

Local Government
House, Smith Square,
London SW1P 3HZ

Tel 020 7187 7373
Fax 020 7664 3030

pay, pensions and
employment solutions

Local Government Pensions Committee
Secretary, Terry Edwards

LGPC BULLETIN 51 – JUNE 2008

This is the third of the new style Bulletins. Bulletin 49, which was the first of the new style, was discussed at the Communications Working Party meeting of 15 May. The feedback was very positive but the members of the Working Party suggested that a shorter version of the Bulletin, which summarises the key points, should also be available with the intention that both the Bulletin and the shorter version be e-mailed to administering authorities who can then decide which version (if any) they might wish to forward to employers in their Fund. This suggestion has been taken on board and a shorter version of this Bulletin is being provided.

The Communication Working Party also wanted confirmation that the Bulletins are not going to replace LGPC Circulars. The LGPC will continue to produce Circulars but, as with the Bulletins, the Secretariat intends to distribute them as electronic documents only. Further information on this will be included in the next Circular.

As a result of feedback, the standard font size used for this Bulletin has been increased from the size used in the previous Bulletins. In addition, a "[Useful Links](#)" section has been added at the end of the Bulletin.

Please contact Dave Friend with any comments you might have on the contents of this Bulletin or to suggest other items that you would wish to see included in future Bulletins.

Contents

[LGPS 2008 CLG Commentary Guidance](#)
[LGPS 2008 Amendment Regulations](#)
[LGPS 2008 Ill-health Guidance and Certificates](#)
[LGPS 2008 Partial Flexible Retirement](#)
[LGPS 2008 GAD Guidance – Transfers](#)
[LGPS 2008 GAD Guidance – Interfunds](#)
[LGPS 2008 GAD Guidance – Late Retirements](#)
[LGPS 2008 GAD Guidance – Early Retirements](#)
[LGPS 2008 GAD Guidance Trivial Commutations](#)
[LGPS 2008 Overseas Transfers In](#)
[LGPS 2008 Transfer In-house AVC Schemes](#)
[LGPS 2008 – Discretions](#)
[GAD Guidance – Civil Partners \(Scotland\)](#)
[LGPS \(Scotland\)](#)

[LGPS Website](#)
[TV Disclaimer Forms](#)
[Overriding Transfer Regulations](#)
[Internal Disputes Resolution Procedure](#)
[Pensions Bill 2008](#)
[ECJ Ruling – Fixed-Term Contracts](#)
[NRD – The Plewes Case](#)
[Agency Workers Deal](#)
[Local Government Reorganisation](#)
[Administration of Estates](#)
[GMP Overpayments and Underpayments](#)
[Bits and Pieces](#)
[Legislation Promulgated in 2008](#)

LGPS 2008 – Commentary Guidance

CLG have issued a [Commentary Guidance](#) on the new look LGPS for England and Wales. The document summarises the intention of the separate sets of regulations which comprise the Local Government Pension Scheme from 1 April 2008. CLG expect to update the Commentary Guidance on a regular basis. To help facilitate this, CLG would like feedback from local authorities and administrators of the LGPS.

LGPS 2008 – The Local Government Pension Scheme (Amendment) Regulations 2008

[SI 2008/1083](#) was laid before Parliament on 16 April 2008 with an effective date of 7 May 2008. The SI significantly amended the LGPS (Benefits, Membership and Contributions) Regulations 2007 and also made amendments to the LGPS (Administration) Regulations 2008 and to the LGPS (Transitional Provisions) Regulations 2008. Please see [Bulletin 50](#) for the Secretariat's comments on the LGPS (Benefits, Membership and Contributions) Regulations 2007 after the amendments made by SI 2008/1083.

On 22 May 2008 in the House of Lords, Lord Campbell-Savours moved that the regulations should be annulled. After a full debate the motion was withdrawn at 6:39 p.m. – [see the 5:45 p.m. entry in Hansard for 22 May 2008](#).

LGPS 2008 - Ill Health Guidance, Certificates, etc

The Secretariat understands that CLG are considering issuing a "comfort" letter shortly, which will address concerns which have been raised by practitioners, both administrative and medical, over the operation of the new ill-health provisions. The letter will include some draft ill health certificates (including ones sent to CLG by the LGPC Secretariat) which administering authorities may wish to use or adapt for use by employers in their Fund. CLG will welcome comments on the templates and will, based on any comments received, seek to refine them as and when necessary. The letter will also explain the current position in relation to the publication of statutory guidance and give details of a proposed FAQ paper which CLG hope to issue at the beginning of June. This is intended to cover all the issues which the Secretariat and other members of the Ill Health Monitoring Group have raised with CLG.

The Ill Health Monitoring Group, which is chaired by CLG and includes employer, union, pension fund, personnel and medical representatives, had its first meeting on 15 May 2008. Most of the first meeting was spent debating the terms of reference for the Group. Members of the Group were asked to submit issues to CLG for inclusion in the FAQ document mentioned above. CLG agreed to circulate to members of the Group an updated draft Terms of Reference and some initial thoughts on data that would need to be collected to monitor the cost, affordability and effectiveness of the new three tier arrangement.

LGPS 2008 – Partial Flexible Retirement

[Bulletin 49](#) contained information on whether or not a member can draw (crystallise) in-house AVCs or ARCs when a member takes some or all of their accrued benefits upon flexible retirement. This Bulletin discusses the on-going issues with respect to partial retirement.

[The Commentary Guidance published by CLG](#) includes a section on flexible retirement and final pay (commencing on page 40). It indicated that GAD guidance will be issued to show how flexible retirement benefits will be calculated and how flexible retirement will affect membership and benefits, particularly where the member draws down only part of their benefits. The guidance is currently awaited.

The Commentary Guidance says the intention is that a member will only be able to partially draw down post 1 April 2008 benefits so as to avoid any complications where the member has accrued a GMP and to avoid complications with the manner in which the 85 year rule is calculated. This approach effectively removes partial flexible retirement as an option in the short to medium term due to the small level of benefits that will have accrued post 1 April 2008. If the line taken in the Commentary Guidance is carried forward into the GAD guidance the only viable option for members will be to draw down all of their accrued benefits at the point they are permitted to take flexible retirement by their employer, following a reduction in their hours or grade.

