

SCHEDULE 10

ALLOCATION OF PART OF RETIREMENT PENSION

PART I

CONTENTS OF DECLARATION

- 1.—(1) A declaration shall specify—
- (a) the part of the retirement pension allocated; and
 - (b) the alternative benefit it shall provide.
- (2) The part allocated, to be expressed as a whole number of pounds, shall not exceed the lower of—
- (a) $\frac{1}{3}$ of the annual rate of the retirement pension, disregarding any National Insurance modification under Schedule 9; and
 - (b) the amount that would result in the reduction of that rate to less than the rate of, as the case may be, the annuity mentioned in regulation E12(2)(a) or the subsequent annuity mentioned in regulation E12(2)(b),
- and shall not be such as to effect any equivalent pension benefits.