance with the rules in Part C of the FTRS 1997 but when calculating the rate of pension, the only service that is taken into account is the service before the transition date.

(5) For the purposes of calculating the benefits payable under paragraph (4) the following is to be substituted for paragraph (3) in rule C.5 (amount of pension under rule C.4: officers)—

“(3) Subject to paragraphs (5) and (6), in the case of a member who has at least 5 years' qualifying service of which at least 2 years' qualifying service was served from the age of 21, the amount of the pension payable under rule C.4 is the amount found by adding:

- (i) the pension as if the member were entitled under rule C.1 in respect of service before the transition date; and
- (ii) the amount X calculated according to the following formula:

Step 1: Take the amount specified for a person of the member's pension rank with the number of whole years' reckonable service that the member had as at their transition date in the relevant table setting out the rates of service invaliding pension in the pension code in force on the day the member leaves AFPS 2015 service;

Step 2: Multiply the resulting value in step 1 by the member's representative rate of pay, based on total reckonable service in the FTRS 1997 and pensionable service in the AFPS 2015, in force on the day the member leaves AFPS 2015 service;

Step 3: Divide the resulting value in step 2 by the member's representative rate of pay, based on service up to their transition date, in force on the day the member leaves AFPS 2015 service;

Step 4: Subtract the amount calculated in (i) above from the resulting value in step 3;

Step 5: Multiply the resulting value in step 4 by the reckonable service in FTRS 1997 and divide by the total of reckonable service in the FTRS 1997 and pensionable service in the AFPS 2015;

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and applying the appropriate fraction of the applicable increase.”.

(6) For the purposes of calculating the benefits payable under sub-paragraph (4) the following is to be substituted for paragraph (3) of rule C.6(amount of pension under rule C.4: other ranks) of the FTRS 1997—

“(3) Subject to paragraphs (5) and (6), in the case of a member who has at least 5 years’ qualifying service of which at least 2 years’ qualifying service was served from the age of 18, the amount of the pension payable under rule C.4 is the amount found by adding:

(i) The pension as if the member were entitled under rule C.1 in respect of service before the transition date; and

(ii) The amount X calculated according to the following formula—

Step 1: Take the amount specified for a person of the member’s pension rank with the number of whole years’ reckonable service that the member had as at their transition date in the relevant table setting out the rates of service invaliding pension in the pension code in force on the day the member leaves AFPS 2015 service;

Step 2: Multiply the resulting value in step 1 by the member’s representative rate of pay, based on total reckonable service in the FTRS 1997 and pensionable service in the AFPS 2015, in force on the day the member leaves AFPS 2015 service;

Step 3: Divide the resulting value in step 2 by the member’s representative rate of pay, based on service up to their transition date, in force on the day the member leaves AFPS 2015 service;

Step 4: Subtract the amount calculated in (i) above from the resulting value in step 3;

Step 5: Multiply the resulting value in step 4 by the reckonable service in FTRS 1997 and divide by the total of reckonable service in the FTRS 1997 and pensionable service in the AFPS 2015;

and applying the appropriate fraction of the applicable increase.”.

(7) The benefits payable in respect of service from T’s transition date are calculated in accordance with the AFP Regulations 2014 but when calculating the rate of annual pension the following is substituted for regulation 55(2)(b)—

“(b) B is the sum of—

(i) the member’s pensionable service under the Scheme as calculated according to regulation 55(2)(a)(i) and (ii); and

(ii) X multiplied by N.

(c) In this paragraph, X is equal to the member’s years of pensionable service in the AFPS 2015 divided by the total of the member’s reckonable service in the FTRS 1997 and the member’s years of pensionable service in the AFPS 2015.

(d) In this paragraph, N is equal to one third of the further pensionable service which the member would have been able to count under the scheme if the member had remained an accruing member from the date of the ill-health retirement until age 60.”.

Active transition member on full commitment with significant impairment of capacity for gainful employment who reaches age 55

15.—(1) This paragraph applies in relation to a transition member on full commitment with continuity of service (T) who is receiving an ill-health pension (active members with significant impairment of capacity for gainful employment) in accordance with paragraph 13.

(2) On the day the member reaches age 55—

- (a) of the benefits that were payable under paragraph 13(2)(b), the FTRS 1997 basic earned benefits cease to be payable under paragraph 13(2)(b) and instead become payable under the FTRS 1997; and
 - (b) of the benefits that were payable under paragraph 13(2)(b), the FTRS 1997 ill-health enhancement benefits continue to be payable under paragraph 13(2)(b).
- (3) For the purpose of this paragraph, subject to sub-paragraphs (4) and (5)—
- (a) the “FTRS 1997 basic earned benefits” means the amount arrived at by multiplying 1.5% of T’s final pensionable earnings by T’s reckonable service before T’s transition date expressed as number of years; and
 - (b) the “FTRS 1997 ill-health enhancement benefits” means the benefits payable at paragraph 13(5) in respect of service before T’s transition date minus the FTRS 1997 basic earned benefits.
- (4) Where T is a pension debit member of the FTRS 1997 whose benefits have been reduced in accordance with section 31 of the WRP Act 1999—
- (a) “the FTRS basic earned benefits” are the amount specified at paragraph (3)(a) reduced by the amount referred to in section 31 of the WRP Act 1999;
 - (b) where the amount referred to in section 31 of the WRP Act 1999 is greater than the amount at paragraph (3)(a), the “FTRS 1997 ill-health enhancement benefits” are the amount specified at paragraph (3)(b) reduced by the difference between the amount specified at paragraph (3)(a) and the amount referred to at section 31 of the WRP Act 1999.

Active transition member formerly on home or limited commitment with significant impairment of capacity for gainful employment who reaches age 60

16.—(1) This paragraph applies in relation to a transition member on home or limited commitment with continuity of service (T) who is receiving an ill-health pension (active member with significant impairment of capacity for gainful employment) in accordance with paragraph 14.

- (2) On the day the member reaches age 60—
- (a) of the benefits that were payable under paragraph 14(2)(b), the FTRS 1997 basic earned benefits cease to be payable under paragraph 14(2)(b) and instead become payable under the FTRS 1997; and
 - (b) of the benefits that were payable under paragraph 14(2)(b), the FTRS 1997 ill-health enhancement benefits continue to be payable under paragraph 14(2)(b).
- (3) For the purpose of this paragraph, subject to sub-paragraph (4)—
- (a) the “FTRS 1997 basic earned benefits” means the amount arrived at by multiplying 1.25% of T’s final pensionable earnings by T’s reckonable service before T’s transition date expressed as number of years; and
 - (b) the “FTRS 1997 ill-health enhancement benefits” means the benefits payable at paragraph 14(5) in respect of service before T’s transition date minus the FTRS 1997 basic earned benefits.
- (4) Where T is a pension debit member of the FTRS 1997 whose benefits have been reduced in accordance with section 31 of the WRP Act 1999—
- (a) “the FTRS basic earned benefits” are the amount specified at paragraph (3)(a) reduced by the amount referred to in section 31 of the WRP Act 1999;
 - (b) where the amount referred to in section 31 of the WRP Act 1999 is greater than the amount at paragraph (3)(a), the “FTRS 1997 ill-health enhancement benefits” are the amount specified at paragraph (3)(b) reduced by the difference between the amount specified at paragraph (3)(a) and the amount referred to at section 31 of the WRP Act 1999.