On 2 May 2008 CLG issued the updated GAD guidance for the LGPS in England and Wales covering individual incoming and outgoing transfers for members in service on or after 1 April 2008. The guidance, dated 28 April 2008, states that, for members who were not active members at 31 March 2008, any transferred in membership will be treated as Part D membership¹. By definition, Part D membership must be post 31 March 2008 membership and therefore allowing members to partially draw down post 31 March 2008 membership only does not remove the complications with respect to GMPs in cases where a member has transferred in pension rights from another scheme which includes a GMP.

¹ The GAD guidance says that Part D membership is membership from 1 April 2020. If transfers received in respect of members who were not active members on 31 March 2008 is to be treated as Part D membership it might be appropriate to amend regulation 122(6D) of the LGPS Regulations 1997, which has been retained by regulation 2 of, and Schedule 1 to, the LGPS (Transitional Provisions) Regulations 2008, to reflect the membership is to count as Part D membership i.e. membership from 1 April 2020.

LGPS 2008 – GAD Guidance on Individual Incoming & Outgoing Transfers

The final version of GAD guidance (dated 28 April 2008) was issued on 2 May 2008. In Bulletin 49, the LGPC Secretariat highlighted a number of concerns with the original draft guidance. It was hoped that the concerns would be addressed in the final guidance on individual incoming and outgoing transfers.

The concerns from Bulletin 49 are reproduced below in italics with comments added after the publication of the final guidance. CLG are aware of the matters raised and is liaising with GAD to consider further changes as necessary.

- *Consolidation of the numerous pieces of GAD guidance on how to calculate incoming and outgoing transfers is required.*

A consolidation of all GAD guidance with respect to the calculation of individual incoming and outgoing transfers would still be welcome. It is to be hoped that this will be addressed when the review of transfer value factors is undertaken for 1 October 2008.

- *As the cost of purchasing a 1/60th pension is greater than that for purchasing a 1/80th pension plus 3/80^{ths} lump sum, should not the factors used to determine the service credit from a transfer in be amended (so as to avoid granting too great a service credit)?*

This query has not been addressed in the guidance issued on 2 May 2008. It is to be hoped that it will be addressed when the review of transfer value factors is undertaken for 1 October 2008.

- *The guidance should clarify that married factors are to be used in the calculation of non Club transfers in and for all transfers out where the administering authority hold a verified nominated cohabiting partner election form which was signed on or before the Relevant Date.*

The final version of the guidance on individual transfers does not make any reference to nominated cohabiting partners. It is to be hoped that clarification will be provided shortly.

- *Similarly, for Club transfers in, the married factor should be used where there is verified nominated cohabiting partner election form at the date the transfer is received (regardless of the marital status used by the sending scheme).*

See the comment under the previous bullet point

- *The market yield continues to use the factors for 2% even though the true market yield value is below 2%. The PCSPS have been interpolating between the factors for 1% and 2% since 1 April 2005. Should the LGPS be instructed to use factors for 1% as well?*

There is no indication in the guidance that factors for 1% are to be used when the market yield falls below to 2%. Again, it is hoped that this will be addressed as part of the transfer value factor review which is to be undertaken for 1 October 2008. Unless informed otherwise, administering authorities should continue to use the 2% table factors.

- *The expected guidance in respect of early and flexible retirements (which is cross referred to in the transfer guidance) needs to accurately reflect paragraphs 122(6C) and (6D) of the LGPS Regulations 1997. Namely, it is whether or not the member was active immediately before 1 April 2008 (and not the date service is credited) which determines whether the service credit is regarded as Part A or Part D membership.*

This concern has been addressed in the final version of the GAD Guidance on the Choice of Early Retirement Pension and Flexible Retirement which is dated 11 April 2008. Paragraph 2.4 of that guidance now states that, where service is credited under regulation 84 of the LGPS (Administration) Regulations, for the service credit to count as Part A membership the member must have been active immediately before 1 April 2008 or the transfer must have occurred before that date. Otherwise, the service credit will count as Part D membership.

- *There is a conflict between GAD guidance, which says a member can make a request for a transfer out up until age 64, and the provisions of the Pension Schemes Act 1993. Although, because of the way the Act defines "normal pension age", there would only be an overriding statutory right to a CETV after age 59 or six months after leaving (where the date of leaving occurs after 58 ½ and before age 59), the LGPS – via the GAD guidance – goes beyond this. However, because the LGPS NRD is age 65, the GAD guidance should permit a CETV up to age 64 **or** six months after leaving (where the date of leaving occurs after 63 ½ and before age 64).*

This observation remains relevant after the publication of the final guidance on individual transfers which still says, at paragraph 2.16, that a member is only entitled to make a request for a CETV quotation while under age 64.

- *The guidance needs to clarify whether a transfer can be made in respect of a female with a GMP who has attained SPA.*

The final guidance did not include any clarification on whether transfers can be made in respect of female members who have a GMP and who have attained SPA.

- *Paragraph 3.1 of the draft transfer value guidance should be amended to state that, due to the provisions of regulation 84(4) of the Administration Regulations, transfers in are not permitted if the member has attained the age of 65 at the Relevant Date (and not age 64 ½ as currently stated in the draft guidance).*

Paragraph 3.1 of the final guidance did not incorporate the above suggestion.

- *Paragraph 3.4 of the draft guidance states that for a member who joins the LGPS after 31 March 2008 but has protection under the 85 year rule (due to previous membership before 1 October 2006), the service credit will be based on a Normal Retirement Age of 65 and an accrual rate of 1/60th thereby generating an inflated service credit. However, that inflated service credit would also drag forward the CRA under the 85 year rule (as all membership counts towards the 85 year rule) as per paragraph 3.8² of the guidance. It does not seem correct therefore to say that the service credit for such a person should be based on 60ths and an NRD of 65.*

Paragraph 3.4 in the final guidance has not been amended to reflect the concern raised above. The effect of this is highlighted at *** in the table below (although the number of cases affected is likely to be relatively small).

