

## SCHEDULES

### SCHEDULE 3

#### THE 85 YEAR RULE: TRANSITIONAL PROVISIONS AND SAVINGS

7.—(1) This paragraph applies to a member who was a member of the 2002 Scheme before 1st October 2006 who—

- (a) before 1st October 2006 elected to make additional contributions to the Scheme to increase total membership under regulation 57(1) (payments to increase total membership) of the 2002 Regulations; and
  - (b) was assumed to retire from local government employment on a date before the member's 65th birthday ("the assumed date") for the purposes of calculating additional contributions under regulation 57(5) of the 2002 Regulations.
- (2) Where a member to whom this paragraph applies—
- (a) continues paying the additional contributions until the assumed date; and
  - (b) retires on or after the assumed date,

the member shall not pay any additional contributions after that date and the whole of the additional period shall be counted as part of the total membership for the purposes of paragraphs 1 to 5 and 9.

(3) An additional period counted as a period of total membership as a result of this paragraph shall be treated as a period of membership before 1st April 2008.