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Active transition member on full commitment who leaves service with significant impairment of capacity for gainful employment on or after age 55 and before age 60

17.—(1) This paragraph applies in relation to a transition member on full commitment with continuity of service (T) who—

- (a) meets the criteria for an ill-health pension (active member with significant impairment of capacity for gainful employment) under regulation 52 of the AFP Regulations 2014; and
- (b) leaves service on or after reaching age 55.

(2) Early benefits on ill-health are payable under rule C.4 (early payment of benefits: active members' ill health) of the FTRS 1997 in respect of service before T's transition date.

(3) Early benefits on significant impairment of capacity for gainful employment are payable under regulation 55 of the AFP Regulations 2014 in respect of service from T's transition date but when calculating the rate of annual pension, regulation 55(2)(b) is amended as specified in paragraph 13(7).

(4) If a transition member has reached age 55, and if when calculating the annual amount of pension under rules C.5(5) or C.6(5) of the FTRS 1997 the higher rate is that falling under rule C.4 (as amended by paragraphs 13(5) and (6)), the FTRS 1997 ill-health enhancement benefits under rule C.4 are to be paid from the AFPS 2015 and the FTRS 1997 basic earned benefits are to be paid from the FTRS 1997.

(5) For the purposes of sub-paragraph (4), FTRS 1997 ill-health enhancement benefits and FTRS 1997 basic earned benefits have the same meaning as given in paragraph 10.

Active transition member on full commitment with incapacity for Armed Forces service who leaves service before reaching age 55

18.—(1) This paragraph applies in relation to a transition member on full commitment with continuity of service (T) who—

- (a) meets the criteria for a lump sum on incapacity for service (lump sum awards: incapacity for armed forces service) under regulation 19 of the EDP Regulations 2014; and
- (b) leaves service before reaching age 55.

(2) If this paragraph applies—

- (a) early benefits on ill-health are not payable under the FTRS 1997; and
- (b) ill-health benefits are payable under the AFPS 2015 and lump sum awards on incapacity for armed forces service are payable under the EDP 2015 in accordance with this paragraph.

(3) The ill-health benefits payable under paragraph (2)(b) comprise benefits payable in respect of service before T's transition date and benefits payable in respect of service from T's transition date.

(4) The benefits payable in respect of service before T's transition date are calculated in accordance with the rules in Part C but when calculating the amount of the pension the only service that is to be taken into account is the service before T's transition date.

(5) For the purposes of calculating the benefits payable under sub-paragraph (4) the following is to be substituted for paragraph (3) of rule C.5 (amount of pension under rule C.4: officers) of the FTRS 1997—

“(3) Subject to paragraphs (5) and (6), in the case of a member who has at least 5 years' qualifying service of which at least 2 years' qualifying service was served from the age of 21, the amount of the pension payable under rule C.4 is the amount found by adding:

- (i) The pension as if the member were entitled under rule C.1 in respect of service before the transition date; and

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(ii) The amount X calculated according to the following formula:

Step 1: Take the amount specified for a person of the member's pension rank with the number of whole years' reckonable service that the member had as at their transition date in the relevant table setting out the rates of service invaliding pension in the pension code in force on the day the member leaves AFPS 2015 service;

Step 2: Multiply the resulting value in step 1 by the member's representative rate of pay, based on the total of reckonable service in the FTRS 1997 and pensionable service in the AFPS 2015, in force on the day the member leaves AFPS 2015 service;

Step 3: Divide the resulting value in step 2 by the member's representative rate of pay, based on service up to their transition date, in force on the day the member leaves AFPS 2015 service;

Step 4: Subtract the amount calculated in (i) above from the resulting value in step 3;

Step 5: Multiply the resulting value in step 4 by the reckonable service in FTRS 1997 and divide by the total reckonable service in the FTRS 1997 and pensionable service in the AFPS 2015;

and applying the appropriate fraction of the applicable increase.”

(6) For the purposes of calculating the benefits payable under sub-paragraph (4) the following is to be substituted for paragraph (3) of rule C.6 (amount of pension under rule C.4: other ranks) of the FTRS 1997—

“(3) Subject to paragraphs (5) and (6), in the case of a member who has at least 5 years' qualifying service of which at least 2 years' qualifying service was served from the age of 18, the amount of the pension payable under rule C.4 is the amount found by adding:

(i) The pension as if the member were entitled under rule C.1 in respect of service before the transition date; and

(ii) The amount X calculated according to the following formula—

Step 1: Take the amount specified for a person of the member's pension rank with the number of whole years' reckonable service that the member had as at their transition date in the relevant table setting out the rates of service invaliding pension in the pension code in force on the day the member leaves AFPS 2015 service;

Step 2: Multiply the resulting value in step 1 by the member's representative rate of pay, based on the total of reckonable service in the FTRS 1997 and pensionable service in the AFPS 2015, in force on the day the member leaves AFPS 2015 service;

Step 3: Divide the resulting value in step 2 by the member's representative rate of pay, based on service up to their transition date, in force on the day the member leaves AFPS 2015 service;

Step 4: Subtract the amount calculated in (i) above from the resulting value in step 3;

Step 5: Multiply the resulting value in step 4 by the reckonable service in FTRS 1997 and divide by the total of reckonable service in the FTRS 1997 and pensionable service in the AFPS 2015;

and applying the appropriate fraction of the applicable increase.”

(7) In respect of service from the member's transition date, a lump sum award on incapacity for armed forces service is payable under regulation 19 of the EDP Regulations 2014.

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(8) Where this paragraph applies, the following is substituted for regulation 20 (amount of lump sum on incapacity for armed forces service) of the EDP Regulations 2014—

“**20.**—(1) The amount of lump sum a person receives under regulation 19 (lump sum awards: incapacity for armed forces service) is to be determined by multiplying one eighth of the person’s final pensionable earnings by their service from their transition date expressed in years and fractions of a year except where—

- (a) the amount calculated is less than X, X being one half of the person’s final pensionable earnings multiplied by their service from their transition date divided by their total service expressed in years and fractions of years. In these circumstances the person is to receive an amount equivalent to X; or
- (b) the amount calculated is more than Y, Y being twice the person’s final pensionable earnings multiplied by their service from their transition date divided by their total service expressed in years and fractions of years. In these circumstances the person is to receive an amount equivalent to Y.

(2) The lump sum is payable before the expiry of the period of 3 months beginning with the day on which the person ceases to be a member of the armed forces.

(3) In this regulation—

- (a) “total service” in relation to a member means the total of their service from their transition date plus their reckonable service as a member of the FTRS 1997; and
- (b) “transition date” has the same meaning as in paragraph 2 (interpretation) of Schedule 2 to the FTRS 1997(4).”.

(9) If the person is entitled to early departure payments under regulation 9 (entitlement to early departure payments) of the EDP Regulations 2014, the person is not entitled to a lump sum award under sub-paragraph (7).

Active transition member on home or limited commitment with incapacity for Armed Forces service who leaves service before reaching age 60

19.—(1) This paragraph applies in relation to a transition member on home or limited commitment with continuity of service (T) who—

- (a) meets the criteria for lump sum on incapacity for service (lump sum awards: incapacity for armed forces service) under regulation 19 of the EDP Regulations 2014; and
- (b) leaves service before reaching age 60.

(2) If this paragraph applies—

- (a) early benefits on ill-health are not payable under the FTRS 1997; and
- (b) ill-health benefits are payable under the AFPS 2015 and lump sum awards on incapacity for armed forces service are payable under the EDP 2015 in accordance with this paragraph.

(3) The ill-health benefits payable under paragraph (2)(b) comprise benefits payable in respect of service before T’s transition date and benefits payable in respect of service from T’s transition date.