- *Paragraph 3.9³ of the draft GAD guidance says “Members who were members immediately before 1 April 1998 could count the actual service relating to transferred-in benefits when calculating their rule of 85 age if that service was greater than the service credit. However, this is not possible for credits awarded on or after 1 April 2008.” The LGPC Secretariat has queried whether the last sentence reflects the policy intention? If so, we have suggested that the sentence be amended to read “However, this is not possible for credits awarded on or after 1 April 2008 if the member was not an active member immediately before that date” (i.e. to tie in with regulations 122(6)(C) and (D) of the 1997 Regulations).*

Paragraph 3.9 has become paragraph 3.10 in the final version of the guidance on individual transfer values but the suggested additional condition has not been added to the paragraph. Having considered the matter further the Secretariat considers that the wording in paragraph 3.10 of the GAD guidance is correct. The logic is as follows:

Paragraph 3(1) of Schedule 2 to the LGPS (Transitional Provisions) Regulations 2008 says that a member satisfies the 85 year rule if the sum of the following is 85 years or more:

- a) the member’s age in whole years on the date active membership ended or, if later, the date he elects under regulation 18(1)⁴ of the Benefits Regulations to receive immediate payment of benefits; and
- b) his total membership in whole years (excluding, by virtue of paragraph 4 of the Schedule, any unaggregated membership); and

2 Paragraph 3.9 of the final guidance

3 Paragraph 3.10 of the final guidance

4 Although paragraph 3(1) of Schedule 2 to the LGPS (Transitional Provisions) Regulations 2008 only mentions regulation 18(1) of the Benefits Regulations this appears to be an error. It ought to also mention regulation 30(4) of the Benefits Regulations.

- c) in a case where the member elects for payment of deferred benefits after his active membership ends, the period between the end of that employment and the date of election; and
- d) in the case of a person who was a **member** immediately before 1 April 1998, any qualifying period counted by virtue of regulation 123 of the 1997 Regulations which was **awarded** before 1 April 2008.

Although paragraph (d) only refers to a **member**, this is taken to be a reference to an active member on 31 March 1998. Thus, where a person was contributing to the Scheme on 31 March 1998 and was a member on 30 September 2006, and the period of service in the former occupational pension scheme exceeds the membership granted in the LGPS, the full period of service served in the former occupational pension scheme will count towards the 85 year rule provided the service credit was **awarded** before 1 April 2008. This differs from regulation 122(6C) of the 1997 Regulations, which is retained by virtue of Schedule 1 of the LGPS (Transitional Provisions) Regulations 2008, which says that a credited period of membership arising from a request to accept a transfer value which is made by a person who is an active member immediately before 1 April 2008 is to be treated as a period of membership before that date (even if received on or after that date). So, where a person was contributing to the Scheme on 31 March 1998 and was a member on 30 September 2006 and the period of service in the

former occupational pension scheme exceeds the membership granted in the LGPS:

- the "reckonable" membership and the "qualifying" membership will both count towards the 85 year rule if the transfer was **awarded** before 1 April 2008, but
 - only the "reckonable" membership will count towards any protected 85 year rule if the transfer was **awarded** on or after 1 April 2008.
- *There appears to be a problem in respect of members who joined the LGPS after 30 September 2006 with no previous LGPS membership (and who therefore have an NRD of age 65 and no 85 year rule protection) in respect of whom a transfer is received from a Club scheme that also has an NRD of 65. As the sending scheme will use standard age 65 club factors (issued by the Cabinet Office on 2 February 2006) to calculate the transfer value and administrators of LGPS funds will use adjusted age 60 factors to calculate the service credit, the service credit awarded in the LGPS will be less than the total service in the sending scheme, even though both schemes have an NRD of age 65.*

The final version of the GAD guidance on individual transfers does not address this issue. Again, it is to be hoped that the review of transfer values, which is to be completed before 1 October 2008, will address this apparent anomaly.

Subject to the points raised on the previous pages, the table below is a summary of section 3 of the guidance with respect to incoming transfers for members where all or some the membership accrues after 31 March 2008. The abbreviation 'CRA' represents the, "Critical Retirement Age" as defined in the GAD guidance on Early Retirement.

Circumstances	Accrual Rate	Basis	Membership Counts as Part
Has LGPS membership before 1 October 2006 and was an active member on 31 March 2008.	1/80 + 3/80*	CRA*	A*
Active member immediately before 1 April 1998 (and member at 30 September 2006) and active member on 31 March 2008.	Refer case to GAD**.		A
Became active member after 30 September 2006 (with no previous pre 1 October 2006 LGPS membership) and active member at 31 March 2008.	1/80 + 3/80	Age 65	A
Joined after 1 April 2008 with no LGPS membership prior to 1 April 2008.	1/60	Age 65	D
Joined after 1 April 2008, not active on 31 March 2008 but has some membership before that date in respect of which they make an election under regulation 4(2) of the LGPS (Transitional Provisions) 2008 (as amended) and has transitional protection as has membership from before 1 October 2006.	1/60***	Age 65***	D***
Joined after 1 April 2008, not active on 31 March 2008 but has some membership before that date in respect of which they make an election under regulation 4(2) of the LGPS (Transitional Provisions) 2008 (as amended) and does not have membership before 1 October 2006.	1/60	Age 65	D
Service Credit under regulation 66(5) of the LGPS Regulations 1997 (as amended).	1/80 + 3/80*	CRA*	A*

* but the membership from the service credit will also have the effect of dragging forward the CRA of all the member's membership.

** the Secretariat has asked CLG why inward transfers for members who joined the LGPS before 1 April 1998 need to be referred to GAD. For example, if the member's old NRD and/or their CRA will occur before their 60th birthday, then any potential service credit awarded will not affect the date the member can bring his benefits into payment without an actuarial reduction. Furthermore, if the potential service credit does bring the member's old NRD or CRA forward (from age 65) then this will be reflected in the conversion factors used to generate the service credit.

*** but the membership from the service credit will also have the effect of dragging forward the CRA of the member's pre 1 April 2008 membership.

The calculation of the service credit is only the beginning of the process. It is not simply a matter of whether the accrual rate is 60^{ths} or 80^{ths}. The pensions administration software will need to identify whether the service credit, transferred in from a previous pension scheme, is contracted-out service and whether it counts as pre or post 6 April 1988, pre or post 6 April 97, pre or post 1 April 1998, pre or post 1 October 2006 and pre or post 1 April 08 in order to ensure the correct calculation of subsequent benefit calculations.

