

SCHEDULE 3

Regulations C5, C6, D7

MAXIMUM LENGTH OF ADDITIONAL PERIODS

1.—(1) Subject to paragraph 2, the maximum length of the period in respect of which payment may be made under regulation CS or C6 or which may be specified in a resolution under regulation D7 is A - B, where—

A is the number of years specified in column (2) of the Table below against the age which the person had attained at the appropriate time, and

B is the period he would otherwise be entitled to reckon as reckonable service in relation to his local government employment if he continued in it until he attained the age of 65 years.

TABLE

(1) Age attained	(2) Number of years
Any age less than 55	40
55	32
56	24
57	16
58	8
59	0

(2) Subject to sub-paragraph (3), the appropriate time is the first day of the earliest period that the person is entitled to reckon as reckonable service in relation to his local government employment.

(3) Where that period is one of service under an officer of a scheduled body or former local authority, or one during which the person was subject to a non-local government scheme other than one which was or became a statutory scheme, the appropriate time is the first day of the earliest period of local government employment that the person is entitled to reckon as mentioned in sub-paragraph (2).

2.—(1) In the case of a person who at the appropriate time was entitled to or had received superannuation benefits (including a return of contributions and any benefit by way of a lump sum payment) in respect of any local government employment or under any non-local government scheme, the number of years specified in column (2) of the Table in paragraph 1(1) is to be reduced, in accordance with the certificate of an actuary, to the extent necessary to ensure that—

- (a) the aggregate annual amount of—
 - (i) the actuarial value, expressed as an annuity payable to him, of those superannuation benefits, and
 - (ii) the part of his retirement pension attributable to reckonable service before attaining pensionable age, and
 - (iii) the actuarial value, expressed as an annuity payable to him, of the part of his retiring allowance attributable to such reckonable service,will not exceed two-thirds of his pensionable remuneration, and
- (b) the aggregate amount of—
 - (i) his retiring allowance, and

Status: This is the original version (as it was originally made).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

(ii) any lump sum comprised in those superannuation benefits, will not exceed one hundred and twenty eightieths of his pensionable remuneration.

(2) For the purposes of this paragraph—

- (a) it is to be assumed that the person will, until he attains pensionable age, continue in the same local government employment and on the same scale of remuneration as at the material date,
- (b) any reckonable service on or after the material date is to be disregarded,
- (c) the material date is the date of, as the case may be, the election under regulation CS or C6 or the resolution under regulation D7,
- (d) a person who, when a scheduled body passed a resolution in respect of him under regulation D7, had not become a pensionable employee in their employment is to be treated as if he had on the date of the resolution become such an employee on the scale of remuneration at which the employment was offered to him, and
- (e) regard is to be had to any Inland Revenue advice as to the calculation of the value of the earlier benefits.