(4) The benefits payable in respect of service before T’s transition date are calculated in accordance with the rules in Part C but when calculating the amount of the pension the only service that is to be taken into account is the service before T’s transition date.

(5) For the purposes of calculating the benefits payable under sub-paragraph (4) the following is to be substituted for rule C.5(3) of the FTRS 1997—

(4) Schedule 2 was inserted by the Armed Forces (Transitional Provisions) Pensions Regulations 2015.

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“(3) Subject to paragraphs (5) and (6), in the case of a member who has at least 5 years’ qualifying service of which at least 2 years’ qualifying service was served from the age of 21, the amount of the pension payable under rule C.4 is the amount found by adding:

(i) The pension as if the member were entitled under rule C.1 in respect of service before the transition date; and

(ii) The amount X calculated according to the following formula:

Step 1: Take the amount specified for a person of the member’s pension rank with the number of whole years’ reckonable service that the member had as at their transition date in the relevant table setting out the rates of service invaliding pension in the pension code in force on the day the member leaves AFPS 2015 service;

Step 2: Multiply the resulting value in step 1 by the member’s representative rate of pay, based on the total of reckonable service in the FTRS 1997 and pensionable service in the AFPS 2015, in force on the day the member leaves AFPS 2015 service;

Step 3: Divide the resulting value in step 2 by the member’s representative rate of pay, based on service up to their transition date, in force on the day the member leaves AFPS 2015 service;

Step 4: Subtract the amount calculated in (i) above from the resulting value in step 3;

Step 5: Multiply the resulting value in step 4 by the reckonable service in FTRS 1997 and divide by the total of reckonable service in the FTRS 1997 and pensionable service in the AFPS 2015;

and applying the appropriate fraction of the applicable increase.”.

(6) For the purposes of calculating the benefits payable under sub-paragraph (4) the following is to be substituted for rule C.6(3) of the FTRS 1997—

“(3) Subject to paragraphs (5) and (6), in the case of a member who has at least 5 years’ qualifying service of which at least 2 years’ qualifying service was served from the age of 18, the amount of the pension payable under rule C.4 is the amount found by adding:

(i) the pension as if the member were entitled under rule C.1 in respect of service before the transition date; and

(ii) the amount X calculated according to the following formula—

Step 1: Take the amount specified for a person of the member’s pension rank with the number of whole years’ reckonable service that the member had as at their transition date in the relevant table setting out the rates of service invaliding pension in the pension code in force on the day the member leaves AFPS 2015 service;

Step 2: Multiply the resulting value in step 1 by the member’s representative rate of pay, based on the total of reckonable service in the FTRS 1997 and pensionable service in the AFPS 2015, in force on the day the member leaves AFPS 2015 service;

Step 3: Divide the resulting value in step 2 by the member’s representative rate of pay, based on service up to their transition date, in force on the day the member leaves AFPS 2015 service;

Step 4: Subtract the amount calculated in (i) above from the resulting value in step 3;

Step 5: Multiply the resulting value in step 4 by the reckonable service in FTRS 1997 and divide by the total of reckonable service in the FTRS 1997 and pensionable service in the AFPS 2015;

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and applying the appropriate fraction of the applicable increase.”

(7) In respect of service from the member’s transition date, the lump sum award on incapacity for armed forces service is payable under regulation 19 of the EDP Regulations 2014.

(8) Where this paragraph applies, the following is substituted for regulation 20 (amount of lump sum on incapacity for armed forces service) of the EDP Regulations 2014—

“**20.**—(1) The amount of lump sum a person receives under regulation 19 (lump sum awards: incapacity for armed forces service) is to be determined by multiplying one eighth of the person’s final pensionable earnings by their service from their transition date expressed in years and fractions of a year except where—

- (a) the amount calculated is less than X, X being one half of the person’s final pensionable earnings multiplied by their service from their transition date divided by their total service expressed in years and fractions of years. In these circumstances the person is to receive an amount equivalent to X; or
- (b) the amount calculated is more than Y, Y being twice the person’s final pensionable earnings multiplied by their service from their transition date divided by their total service expressed in years and fractions of years. In these circumstances the person is to receive an amount equivalent to Y.

(2) The lump sum is payable before the expiry of the period of 3 months beginning with the day on which the person ceases to be a member of the armed forces.

(3) In this regulation—

- (a) “total service” in relation to a member means the total of their service from their transition date plus their reckonable service as a member of the FTRS 1997; and
- (b) “transition date” has the same meaning as is given in paragraph 2 (interpretation) of Schedule 2 to the FTRS 1997.”.

(9) If the person is entitled to early departure payments under regulation 9 (entitlement to early departure payments) of the EDP Regulations 2014, the person is not entitled to a lump sum award under sub-paragraph (7).

Active transition member on full commitment who leaves service with incapacity for Armed Forces service on or after reaching age 55

20.—(1) This paragraph applies in relation to a transition member on full commitment with continuity of service (T) who—

- (a) meets the criteria for a lump sum on incapacity for service (lump sum awards: incapacity for armed forces service) under regulation 19 of the EDP Regulations 2014; and
- (b) has reached age 55.

(2) In respect of service before T’s transition date, benefits are payable in accordance with rule C.4 of the FTRS 1997.

(3) In respect of service from T’s transition date, benefits are payable in accordance with the amendment to regulation 20 of the EDP Regulations 2014 specified in paragraph 18(8).

Active transition member on full commitment who leaves service with incapacity for Armed Forces service who reaches age 55

21.—(1) This paragraph applies in relation to a transition member on full commitment with continuity of service (T) who is receiving an ill-health pension (active member with incapacity for armed forces service) in accordance with paragraph 18.

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- (2) On the day the member reaches age 55—
 - (a) of the benefits that were payable under paragraph 18(2)(b), the FTRS 1997 basic earned benefits cease to be payable under paragraph 18(2)(b) and instead become payable under the FTRS 1997; and
 - (b) of the benefits that were payable under paragraph 18(2)(b), the FTRS 1997 ill-health enhancement benefits continue to be payable under paragraph 18(2)(b).
- (3) For the purpose of this paragraph, subject to sub-paragraphs (4) and (5)—
 - (a) the “FTRS 1997 basic earned benefits” means the amount arrived at by multiplying 1.5% of T’s final pensionable earnings by T’s reckonable service before T’s transition date expressed as number of years; and
 - (b) the “FTRS 1997 ill-health enhancement benefits” means the benefits payable at paragraph 18(5) in respect of service before T’s transition date minus the FTRS 1997 basic earned benefits.
- (4) Where T is a pension debit member of the FTRS 1997 whose benefits have been reduced in accordance with section 31 of the WRP Act 1999—
 - (a) “the FTRS basic earned benefits” are the amount specified at paragraph (3)(a) reduced by the amount referred to in section 31 of the WRP Act 1999; and
 - (b) where the amount referred to in section 31 of the WRP Act 1999 is greater than the amount at paragraph (3)(a), the “FTRS 1997 ill-health enhancement benefits” are the amount specified at paragraph (3)(b) reduced by the difference between the amount specified at paragraph (3)(a) and the amount referred to at section 31 of the WRP Act 1999.

Active transition member on home or limited commitment who leaves service with incapacity for Armed Forces service who reaches age 60

22.—(1) This paragraph applies in relation to a transition member on home or limited commitment with continuity of service (T) who is receiving an ill-health pension (active member with incapacity for armed forces service) in accordance with paragraph 19.