Other comments on the transfer guidance:-

Paragraph 1.7 – the Secretariat does not understand why the guidance states that Funds should contact the LGE for advice on Community Scheme transfers when regulation 85(1) of the LGPS (Administration) Regulations 2008 clearly states that such transfers should be dealt with in accordance with guidance issued by GAD. The LGPC Secretariat believes that paragraph 1.7 should be amended to say something like "Community Scheme transfers into the LGPS are not covered by this guidance. Funds should contact GAD on an individual basis when dealing with a potential transfer in under regulation 85 of the Administration Regulations".

Paragraph 2.8 – Part D membership is shown as "membership from 1st March 2020". Of course, it should be shown as "membership from 1st April 2020".

Paragraph 2.10 – this says that the taper period is "the number of years **between** 31 March 2016 and the date on which the member would first satisfy the rule of 85 and would be aged 60 or over". The Secretariat believes the word "**between**" should be "**after**" and that when determining the date on which the member would first satisfy the rule of 85 and would be aged 60 or over, practitioners should use the day before a birthday if the member meets the 85 year rule on a birthday, or use the day the 85 year rule is met if this falls on the completion of a whole year of membership rather than on a birthday. If the Secretariat's view is correct, then the taper period in example 2 in section 4 of the guidance should be based on 2 years 91 days and not 2 years 93 days.

Paragraph 2.10 – in the last sentence, the words "and no lump sums are accrued subject to tapered protection" should read "and no accrued lump sums are subject to tapered protection" (because all accrued lump sums relate to membership that is treated as pre 1 April 2008 membership and so is fully protected).

Paragraph 2.12 – it appears that the minimum transfer out underpin mentioned in this paragraph only applies to members where some or all of their LGPS membership falls after 31 March 2008 as, according to paragraph 2.1, transfers for a member with no service after 31 March 2008 should continue to be calculated in accordance with the guidance in force at that date. The guidance in force at 31 March 2008 did not include

any provision for an underpin. The Secretariat is seeking clarification as to whether this is intended.

Paragraph 3.4 – the reference to “not a member on 31 March 2008” should, more correctly, say “not an active member on 31 March 2008”

Paragraph 3.8 – this requires that the service credit from a Capped Club transfer should be multiplied by the ratio of the Club earnings cap to the member’s pay in the LGPS. The Secretariat is seeking confirmation that this means the pay used by the sending scheme in the calculation of the transfer value (which could include part of one financial year’s cap and part of the previous financial year’s cap), rather than the earnings cap at the point of leaving the former scheme or at the point of joining the LGPS, and that the “member’s pay in the LGPS” is the pensionable pay on joining the LGPS, rather than the pensionable pay in the LGPS at the “relevant date” used in the sending scheme’s calculation.

Paragraph 3.9 - the reference to “before or after 1 April 2008” should, more correctly, say “before, on or after 1 April 2008”

LGPS 2008 – GAD Guidance on Interfund Transfers

On 2 May 2008, CLG issued GAD guidance setting out the method of calculation for Interfund transfer values paid on or after 1 April 2008. In summary, the new Interfund transfer value is based on the standard methodology to calculate cash equivalent transfer values but uses the non-Club transfer in factors. The new method applies to any member who ceased active membership of the LGPS after 31 March 2008. Where there is a delay in the payment of the Interfund transfer value, interest will be calculated as per regulation 44(4) of the LGPS (Administration) Regulations 2008.

Although the new method is based on CETV approach, the member will, regardless of the amount of transfer, receive:

- day for day service credit in the receiving fund (although, depending on how partial flexible retirement will work, the guidance might need to be expanded to cover how membership will count following receipt of a transfer from a fund in which the member had taken partial flexible retirement), plus
- credit for any membership derived from AVCs (for those who had a pre 13 November 2001 AVC contract and have converted it into membership), and for any augmented membership granted by an employer, plus
- credit for any pension awarded by an employer under regulation 13 of the LGPS (Benefits, Membership and Contributions) Regulations 2007 and credit for any pension bought by the member paying ARCs under regulation 14 of those Regulations, plus
- credit for any added years they have purchased in the former fund if there has been a break in employment of more than 12 months between leaving one fund and joining the new fund, or a break 12 months or less and the employee does not opt to meet the contributions for the intervening period in accordance with regulations 83(9) and (10) of the LGPS Regulations 1997 (as retained by regulation 2 of, and Schedule 1 to, the LGPS (Transitional Provisions) Regulations

2008). Of course, if the member does opt to meet those contributions, or there is no break, the added years contract simply carries on, unless the member opts to end the contract in accordance with regulation 83(1) of the LGPS Regulations 1997 (as retained by regulation 2 of, and Schedule 1 to, the LGPS (Transitional Provisions) Regulations 2008).

Any pre 6 April 1988 membership that counted in the former fund for widower's pension purposes and which was included in the Interfund transfer should be honoured in the receiving fund. Where there has been a Pension Debit in the former fund, the Interfund transfer will be calculated on the member's remaining pension benefits. The former fund will retain liability for the Pension Credit member but notify the receiving fund of the Pension Debit amount (i.e. the negative deferred benefit to be held against the member's record). The receiving fund will grant a full service credit but will have to hold the Pension Debit amount against the member's record.

It should be noted that regulation 87 of the LGPS (Administration) Regulations 2008 says that an Interfund transfer paid in respect of a member who is a variable-time employee prior to the transfer and remains a variable-time employee after the transfer shall be on the basis that his period of membership transfers on a day for day basis. The regulation is, however, completely silent, as is the GAD guidance, on how to deal with cases where a member ceases a variable-time employment and on joining a new fund does not hold a variable-time employment. There are two possible options:

- a) no transfer is permitted and the member has to retain separate deferred benefits
- b) where, prior to leaving, the member also held a non variable-time pensionable post, terminate the variable-time position a day prior to terminating the non variable-time post and aggregate the variable and non variable-time membership under regulations 17 or 46(4) of the LGPS (Administration) Regulations 2008 prior to calculating the Interfund transfer.

