

SCHEDULE 2

RE-EMPLOYMENT OF MEMBERS

Separate benefits and dependants' benefits

5.—(1) This paragraph applies where an active pensioner, a rejoining pensioner or rejoining deferred member or a former such person does not make an election under regulation 28(1) of the 1998 Regulations.

(2) Regulation 28(9) of those Regulations shall apply in relation to him instead of regulation E17(2) and (3) of the 1987 Regulations.

(3) When he dies, regulation 47 of the 1998 Regulations (dependants of re-employed pensioners) shall apply instead of regulations E6(1)(c), (2)(e) and (3)(b) and E18 of the 1987 Regulations.

(4) However, if he made an election under regulation E16(1) of the 1987 Regulations which continues in effect until his death, regulation 47 of the 1998 Regulations shall apply as if the single pension to which he became entitled by virtue of that election was an unreduced retirement pension within regulation 47(1) of those Regulations.

(5) Regulation 38 (reduction of death grants: re-employed pensioners) of the 1998 Regulations shall apply in relation to him, instead of regulation E17(4), (5) and (6) of the 1987 Regulations, unless sub-paragraph (6) applies.

(6) This sub-paragraph applies if when he dies, by virtue of regulation 47 of the 1998 Regulations, all the benefits payable on his death (except short-term pensions payable under the old provisions or the 1998 Regulations) are calculated on the assumption that he has made an election under regulation 28(1)).