- (2) On the day the member reaches age 60—
 - (a) of the benefits that were payable under paragraph 19(2)(b), the FTRS 1997 basic earned benefits cease to be payable under paragraph 19(2)(b) and instead become payable under the FTRS 1997; and
 - (b) of the benefits that were payable under paragraph 19(2)(b), the FTRS 1997 ill-health enhancement benefits continue to be payable under paragraph 19(2)(b).
- (3) For the purpose of this paragraph, subject to sub-paragraph (4)—
 - (a) the “FTRS 1997 basic earned benefits” means the amount arrived at by multiplying 1.25% of T’s final pensionable earnings by T’s reckonable service before T’s transition date expressed as number of years; and
 - (b) the “FTRS 1997 ill-health enhancement benefits” means the benefits payable at paragraph 19(5) in respect of service before T’s transition date minus the FTRS 1997 basic earned benefits.
- (4) Where T is a pension debit member of the FTRS 1997 whose benefits have been reduced in accordance with section 31 of the WRPA Act 1999—
 - (a) “the FTRS basic earned benefits” are the amount specified at paragraph (3)(a) reduced by the amount referred to in section 31 of the WRP Act 1999; and
 - (b) where the amount referred to in section 31 of the WRP Act 1999 is greater than the amount at paragraph (3)(a), the “FTRS 1997 ill-health enhancement benefits” are the amount

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specified at paragraph (3)(b) reduced by the difference between the amount specified at paragraph (3)(a) and the amount referred to at section 31 of the WRP Act 1999.

Deferred transition member whose last period of service was on full commitment with permanent serious ill-health who has not reached age 55

23.—(1) This paragraph applies in relation to a transition member with continuity of service (T) who—

- (a) meets the criteria for an ill-health pension (deferred member with permanent serious ill-health) under regulation 56 of the AFP Regulations 2014; and
- (b) has not reached age 55.

(2) If this paragraph applies—

- (a) early benefits on permanent serious ill-health are not payable under the FTRS 1997; and
- (b) ill-health benefits (deferred member with permanent serious ill-health) are payable under the AFPS 2015 in accordance with this paragraph.

(3) The ill-health benefits payable under paragraph (2)(b) comprise benefits payable in respect of service before T's transition date and benefits payable in respect of service from T's transition date.

(4) The benefits payable in respect of service before T's transition date are calculated in accordance with the rules in Part C of the FTRS 1997.

(5) The benefits payable in respect of service from T's transition date are calculated in accordance with the AFP Regulations 2014.

Deferred transition member whose last period of service was on home or limited commitment with permanent serious ill-health who has not reached age 60

24.—(1) This paragraph applies in relation to a transition member on home or limited commitment with continuity of service (T) who—

- (a) meets the criteria for an ill-health pension (deferred member with permanent serious ill-health) under regulation 56 of the AFP Regulations 2014; and
- (b) has not reached age 60.

(2) If this paragraph applies—

- (a) early benefits on permanent serious ill-health are not payable under the FTRS 1997; and
- (b) ill-health benefits (deferred member with permanent serious ill-health) are payable under the AFPS 2015 in accordance with this paragraph.

(3) The ill-health benefits payable under paragraph (2)(b) comprise benefits payable in respect of service before T's transition date and benefits payable in respect of service from T's transition date.

(4) The benefits payable in respect of service before T's transition date are calculated in accordance with the rules in Part C of the FTRS 1997.

(5) The benefits payable in respect of service from T's transition date are calculated in accordance with the AFP Regulations 2014.

Deferred transition member whose last period of service was on full commitment with permanent serious ill-health who reaches age 55

25.—(1) This paragraph applies in relation to a transition member on full commitment with continuity of service (T) who is receiving ill-health benefits (deferred member with permanent serious ill-health) in accordance with paragraph 23.

(2) On the day the member reaches age 55, the FTRS 1997 benefits cease to be payable under paragraph 23(2)(b) and instead become payable under the FTRS 1997.

Deferred transition member whose last period of service was on home or limited commitment with permanent serious ill-health who reaches age 60

26.—(1) This paragraph applies in relation to a transition member on home or limited commitment with continuity of service (T) who is receiving ill-health benefits (deferred member with permanent serious ill-health) in accordance with paragraph 24.

(2) On the day the member reaches age 60, the FTRS benefits cease to be payable under paragraph 24(2)(b) and instead become payable under the FTRS 1997.

Deferred transition member whose last period of service was on full commitment who meets criteria for permanent serious ill-health on or after reaching age 55

27.—(1) This paragraph applies in relation to a transition member on full commitment with continuity of service (T) who is a deferred member of the AFPS 2015, who is age 55 or over, and who meets the criteria for an ill-health pension (deferred member with permanent serious ill-health) in regulation 56 of the AFP Regulations 2014.

(2) Where the member is a deferred member of the FTRS 1997—

- (a) a pension is payable under the rules of the FTRS 1997 in respect of service before T's transition date; and
- (b) a pension is payable under regulation 56 of the AFP Regulations 2014 in respect of service from T's transition date.

(3) Where the member is a pensioner member of the FTRS 1997 in receipt of a pension under FTRS 1997—

- (a) a pension continues to be payable under the FTRS 1997 in respect of service before T's transition date; and
- (b) a pension is payable under regulation 56 of the AFP Regulations 2014 in respect of service from T's transition date.

Deferred transition member whose last period of service was on home or limited commitment who meets criteria for permanent serious ill-health on or after reaching age 60

28.—(1) This paragraph applies in relation to a transition member on home or limited commitment with continuity of service (T) who is a deferred member of the AFPS 2015, who is age 60 or over, and who meets the criteria for an ill-health pension (deferred member with permanent serious ill-health) in regulation 56 of the AFP Regulations 2014.

(2) Where the member is a deferred member of the FTRS 1997—

- (a) a pension is payable under the rules of the FTRS 1997 in respect of service before T's transition date; and
- (b) a pension is payable under regulation 56 of the AFP Regulations 2014 in respect of service from T's transition date.

(3) Where the member is a pensioner member of the FTRS 1997 in receipt of a pension under FTRS 1997—

- (a) a pension continues to be payable under the FTRS 1997 in respect of service before T's transition date; and

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- (b) a pension is payable under regulation 56 of the AFP Regulations 2014 in respect of service from T's transition date.

Review of ill-health awards at request of member or Secretary of State

29. Regulations 57 and 58 of the AFP Regulations 2014 apply to a transition member with continuity of service who is entitled under this Part to an ill-health award in respect of their service before 1st April 2015.

PART 4

Payment of death benefits in respect of transition members with continuity of service

Death benefits not to be paid in respect of transition members except in accordance with this Part

30. Surviving adult's pensions, eligible child's pensions and lump sum death benefits are not to be paid in respect of transition members with continuity of service except as provided by this Part.

Surviving adult's pension when transition member on full commitment dies in service before reaching age 55

31.—(1) This paragraph applies in relation to a transition member with continuity of service (T) who dies as an active member of the AFPS 2015 before reaching age 55 and for whom the conditions of regulation 65 (surviving spouses' and civil partners' pensions) or regulation 67 (other adult dependants' pensions) of the AFP Regulations 2014 apply.

(2) A pension for a surviving spouse or surviving civil partner ("surviving adult dependant") is payable under the FTRS 1997 in respect of service before T's transition date.

(3) A pension for a surviving adult dependant is payable under the AFPS 2015 in respect of service from T's transition date.