For members who ceased active membership before 1 April 2008, the new Interfund calculation only applies if "complete payment" is made after 30 September 2008; if payment is made before 1 October 2008 the "old" guidance on how to calculate Interfund transfer values will continue to apply.

Comments on the Interfund transfer guidance:

Paragraph 1.1 – the statement that regulation 86 of the LGPS (Administration) Regulations 2008 applies where a member ceases active membership of one fund and **immediately** commences active membership of another fund is not strictly correct. It applies even if there is a gap in employment between leaving one fund and joining another.

Paragraphs 1.1.1 to 1.1.3 – there is a further category in respect of whom an Interfund transfer can be paid. That is where a member has a frozen refund (by virtue of either regulation 46(3) or regulation 47(4) of the LGPS (Administration) Regulations 2008, or the equivalent regulations under the LGPS Regulations 1997)

Paragraph 1.6 – due to the divergence in the schemes, this paragraph says that transfers between England and Wales, Scotland and Northern Ireland are to be calculated on a

Club basis, using the Club transfer factors, where payment is made on or after 1 April 2008. Thus, reading paragraph 1.6 in isolation, a member who left the old scheme at, say, the end of January 2008 and joined the new scheme at the beginning of February 2008 could receive a different service credit if the Interfund is paid on 1 April 2008 compared to the service credit they would have received if the payment had been made on 31 March 2008. It seems, perhaps, unreasonable that the size of the service credit should depend on the efficiency or otherwise of the pension fund administrators and, for that reason, it might have been better if the guidance on cross-border Interfund transfers had applied to cases where "the member joined the new scheme on or after 1 April 2008" rather than to cases where "payment is made on or after 1 April 2008". As the guidance was not issued until 2 May 2008, the Secretariat can only surmise that any cross-border Interfund transfers that were paid between 1 April 2008 and 1 May 2008 on the old basis will have to be honoured. All of the above, of course, is based on reading paragraph 1.6 in isolation. It could be argued that if paragraph 1.5 takes precedence, cross-border Interfund transfers for a member who left the former scheme before 1 April 2008 and for whom payment is made before 1 October 2008 should continue to be based on the "old" Interfund transfer guidance. This of course begs the question as to why paragraph 1.6 says the payments should be on a Club basis if paid on or after 1 April 2008. The Secretariat has sought clarification from CLG.

Although the Interfund guidance has been published for England and Wales, the equivalent guidance for Scotland has not been issued. It is difficult to see how an Interfund can be paid from Scotland to England or Wales on a different basis from that which applies if the Interfund is being paid from England or Wales to Scotland. The LGPC Secretariat has raised this with the SPPA.

Any member with a "protected" 85 year rule will lose that protection upon a cross-border transfer between the various national schemes and will have a Normal Retirement Date of age 65 in the new scheme. However, the member will receive a correspondingly higher service credit in the new scheme.

Paragraph 2.1 - unlike under the "old" Interfund system, there will now be an Interfund transfer payment where the member has less than 183 days of membership.

Paragraph 2.1 - where a member has taken partial flexible retirement and then moves to a new fund, the Interfund transfer calculation will need to reflect this (in the same way as for a normal CETV – see GAD guidance on outgoing transfers under regulation 79 of the LGPS (Administration) Regulations 2008).

Paragraph 2.1 – where a member has been granted additional pension by the employer, or has been granted augmented membership by the employer, or has purchased added years, or has been paying ARCs, these should be included in the Interfund transfer calculation. The sending fund should, of course, provide the receiving fund with all relevant details to enable the new fund to record the additional membership / pension that has been purchased or granted.

Paragraph 2.2 – this says "the salary used in the calculation should be the rate of salary paid to the member while he or she was a member of the ceding scheme". Given that the previous paragraph, 2.1, says that the transfer amount should be calculated in the same way as for a normal CETV (but based on the non-Club transfer-in factors) it is not clear what paragraph 2.2 actually means. The Secretariat assumes that it means funds

should use the rate of salary paid to the member at the date of leaving the former fund rather than, as with a normal CETV, the final year's pay and this has been confirmed by CLG.

Paragraph 2.4 – in frozen refund cases it is debatable as to whether or not the member has to elect to aggregate the membership or whether, in fact, the membership is automatically aggregated by virtue of regulations 86(1)(a) and (b) of the LGPS (Administration) Regulations 2008. For funds who take the former view, the effective date to be used in the calculation should be the date of the member's election to aggregate. For funds who take the latter view, the effective date to be used in the calculation should be the date the person becomes a member in the new fund.

Paragraph 2.5 – the final sentence of paragraph 2.5 simply means that the new employer in the receiving fund picks up the cost resulting from any immediate pay increase at the date of transfer (where there is no break in employment that spans a Pensions Increase Order) or for any amount by which the pay on starting exceeds the pay on leaving plus PI (where there is a break in employment that spans a PI Order).

LGPS 2008 – GAD Guidance on Late Retirements

On 2 May 2008 CLG issued the GAD guidance on Late Retirement dated 28 April 2008. The policy intention is for consistency between those members who remain in employment beyond age 65 and those members who cease employment before age 65 but defer bringing the benefits into payment until after age 65.

The actuarial increase applied to a member's pension will be 0.02% simple for the period from the day after the member's 65th birthday until the day before benefits come into payment. Where there is a retirement grant payable, the actuarial increase is 0.01% simple. The actuarial increases are applied to all of the member's benefits and not just that portion which was accrued prior to the member's 65th birthday. The examples in the guidance indicate that the actuarial increase is calculated prior to applying any lump sum commutation option made by the member. Unlike the former guidance (see next paragraph), the actuarial increases do not apply to any partner's or children's benefits.

It should be noted that the GAD guidance is headed "Retirements on or after 1 April 2008" and refers to benefits payable under the LGPS (Benefits, Membership and Contributions) Regulations 2007. It would appear, therefore, that the former GAD guidance on Late Retirements is still to be applied in cases where the member ceased prior to 1 April 2008. The Secretariat is seeking clarification on this point.

