

SCHEDULE 12

Surrender of Part of Retirement Pension

PART I

LIMITS ON AMOUNT SURRENDERED

- 1.—(1) The part of the retirement pension surrendered on any occasion—
 - (a) must be an exact number of pounds; and
 - (b) must secure for the beneficiary a pension of at least £39 per annum.
- (2) The surrendered part must not, together with any parts previously surrendered—
 - (a) exceed the lower of—
 - (i) the amount which would result in the reduction of the retirement pension to less than the rate of the pension which would become payable to the beneficiary; and
 - (ii) one third of the retirement pension; or
 - (b) where the person's local government employment is or was contracted-out employment, be of an amount which would result in the retirement pension—
 - (i) becoming payable at an annual rate less than that obtained by multiplying one eightieth of his pensionable remuneration by the length in years of the whole period of his service in contracted-out employment; or
 - (ii) being, but for regulation E1(3), less than his guaranteed minimum if any.
2. Where the person falls within regulation E17(2)(b), references in paragraph 1 to the retirement pension are references to the retirement pension which would become payable if he were to cease to hold his employment on the day on which the surrender takes effect.