(4) The pension payable in respect of service before T's transition date is calculated in accordance with the rules in Part D of the FTRS 1997, but when calculating the annual rate of pension in accordance with rule D.2, the amendments specified in paragraphs 8(5) and 8(6) are to be taken into account

(5) The pension payable in respect of service from T's transition date is calculated in accordance with the AFP Regulations 2014, but when calculating the rate of annual pension in accordance with regulation 70 (annual rate of adult dependants' pensions payable on death of active member), the calculation of the member's earned pension is to take account of the amendment specified in paragraph 8(7) to regulation 54.

Surviving adult's pension when transition member on home or limited commitment dies in service before reaching age 60

32.—(1) This paragraph applies in relation to a transition member with continuity of service (T) who dies as an active member of the AFPS 2015 before reaching age 60 and for whom the conditions of regulation 65 (surviving spouses' and civil partners' pensions) or regulation 67 (other adult dependants' pensions) of the AFP Regulations 2014 apply.

(2) a pension for a surviving adult dependant is payable under the FTRS 1997 in respect of service before T's transition date.

(3) A pension for a surviving adult dependant is payable under the AFPS 2015 in respect of service from T's transition date.

(4) The pension payable in respect of service before T's transition date is calculated in accordance with the rules in Part D of the FTRS 1997, but when calculating the annual pension in accordance with rule D.2, the amendments specified in paragraph 9(5) and (6) are to be taken into account.

(5) The pension payable in respect of service from T's transition date is calculated in accordance with the AFP Regulations 2014, but when calculating the rate of annual pension in accordance with regulation 70 (annual rate of adult dependants' pensions payable on death of active member), the calculation of the member's earned pension is to take account of the amendment specified in paragraph 9(7) to regulation 54.

Surviving adult dependant's pension when a transition member on full commitment dies in service on or after reaching age 55

33.—(1) This paragraph applies in relation to a transition member on full commitment with continuity of service (T) who dies as an active member of the AFPS 2015 on or after reaching age 55.

(2) A pension for a surviving adult dependant is payable under rule D.1 of the FTRS 1997 in respect of service before T's transition date.

(3) A pension for a surviving adult dependant is payable under regulation 70 (annual rate of adult dependants' pensions payable on death of active member) of the AFP Regulations 2014 in respect of service from T's transition date.

(4) The pension payable in respect of service from T's transition date is calculated in accordance with the AFPS Regulations 2014, but when calculating the rate of annual pension in accordance with regulation 70 (annual rate of adult dependants' pensions payable on death of active member), the calculation of the member's earned pension is to take account of the amendment in paragraph 8(7) to regulation 54.

Surviving adult dependant's pension when a transition member on home or limited commitment dies in service on or after reaching age 60

34.—(1) This paragraph applies in relation to a transition member on home or limited commitment with continuity of service (T) who dies as an active member of the AFPS 2015 on or after reaching age 60.

(2) A pension for a surviving adult dependant is payable under rule D.1 of the FTRS 1997 in respect of service before T's transition date.

(3) A pension for a surviving adult dependant is payable under regulation 70 (annual rate of adult dependants' pensions payable on death of active member) of the AFP Regulations 2014 in respect of service from T's transition date.

Surviving adult dependant's pension when a transition member whose last period of service was on full commitment dies as a deferred or ill-health pensioner member before reaching age 55

35.—(1) This paragraph applies in relation to a transition member with continuity of service (T) who dies as a deferred member or an ill-health pensioner member of the AFPS 2015 before reaching age 55 and for whom the conditions of regulation 65 (surviving spouses' and civil partners' pensions) or regulation 67 (other adult dependants' pensions) of the AFP Regulations 2014 apply.

(2) A pension for a surviving adult dependant is payable under the FTRS 1997 in respect of service before T's transition date.

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(3) A pension for a surviving adult dependant is payable under the AFPS 2015 in respect of service from T's transition date.

(4) The pension payable in respect of service before T's transition date is calculated in accordance with the rules in Part D of the FTRS 1997, subject to sub-paragraph (5).

(5) Where T was in receipt of early benefits on ill-health, when calculating the rate of annual pension, the amendments specified in paragraphs 8(5) and 8(6) are to be taken into account.

(6) The pension payable in respect of service from T's transition date is calculated in accordance with the AFP Regulations 2014, but—

(a) where the pensioner was in receipt of early benefits on permanent serious ill-health, when calculating the rate of annual pension in accordance with regulation 68 (annual rate of adult dependants' pensions payable on death of pensioner member), the calculation of the member's retirement earned pension is to take account of the amendment in paragraph 8(7) of regulation 54; and

(b) where the pensioner was in receipt of early benefits on significant incapacity for gainful employment, when calculating the rate of annual pension in accordance with regulation 68 (annual rate of adult dependants' pensions payable on death of pensioner member), the calculation of the member's retirement earned pension is to take account of the amendment in paragraph 13(7) to regulation 55.

(7) In this paragraph an "ill health pensioner member" is a member who is in receipt of an ill-health pension.

Surviving adult dependant's pension when a transition member whose last period of service was on home or limited commitment, dies as a deferred or ill-health pensioner member before reaching age 60

36.—(1) This paragraph applies in relation to a transition member on home or limited commitment with continuity of service (T) who dies as a deferred member or an ill-health pensioner member of the AFPS 2015 before reaching age 55 and for whom the conditions of regulation 65 (surviving spouses' and civil partners' pensions) or regulation 67 (other adult dependants' pensions) of the AFP Regulations 2014 apply.

(2) A pension for a surviving adult dependant is payable under the FTRS 1997 in respect of service before T's transition date.

(3) A pension for a surviving adult dependant is payable under the AFPS 2015 in respect of service from T's transition date.

(4) The pension payable in respect of service before T's transition date is calculated in accordance with the rules in Part D of the FTRS 1997, subject to sub-paragraph (5).

(5) Where T was in receipt of early benefits on ill-health, when calculating the rate of annual pension, the amendments specified in paragraphs 9(5) and 9(6) are to be taken into account.

(6) The pension payable in respect of service from T's transition date is calculated in accordance with the AFP Regulations 2014, but—

(a) where the pensioner was in receipt of early benefits on permanent serious ill-health, when calculating the rate of annual pension in accordance with regulation 68 (annual rate of adult dependants' pensions payable on death of pensioner member), the calculation of the member's retirement earned pension is to take account of the amendment in paragraph 9(7) to regulation 54; and

(b) where the pensioner was in receipt of early benefits on significant incapacity for gainful employment, when calculating the rate of annual pension in accordance with regulation 68 (annual rate of adult dependants' pensions payable on death of pensioner member), the

calculation of the member's retirement earned pension is to take account of the amendment in paragraph 14(7) to regulation 55.

(7) In this paragraph an "ill-health pensioner member" is a member who is in receipt of an ill-health pension.

Surviving adult dependant's pension when a transition member whose last period of service was on full commitment dies as a deferred member or a pensioner member on or after reaching age 55

37.—(1) This paragraph applies in relation to a transition member on full commitment with continuity of service (T) who dies as a deferred member or a pensioner member of the AFPS 2015 on or after reaching age 55 and for whom the conditions of regulation 65 (surviving spouses' and civil partners' pensions) or regulation 67 (other adult dependants' pensions) of the AFP Regulations 2014 apply.

(2) In the case of a deferred member of the AFPS 2015—

- (a) a pension for a surviving adult dependant is payable under rule D.1 of the FTRS 1997 in respect of the member's service before T's transition date; and
- (b) a pension for a surviving adult dependant is payable under regulation 69 (annual rate of adult dependants' pensions payable on death of a deferred member) of the AFP Regulations 2014 in respect of the member's service from T's transition date.