Comments on the Late Retirement guidance:

Paragraph 1.3 - members who remain in employment after age 65 will be entitled to an actuarial increase under regulation 17(2) of the LGPS (Benefits, Membership and Contributions) Regulations 2007. Members who leave before age 65 with a deferred pension and who, by virtue of regulation 50(2) of the LGPS (Administration) Regulations 2008, defer payment of their benefits beyond age 65, will be entitled to an actuarial increase to recompense them for the delayed payment of their benefits by virtue of regulation 29(5) of the LGPS (Benefits, Membership and Contributions) Regulations 2007. However, members who leave at 65 and choose to defer payment of their

benefits beyond age 65 in accordance with regulation 50(6) of the LGPS (Administration) Regulations 2008 will not be entitled to an actuarial increase to recompense them for the delayed payment of their benefits. This cannot be intended but, unfortunately, neither regulation 17(2) nor regulation 29(5) of the LGPS (Benefits, Membership and Contributions) Regulations 2007 covers them. Nonetheless, paragraph 1.3 of the GAD guidance, despite the absence of any regulatory back-up, says *"For the avoidance of doubt, Communities and Local Government's (CLG's) policy intention is that similar increases should also be applied in respect of members who leave service with immediate entitlement to benefits under regulation 16 but who choose not to receive payment immediately."*

Paragraph 2.3 - should the percentage uplift be applied to all of the pension and lump sum? Take, for example, a member with a pre 13 November 2001 AVC contract who, at age 68, decides to convert the AVC pot into membership under protected regulation 66(8) of the LGPS Regulations 1997 and retires at age 69. If the age 68 factors for use in the service credit calculation make allowance for the benefit not being paid any earlier than age 68 (as suggested in paragraph 2.8 of the GAD guidance on actuarial reductions applied on early and flexible retirement), would it be appropriate to also provide an uplift on the purchased membership under the GAD late retirement guidance from age 65 or should the uplift on this membership only be from age 68?

Paragraphs 2.4 and 2.7 – paragraph 2.4 states *"The increase under this guidance should be based on the pension after PI has been included if there was a period of deferment"* and paragraph 2.7 says *"Once in payment, pensions should be increased in accordance with the Pensions (Increase) Acts, and based on the day of actual retirement, not the member's 65th birthday."* However, this appears to conflict with section 8(2)(a) of the Pensions Increase Act 1971 which says *"A pension . . . shall be deemed for the purposes of this Act to begin on the day following the last day of service in respect of which the pension is payable, except that-*

- (a) an earnings-related pension based, directly or indirectly, on emoluments received for a period not ending with the last day of that service is to be deemed to begin on the day following the last day of that period"*

Thus, section 8(2)(a) of the Pensions Increase Act 1971 requires that Pensions Increase is applied from the day following the end date of the years pay used in the calculation of benefits. This would cover, for example, cases where a deferred member chooses to defer payment beyond age 65 or cases where payment is deferred beyond age 65 and an earlier years pay (i.e. earlier than the final years pay) is used in the calculation of the benefits. The GAD guidance, in the second example calculation, says that the PI date should be taken as 1 October 2008 whereas the PI Act 1971 indicates that the PI date should be 30 May 2008. Based on the GAD guidance, the member in the example would appear to be losing out on the effect of PI in respect of the period from 30 May 2008 to 30 September 2008.

In the example calculation in the Annex to the guidance, the pension in the first example is 47p adrift; it should be £18,195.39 (not £18,195.86). Also, the lump sum has been calculated on 34 years 305 days instead of 34 years 306 days. The lump sum figure should therefore be £53,563.97 and not £53,559.73.

General comments on the late retirement guidance:

- the guidance does not specify how the increase should be calculated in the case of a member drawing benefits post age 65 against whom there is a Pension Sharing Order. Should the increase be applied to the member's pension and lump sum (if any) pre or post the application of the Pension Debit?
- as far as any GMP is concerned, where a person carries on in employment beyond State Pension Age (SPA) the GMP is not payable until the person leaves that employment. However, if the member carries on in the same employment for 5 years after SPA and doesn't then leave he / she is entitled to payment of the GMP 5 years after SPA unless he / she consents to a postponement, until age 75 at the latest. Thus, unless the member consents to a postponement, the GMP would be payable, at the latest, at age 65 for a female and age 70 for a male. The guidance does not specify how, in these cases, the increase should be calculated (given that the GMP part of the pension will have been brought into payment prior to the rest of the pension benefits).

LGPS 2008 – GAD Guidance on Choice of Early Pension and Flexible Retirement

On 16 April 2008, CLG issued the above GAD guidance dated 11 April 2008.

Paragraph 1.1 of the guidance says that it applies to all retirements on or after 1 April 2008 and that, from that date, the new guidance replaces the early and flexible retirement guidance issued on 27 September 2006.

The new guidance also incorporates guidance on how to apply early retirement reductions to membership purchased from the proceeds of an AVC arrangement which a member commenced prior to 13 November 2001. The guidance replaces the earlier GAD guidance on protected regulation 66(7) dated March 2004. Note, however, that such membership will count as Part A membership and will generate a pension but no automatic lump sum – see paragraph 2.9 of the guidance. This means that the GAD guidance on protected regulation 66(8) [adjustment of transfer credits granted from accumulated AVCs] dated 6 June 2007 still applies.

Paragraph 2.1 of the guidance states that Schedule 2 of the LGPS (Transitional Provisions) Regulations 2008, which contains the protections under the 85 year rule, impacts on the way in which the reductions under regulation 30(4) of the Benefits Regulations should be applied. Although paragraph 1 of Schedule 2 to the LGPS (Transitional Provisions) Regulations 2008 only mentions regulations 18(2) of the Benefits Regulations, regulation 10 of the LGPS (Transitional Provisions) Regulations extends the provisions of Schedule 2 to elections under regulation 30 of the Benefits Regulations. The GAD guidance has therefore been written on the basis that the 85 year rule protections apply in cases that are subject to regulation 18(2) or regulation 30(4) of the Benefits Regulations.

The guidance makes no mention of the reduction factors to be applied in the case of members who were covered by regulation 23 of the LGPS (Transitional Provisions) Regulations 1997 [transferred nurse training staff]. Although those regulations were repealed by the LGPS (Transitional Provisions) Regulations 2008 the Secretariat is of the view that regulation 23 of the LGPS (Transitional Provisions) Regulations 1997 should continue to be honoured on the grounds that to do otherwise would break the legislative commitment made to those staff upon transfer to the LGPS. Hence, such staff ought to continue to have the NHS actuarial reduction factors applied to them rather than the LGPS actuarial reduction factors.