(3) In the case of a pensioner member of the AFPS 2015—

- (a) the pension payable in respect of service before T's transition date is calculated in accordance with the rules in Part D of the FTRS 1997, but where T was in receipt of early benefits on the grounds of ill-health, the calculation of the rate of annual pension is to take account of the amendments specified in paragraph 8(5) and (6) to rule C.5(3) and C.6(3); and
- (b) the pension payable in respect of service from T's transition date is calculated in accordance with the AFP Regulations 2014, but—
 - (i) where the pensioner was in receipt of early benefits on permanent serious ill-health, when calculating the rate of annual pension in accordance with regulation 68 (annual rate of adult dependants' pensions payable on death of pensioner member), the calculation of the member's retirement earned pension is to take account of the amendment in paragraph 8(7) to regulation 54; and
 - (ii) where the pensioner was in receipt of early benefits on significant incapacity for gainful employment, when calculating the rate of annual pension in accordance with regulation 68, the calculation of the member's retirement earned pension is to take account of the amendment in paragraph 13(7) to regulation 55.

Surviving adult dependant's pension when a transition member whose last period of service was on home or limited commitment dies as a deferred member or a pensioner member on or after reaching age 60

38.—(1) This paragraph applies in relation to a transition member on home or limited commitment with continuity of service (T) who dies as a deferred member or a pensioner member of the AFPS 2015 on or after reaching age 60 and for whom the conditions of regulation 65 (surviving spouses' and civil partners' pensions) or regulation 67 (other adult dependants' pensions) of the AFP Regulations 2014 apply.

(2) In the case of a deferred member of the AFPS 2015—

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- (a) a pension for a surviving adult dependant is payable under rule D.1 of the FTRS 1997 in respect of the member's service before T's transition date; and
 - (b) a pension for a surviving adult dependant is payable under regulation 69 (annual rate of adult dependants' pensions payable on death of a deferred member) of the AFP Regulations 2014 in respect of the member's service from T's transition date.
- (3) In the case of a pensioner member of the AFPS 2015—
- (a) the pension payable in respect of service before T's transition date is calculated in accordance with the rules in Part D of the FTRS 1997, but where T was in receipt of early benefits on ill-health, the calculation of the rate of annual pension is to take account of the amendments specified in paragraph 9(5) and 9(6) to rule C.5(3) and C.6(3); and
 - (b) the pension payable in respect of service from T's transition date is calculated in accordance with the AFP Regulations 2014, but—
 - (i) where the pensioner was in receipt of early benefits on permanent serious ill-health, when calculating the rate of annual pension in accordance with regulation 68 (annual rate of adult dependants' pensions payable on death of pensioner member), the calculation of the member's retirement earned pension is to take account of the amendment in paragraph 9(7) to regulation 54; and
 - (ii) where the pensioner was in receipt of early benefits on significant incapacity for gainful employment, when calculating the rate of annual pension in accordance with regulation 68, the calculation of the member's retirement earned pension is to take account of the amendment in paragraph 14(7) to regulation 55.

Eligible child's pension payable when a transition member on full commitment dies in service before reaching age 55

39.—(1) This paragraph applies in relation to a transition member with continuity of service (T) who dies as an active member of the AFPS 2015 before reaching their pension age and before reaching age 55 and for whom the conditions of regulation 72 (surviving children's pensions) of the AFP Regulations 2014 apply.

(2) A pension for an eligible child is payable under the FTRS 1997 in respect of service before T's transition date.

(3) A pension for an eligible child is payable under the AFPS 2015 in respect of service from T's transition date.

(4) The pension payable in respect of service before T's transition date is calculated in accordance with the rules in Part D of the FTRS 1997, but when calculating the annual rate of pension in accordance with rule D.9, the amendments specified in paragraph 8(5) and 8(6) are to be taken into account.

(5) The pension payable in respect of service from T's transition date is calculated in accordance with the AFP Regulations 2014, but when calculating the rate of annual pension in accordance with regulation 74 (annual rate of children's pensions), the calculation of the member's earned pension is to take account of the amendment in paragraph 8(7) to regulation 54.

Eligible child's pension payable under the AFPS 2015 when a transition member on home or limited commitment dies in service before reaching age 60

40.—(1) This paragraph applies in relation to a transition member on home or limited commitment with continuity of service (T) who dies as an active member of the AFPS 2015 before reaching age 60 and for whom the conditions of regulation 72 (surviving children's pensions) of the AFP Regulations 2014 apply.

(2) A pension for an eligible child is payable under the FTRS 1997 in respect of service before T's transition date.

(3) A pension for an eligible child is payable under the AFPS 2015 in respect of service from T's transition date.

(4) The pension payable in respect of service before T's transition date is calculated in accordance with the rules in Part D of the FTRS 1997, but when calculating the annual rate of pension in accordance with rule D.9 the amendments specified in paragraphs 9(5) and 9(6) are to be taken into account.

(5) The pension payable in respect of service from T's transition date is calculated in accordance with the AFP Regulations 2014, but when calculating the rate of annual pension in accordance with regulation 74 (annual rate of children's pensions), the calculation of the member's earned pension is to take account of the amendment in paragraph 9(7) to regulation 54.

Eligible child's pension when a transition member on full commitment dies in service on or after reaching age 55

41.—(1) This paragraph applies in relation to a transition member on full commitment with continuity of service (T) who dies as an active member of AFPS 2015 on or after reaching age 55 and for whom the conditions of regulation 72 (surviving children's pensions) of the AFP Regulations 2014 apply.

(2) A pension for an eligible child is payable under rule D.7 of the FTRS 1997 in respect of service before T's transition date.

(3) A pension for an eligible child is payable under regulation 74 (annual rate of children's pensions) of the AFP Regulations 2014 in respect of service from T's transition date.

(4) Where the death is before the transition member has reached age 60, the calculation of the member's earned pension is to take account of the amendment in paragraph 8(7) to regulation 54.

Eligible child's pension when a transition member on home or limited commitment dies in service on or after reaching age 60

42.—(1) This paragraph applies in relation to a transition member on home or limited commitment with continuity of service (T) who dies as an active member of AFPS 2015 on or after reaching age 60 and for whom the conditions of regulation 72 (surviving children's pensions) of the AFP Regulations 2014 apply.

(2) A pension for an eligible child is payable under rule D.7 of the FTRS 1997 in respect of service before T's transition date.

(3) A pension for an eligible child is payable under regulation 74 (annual rate of children's pensions) of the AFP Regulations 2014 in respect of service from T's transition date.

Eligible child's pension when a transition member on full commitment dies as a deferred or an ill-health pensioner member before reaching age 55

43.—(1) This paragraph applies in relation to a transition member on full commitment with continuity of service (T) who dies as a deferred member or an ill-health pensioner member of the AFPS 2015 before reaching age 55 and for whom the conditions of regulation 72 (surviving children's pensions) of the AFP Regulations 2014 apply.

(2) A pension for an eligible child is payable under the FTRS 1997 in respect of service before T's transition date.

(3) A pension for an eligible child is payable under the AFPS 2015 in respect of service from T's transition date.

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(4) The pension payable in respect of service before T's transition date is calculated in accordance with the rules in Part D of the FTRS 1997, subject to sub-paragraph (5).

(5) Where T was in receipt of early benefits on ill-health, when calculating the rate of annual pension, the amendments specified in paragraphs 8(5) and 8(6) are to be taken into account.

(6) The pension payable in respect of service from T's transition date is calculated in accordance with the AFP Regulations 2014, but—

- (a) where the pensioner was in receipt of early benefits on permanent serious ill-health, when calculating the rate of annual pension in accordance with regulation 74 (annual rate of children's pensions), the calculation of the member's earned pension is to take account of the amendment in paragraph 8(7) to regulation 54; and
- (b) where the pensioner was in receipt of early benefits on significant incapacity for gainful employment, when calculating the rate of annual pension in accordance with regulation 74, the calculation of the member's earned pension is to take account of the amendment in paragraph 13(7) to regulation 55.

(7) In this paragraph an "ill-health pensioner member" is a member who is in receipt of an ill-health pension.

Eligible child's pension when a transition member on home or limited commitment dies as a deferred or an ill-health pensioner member before reaching age 60

44.—(1) This paragraph applies in relation to a transition member on home or limited commitment with continuity of service (T) who dies as a deferred member or an ill-health pensioner member of the AFPS 2015 before reaching age 60 and for whom the conditions of regulation 72 (surviving children's pensions) of the AFP Regulations 2014 apply.

(2) A pension for an eligible child is payable under the FTRS 1997 in respect of service before T's transition date.

(3) A pension for an eligible child is payable under the AFPS 2015 in respect of service from T's transition date.

(4) The pension payable in respect of service before T's transition date is calculated in accordance with the rules in Part D of the FTRS 1997, subject to sub-paragraph (5).

(5) Where T was in receipt of early benefits on ill-health, when calculating the rate of annual pension, the amendments specified in paragraphs 9(5) and 9(6) are to be taken into account.

(6) The pension payable in respect of service from T's transition date is calculated in accordance with the AFP Regulations 2014, but—

- (a) where the pensioner was in receipt of early benefits on permanent serious ill-health, when calculating the rate of annual pension in accordance with regulation 74 (annual rate of children's pensions), the calculation of the member's earned pension is to take account of the amendment in paragraph 9(7) to regulation 54; and
- (b) where the pensioner was in receipt of early benefits on significant incapacity for gainful employment, when calculating the rate of annual pension in accordance with regulation 74, the calculation of the member's earned pension is to take account of the amendment in paragraph 14(7) to regulation 55.

(7) In this paragraph an "ill-health pensioner member" is a member who is in receipt of an ill-health pension.

Eligible child's pension when a transition member on full commitment dies as a deferred or pensioner member on or after reaching age 55

45.—(1) This paragraph applies in relation to a transition member on full commitment with continuity of service (T) who dies as a deferred member or a pensioner member of the AFPS 2015 on or after reaching age 55 and for whom the conditions of regulation 72 (surviving children's pensions) of the AFP Regulations 2014 apply.

- (2) In the case of a deferred member of the AFPS 2015—
 - (a) a pension for an eligible child is payable under rule D.7 of the FTRS 1997 in respect of the member's service before T's transition date; and
 - (b) a pension for an eligible child is payable under regulation 74 (annual rate of children's pensions) of the AFP Regulations 2014 in respect of the member's service from T's transition date.
- (3) In the case of a pensioner member of the AFPS 2015—
 - (a) the pension payable in respect of service before T's transition date is calculated in accordance with the rules in Part D of the FTRS 1997, but where T was in receipt of early benefits on the grounds of ill-health, the calculation of the rate of annual pension is to take account of the amendments specified in paragraph 8(5) and (6) to rules C.5(3) and C.6(3).
 - (b) the pension payable in respect of service from T's transition date is calculated in accordance with the AFP Regulations 2014, but—
 - (i) where the pensioner was in receipt of early benefits on permanent serious ill-health, when calculating the rate of annual pension in accordance with regulation 74 (annual rate of children's pensions), the calculation of the member's earned pension is to take account of the amendment in paragraph 8(7) to regulation 54; and
 - (ii) where the pensioner was in receipt of early benefits on significant incapacity for gainful employment, when calculating the rate of annual pension in accordance with regulation 74, the calculation of the member's earned pension is to take account of the amendment in paragraph 13(7) to regulation 55.

Eligible child's pension when a transition member on home or limited commitment dies as a deferred or pensioner member on or after reaching age 60

46.—(1) This paragraph applies in relation to a transition member on home or limited commitment with continuity of service (T) who dies as a deferred member or a pensioner member of the AFPS 2015 on or after reaching age 60 and for whom the conditions of regulation 72 (surviving children's pensions) of the AFP Regulations 2014 apply.

- (2) In the case of a deferred member of the AFPS 2015—
 - (a) a pension for an eligible child is payable under rule D.7 of the FTRS 1997 in respect of the member's service before T's transition date; and
 - (b) a pension for an eligible child is payable under regulation 74 (annual rate of children's pensions) of the AFP Regulations 2014 in respect of the member's service from T's transition date.
- (3) In the case of a pensioner member of the AFPS 2015—
 - (a) the pension payable in respect of service before T's transition date is calculated in accordance with the rules in Part D of the FTRS 1997, but where T was in receipt of early benefits on the grounds of ill-health, the calculation of the rate of annual pension is to take account of the amendments specified in paragraph 9(5) and (6) to rules C.5(3) and C.6(3).
 - (b) the pension payable in respect of service from T's transition date is calculated in accordance with the AFP Regulations 2014, but—

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- (i) where the pensioner was in receipt of early benefits on permanent serious ill-health, when calculating the rate of annual pension in accordance with regulation 74, the calculation of the member's earned pension is to take account of the amendment in paragraph 9(7) to regulation 54; and
- (ii) where the pensioner was in receipt of early benefits on significant incapacity for gainful employment, when calculating the rate of annual pension in accordance with regulation 74, the calculation of the member's earned pension is to take account of the amendment in paragraph 14(7) to regulation 55.

Death of a member in service: lump sum benefit

47.—(1) This paragraph applies in relation to a transition member with continuity of service who dies as an active member of the AFPS 2015.

- (2) On the death of the member—
 - (a) a lump sum is payable under regulation 79 (lump sum amount payable on death of active member) of the AFP Regulations 2014; but
 - (b) a lump sum is not payable under the FTRS 1997.

Death of a deferred transition member whose last period of service was on full commitment: lump sum benefit

48.—(1) This paragraph applies in relation to a transition member with continuity of service who dies as a deferred member of the AFPS 2015.

- (2) On the death of a deferred transition member of the AFPS 2015 before reaching age 55—
 - (a) if regulation 80 (lump sum amount payable on death of deferred member) of the AFP Regulations 2014 applies to the member, a lump sum death benefit is payable under that regulation.
 - (b) if the member is a pensioner member of the FTRS 1997 and the conditions for payment of a lump sum benefit under rule D.12 of the FTRS 1997 are met, a lump sum death benefit equal to the sum that would have been payable under rule D.12 of the FTRS 1997 is payable under the AFPS 2015.
- (3) On the death of a deferred member of the AFPS 2015, who is also a pensioner member of the FTRS 1997, on or after reaching age 55—
 - (a) if regulation 80 (lump sum amount payable on death of deferred member) of the AFP Regulations 2014 applies to the member, a lump sum death benefit is payable under that regulation; and
 - (b) if the member is a deferred member of the FTRS 1997 and the conditions for payment of a lump sum death benefit under rule D.12 of the FTRS 1997 are met, a lump sum death benefit is payable under rule D.12 of the FTRS 1997.

Death of a deferred member whose last period of service was on home or limited commitment: lump sum benefit

49.—(1) This paragraph applies in relation to a transition member with continuity of service who dies as a deferred member of the AFPS 2015.

- (2) On the death of a deferred member of the AFPS 2015 before reaching age 60—
 - (a) if regulation 80 (lump sum amount payable on death of deferred member) of the AFP Regulations 2014 applies to the member, a lump sum death benefit is payable under that regulation.