Comments on the guidance on early and flexible retirement:

Paragraph 2.6 – this implies that membership could have been credited under regulation 40 of the LGPS (Administration) Regulations 2008 prior to 1 April 2008 and so count as Part A membership. Clearly this cannot be true, as a payment under regulation 40 of the Administration Regulations can only relate to augmented membership granted by the employer under regulation 12 of the LGPS (Benefits, Membership and Contributions) Regulations 2007. That membership can only count as Part D membership. Augmented membership granted by the employer following a resolution passed by the employer under regulation 52 of the LGPS Regulations 1997 should, in the view of the LGPS Secretariat and perhaps contrary to what could be read into the wording of paragraph 2.6, always count as Part A membership as the resolution was passed prior to 1 April 2008 (even if payment for it is not made, or the agreement to make extra contributions for it is not reached, until on or after 1 April 2008). This view is based on the Secretariat's interpretation that the augmented membership was awarded under regulation 52 of the LGPS Regulations 1997 (thereby counting as pre 1 April 2008 membership) and not under regulation 12 of the Benefits Regulations. CLG has informally confirmed the Secretariat's interpretation.

Paragraph 3.1 – although at the end of the first sentence the guidance only refers to "redundancy" it is clear that this should cover "redundancy or business efficiency".

Paragraph 4.1 – although this paragraph only refers to an "election under Regulation 30(1)" it is clear that this should also cover an election under Regulation 18(1) of the Benefits Regulations.

Paragraph 4.2 - there appears to be a possible inequity in the calculation of the taper in cases where a member has a NRD under the first bullet point of paragraph 2.2 of the guidance which falls before the date the member meets 85 year rule (e.g. where, for example, a pre 1 October 2006 member has some Qualifying Service from, say, a pre 1975 or pre 1978 split refund or from non-pensionable part-time employment that counted as Qualifying Service but which the member did not buy back under the part-time buy-back provisions). Paragraph 4.2 describes the taper as:

*“The tapered reduction factors for Part B and C membership of Group 2 members are calculated according to the taper period which is the number of years between 31 March 2016 and the date on which the member would first satisfy **the rule of 85 and would also be aged 60 or over**. Part-years should be taken into account in this calculation the result of which should be between 0 and 4 years. The interpolation factor (F₁) is then equal to the taper period divided by 4 years. Then the tapered reduction factors are interpolated from the CRA and age 65 factors as follows:*

$$P_{\text{Taper}} = F_1 \times P_{65} + (1 - F_1) \times P_{\text{CRA}}$$

$$RG_{\text{Taper}} = F_1 \times LS_{65} + (1 - F_1) \times RG_{\text{CRA}}$$

So, although P_{Taper} and RGT_{aper} are a percentage reduction somewhere between the period to age 65 and the period to CRA, which paragraph 2.2 defines as follows:

CRA is *“The age of the member at the earliest of:*

- *the member’s pre 1st October 2006 Normal Retirement Date (under Regulation 25 of the 1997 Regulations, prior to being amended by SI 2006/966);*
- *the earliest date at which the member would have satisfied the 85 year rule had the member remained in service (calculated in accordance with paragraph 3 of the Transitional Schedule) and*
- *age 65”*

the taper period (F₁) is only measured to age 60 or the 85 year rule date, whichever is the later, (i.e. it is not measured to the former NRD if this is before the date the 85 year rule is met but after age 60).

Thus, one part of the formula (P_{CRA} or RG_{CRA}) is measured to CRA (which is assessed by reference to 3 dates) and another part (F₁) measured by reference to only 2 dates. It seems to the Secretariat that, to overcome this anomaly, paragraph 4.2 should be amended to measure the taper period (F₁) to the date on which the member would satisfy **the earlier of the rule of 85 date and former protected NRD and would also be age 60 or over**.

There also appears to be a further tweak necessary to paragraph 4.2. It says that the taper period is “the number of years **between** 31 March 2016 and the date on which the member would first satisfy the rule of 85 and would be aged 60 or over”. The Secretariat believes the word “**between**” should be “**after**” and that when determining the date on which the member would first satisfy the rule of 85 and would be aged 60 or over, practitioners should use the day before a birthday if the member meets the 85 year rule on a birthday, or use the day the 85 year rule is met if this falls on the completion of a whole year of membership rather than on a birthday.

Although paragraph 4.2 includes a formula for RGT_{aper}, the Secretariat considers that no such formula is required. RGT_{aper} is the percentage reduction to be applied to Part B and Part C membership for a Group 2 Member for Retirement Grant purposes. Part B and C membership collectively is from 1 April 2008 to 31 March 2020. That’s all new-look 1/60th pension only so there is no automatic lump sum to which RGT_{aper} could be applied. If the actuarial reduction was applied POST commutation, then there would be

a need for RGTaper. But the GAD guidance on commutation makes it clear that the actuarial reduction is applied to benefits first, and then the member can commute some of the reduced pension. So, any actuarial reduction would be applied to the pre 1 April 2008 pension and lump sum, and to the post 31 March 2008 pension (there is no post 2008 lump sum) and then the member can commute some of the reduced pension. As there is no initial post 31 March 2008 lump sum to which an actuarial reduction is to be applied, there can be no RGTaper. Examples 4A and 4B on, respectively, pages 18 and 20 of the GAD guidance confirms this as does paragraph 2.10 of the GAD guidance on Individual Incoming and Outgoing Transfers.

Paragraph 11.2 – the last sentence, which refers to “Part B Membership”, should refer to “Part B, C and D Membership”.

LGPS 2008 – GAD guidance on Trivial Commutation

On 25 February 2008, CLG issued the GAD guidance on trivial commutation dated 21 February 2008. Although headed “Lumps sums paid on or after 1 April 2008” the guidance only refers to trivial commutation payments made under regulation 39 of the LGPS (Benefits, Membership and Contributions) Regulations 2007. It does not mention payments made under regulation 49 of the LGPS Regulations 1997 (i.e. payments made on or after 1 April 2008 to members who left prior to that date) and does not state that the trivial commutation guidance for regulation 49 dated 21 January 1998 and 18 May 2000 has been replaced. It is assumed, therefore, that the regulation 49 guidance (taking account of HMRC requirements) still applies to pre 1 April 2008 leavers although, in essence, it is hardly any different from the new guidance. The Secretariat is seeking clarification on this point.