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- (b) if the member is a deferred member of the FTRS 1997 and the conditions for payment of a lump sum benefit under rule D.12 (lump sum benefit: active, deferred and pensioner members) of the FTRS 1997 are met, a lump sum death benefit equal to the sum that would have been payable under rule D.12 of the FTRS 1997 is payable under the AFPS 2015.
- (3) On the death of a deferred member of the AFPS 2015, who is also a pensioner member of the FTRS 1997, on or after reaching age 60—
 - (a) if regulation 80 (lump sum amount payable on death of deferred member) of the AFP Regulations 2014 applies to the member, a lump sum death benefit is payable under that regulation; and
 - (b) if the member is a deferred member of the FTRS 1997 and the conditions for payment of a lump sum death benefit under rule D.12 of the FTRS 1997 are met, a lump sum death benefit is payable under rule D.12 of the FTRS 1997.

Death of a pensioner member whose last period of service was on full commitment before reaching age 55: lump sum benefit

50.—(1) This paragraph applies in relation to a transition member with continuity of service who dies as a pensioner member of the AFPS 2015.

- (2) On the death of a pensioner member of the AFPS 2015 before reaching age 55—
 - (a) if regulation 81 (lump sum amount payable on death of pensioner member) of the AFP Regulations 2014 applies to the member, a lump sum death benefit is payable under that regulation; and
 - (b) if the member is a pensioner member of the FTRS 1997 and the conditions for payment of a lump sum benefit under rule D.12 of the FTRS 1997 are met, a lump sum death benefit is not payable under rule D.12 of the FTRS 1997, but a lump sum equal to the sum that would have been paid under rule D.12 is payable under the AFPS 2015 in accordance with this paragraph.

Death of a pensioner member whose last period of service was on home or limited commitment before reaching age 60: lump sum benefit

51.—(1) This paragraph applies in relation to a transition member with continuity of service who dies as a pensioner member of the AFPS 2015.

- (2) On the death of a pensioner member of the AFPS 2015 before reaching age 60—
 - (a) if regulation 81 (lump sum amount payable on death of pensioner member) of the AFP Regulations 2014 applies to the member, a lump sum death benefit is payable under that regulation; and
 - (b) if the member is a pensioner member of the FTRS 1997 and the conditions for payment of a lump sum benefit under rule D.12 of the FTRS 1997 are met, a lump sum death benefit is not payable under rule D.12 of the FTRS 1997, but a lump sum equal to the sum that would have been paid under rule D.12 is payable under the AFPS 2015 in accordance with this paragraph.

Death of a pensioner member on full commitment or on or after reaching age 55: lump sum benefit

52.—(1) This paragraph applies in relation to a transition member with continuity of service who dies as a pensioner member of the AFPS 2015.

- (2) On the death of a pensioner member of the AFPS 2015 on or after reaching age 55—

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- (a) if regulation 81 (lump sum amount payable on death of pensioner member) of the AFP Regulations 2014 applies to the member, a lump sum death benefit is payable under that regulation; and
- (b) if the member is a pensioner member of the FTRS 1997 and the conditions for payment of a lump sum benefit under rule D.12 of the FTRS 1997 are met, a lump sum death benefit is payable under rule D.12 of the FTRS 1997.

Death of a pensioner member on home or limited commitment or on or after reaching age 60: lump sum benefit

53.—(1) This paragraph applies in relation to a transition member with continuity of service who dies as a pensioner member of the AFPS 2015.

- (2) On the death of a pensioner member of the AFPS 2015 on or after reaching age 60—
 - (a) if regulation 81 (lump sum amount payable on death of pensioner member) of the AFP Regulations 2014 applies to the member, a lump sum death benefit is payable under that regulation; and
 - (b) if the member is a pensioner member of the FTRS 1997 and the conditions for payment of a lump sum benefit under rule D.12 of the FTRS 1997 are met, a lump sum death benefit is payable under rule D.12 of the FTRS 1997.

Removal of increased pensions for the immediate bereavement period pensions

54. A pension under rule D.4 (amount of surviving spouse or civil partnership’s short-term pension) or rule D.10 (increased pension under rule D.7 for the immediate bereavement period) of the FTRS 1997 is not payable to a surviving adult dependant or eligible child of a transition member.

PART 5

Transitional provisions relating to FTRS 1997

No benefits for service on or after member’s transition date

55. No benefits under the FTRS are to be provided to or in respect of a transition member in relation to that member’s service on or after their transition date.

Pensionable service under the FTRS 1997 for a transition member with continuity of service

56.—(1) This paragraph applies in relation to a transition member with continuity of service (T) who is in pensionable service under the AFPS 2015.

(2) In determining whether T qualifies under FTRS 1997 for retirement benefits (other than early benefits on ill-health), T’s pensionable service under the FTRS 1997 terminates when T’s pensionable service under the AFPS 2015 terminates.

Final salary link for a transition member with continuity of service

57.—(1) In calculating benefits payable under the FTRS 1997 to or in respect of a transition member with continuity of service (T), T’s final pensionable earnings are determined by reference to Schedule 7 to the 2013 Act as if “final salary” were a reference to “final pensionable earnings”.

- (2) The final salary link in Schedule 7 to the 2013 Act—

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- (a) applies to T's service only if T is in service as a member of the reserve forces on T's transition date; and
- (b) does not apply to any previous period of service that T has, regardless of the length of time between the periods of service.

Secretary of State does not consider that the member has suffered a permanent breakdown of health involving incapacity for any full-time employment

58.—(1) This paragraph applies if a member of the FTRS 1997—

- (a) claimed payment of an ill-health pension under the FTRS 1997 before the member's transition date; and
- (b) the pension does not become payable before the member's transition date.

(2) if the member is not entitled to immediate payment of an ill-health pension under the FTRS 1997, the member joins the AFPS 2015 on whichever is the later of—

- (a) the member's transition date; and
- (b) the day after all relevant appeal rights have expired in relation to the Secretary of State's decision that the member has not suffered a permanent breakdown in health involving incapacity for any full-time employment.

(3) Where sub-paragraph (2) applies, the member is exempted from section 18(1) of the 2013 Act in respect of the period before the member becomes a member of the AFPS 2015.

Deferred membership of the FTRS 1997

59.—(1) A transition member with continuity of service (T) does not become a deferred member of the FTRS 1997 unless T becomes a deferred member of the AFPS 2015.

(2) If T opts out of the AFPS 2015 in relation to service in a scheme employment, T becomes a deferred member of the FTRS 1997 in relation to that service.

(3) If T re-enters pensionable service under the AFPS 2015 after a gap in service not exceeding 5 years, T ceases to be a deferred member of the FTRS 1997.

Qualifying for retirement benefits under the FTRS 1997

60.—(1) In determining whether a transition member with continuity of service qualifies for retirement benefits under the FTRS 1997, the member's qualifying service includes the total of—

- (a) the member's qualifying service under the FTRS 1997; and
- (b) the member's qualifying service under the AFPS 2015.

Final salary link not to apply again to a pension in payment

61. Where any element of pension under the FTRS 1997 which is in payment has been calculated by reference to Schedule 7 (final salary link) to the 2013 Act, that element of the pension is not recalculated by reference to Schedule 7 to the 2013 Act in consequence of a subsequent period of pensionable public service (as defined in paragraph 3 of Schedule 7 to the 2013 Act) unless the further period of pension is aggregated under the rules of the FTRS 1997.”