LGPS 2008 – Transfers In from Overseas Schemes

The wording of the LGPS (Administration) Regulations 2008 prevents the LGPS from accepting most, if not all, transfers from an overseas scheme. Regulation 83(1) of the Administration Regulations states that a member with “relevant pension rights” in another pension scheme “may request his fund authority to accept a transfer value for some of all of those rights from the relevant transferor.” Regulation 83(2) defines “relevant pension rights” as accrued rights (excluding pension credit rights) under a “registered scheme”. A scheme can only be a registered scheme if it is a registered scheme with HMRC and has a Pension Scheme Tax Reference (PSTR) number. Thus, although a scheme might be a Qualifying Registered Overseas Pension Scheme (QROPS) for the purposes of receiving a transfer from the LGPS, it is extremely unlikely that an overseas scheme will be a registered pension scheme for the purposes of transferring to the LGPS. LGPS administrators might wish to amend Section D of their copy of LGPC Bulletin 46A accordingly (for transfers to the LGPS in England and Wales). The Secretariat understands amendments are planned to deal with transfers from pension arrangements approved by individual EU Member States.

LGPS 2008 – Transfers In to the In-house AVC Scheme

Under the LGPS Regulations 1997 a member could transfer Free-standing AVCs (FSAVCs) and AVCs from another scheme into the in-house AVC scheme. However, under the LGPS (Administration) Regulations, only AVCs from another LGPS Fund in England or Wales can be transferred into the in-house AVC scheme. FSAVCs and AVCs from other schemes cannot be transferred to the in-house AVC scheme; instead, transfers of FSAVCs or AVCs from another scheme can only be used to purchase a service credit in the LGPS. The reasoning for this view is set out below.

Regulation 25(8) of the LGPS (Administration) Regulations 2008 says:

(8) An active member may, by notifying his administering authority in writing, transfer into his additional voluntary contributions arrangement constituted under this regulation the accumulated value of any other additional voluntary contributions arrangement to which he has subscribed.

So, the member can transfer into "his additional voluntary contributions arrangement constituted under this regulation" from "any other additional voluntary contributions arrangement". An "additional voluntary contribution arrangement" is defined in regulation 25(1) which says:

(1) An active member may elect to pay additional voluntary contributions ("AVCs") into a scheme established under contract between his appropriate administering authority and a body approved for the purposes of the Finance Act 2004 ("an additional voluntary contributions arrangement").

In other words, a transfer into the LGPS AVC scheme can only come from another LGPS AVC scheme in England or Wales. As far as FSAVCs and AVCs from other schemes are concerned, these are "relevant pension rights under a registered pension scheme" and so can be transferred into the main LGPS to purchase a service credit under regulation 83 of the LGPS (Administration) Regulations 2008.

The Secretariat understands that this is an inadvertent change from the position that applied under the LGPS Regulations 1997 and will be the subject of a CLG consultation later this year to amend the LGPS (Administration) Regulations 2008.

LGPS 2008 – Discretions

The LGPS Secretariat has published on the website a document which details all the [discretions](#) that are possible under the LGPS Regulations 2008 in England and Wales.

The document lists areas within regulations that provide that certain bodies "may" do certain things. There are, undoubtedly, differences of opinion as to what the meaning of the word "may" means in any given context e.g. in some contexts it is permissive (signifying that there is a discretion the body may exercise) and in other contexts it is argued that the word "may" essentially has the same meaning as "shall". The document makes no attempt to draw a distinction and, in recognition of the fact that there may be differences of opinion, merely lists all of the relevant regulations and details who may exercise the "discretion".

LGPS (Scotland) 1998 - GAD Guidance on Purchase of Pre-88 Service for Civil Partners' Benefits

On 21 May 2008, the SPPA issued the GAD guidance dated 20 May 2008 on how to calculate the cost of purchasing pre-88 service for civil partners' benefits under Schedule 8 to the LGPS (Scotland) Regulations 1998 where a "qualifying member" elects to do so. A "qualifying member" is a pensionable employee who is in a civil partnership.

There is nothing in paragraphs 4 and 5 Schedule 8 to state what should happen if the member leaves prior to age 65 without entitlement to immediate payment of benefits and has not completed payment of the contributions. An initial reading of the GAD guidance indicates that it appears to address this problem.

Paragraphs 1.10 to 1.14 of the guidance detail the procedures to follow if the member dies or ceases active employment due to ill-health. Paragraph 1.15 commences with the sub-clause, "If the member stops contributions before the end of the contribution period for any other reason". Logically, this must include circumstances where the member ceases LGPS (Scotland) employment prior to age 65 without entitlement to immediate benefits.

LGPS (Scotland) 2009

The effective date for the new regulations will be 1 April 2009. As in England and Wales, there will be three separate sets of new regulations: the LGPS (Benefits, Membership and Contributions) (Scotland) Regulations; the LGPS (Transitional Provisions) (Scotland) Regulations and the LGPS (Administration) (Scotland) Regulations.

The benefit structure for the new scheme in Scotland is very similar to the changes effective in England and Wales from 1 April 2008. There are a couple of significant differences, however. The contribution paid by members will operate in a different manner. The draft regulations indicate that there will be a five-tier employee contribution structure based on a banding system.

Pensionable pay	Rate
On earnings up to and including £18,000	5.5%
On earnings above £18,000 and up to £22,000	7.25%
On earnings above £22,000 and up to £30,000	8.5%
On earnings above £30,000 and up to £40,000	9.5%
On earnings above £40,000	12%

The bands are expected to operate cumulatively in a manner similar to the application of PAYE. The employer will decide the rate from 1 April 2009 for existing contributors based on their pensionable pay and, for an employee joining the scheme on or after that date, will decide the rate based on the pensionable pay on joining. In both cases, the employer must have regard to guidance to be issued by Scottish Ministers.

The other major difference is the ill-health benefit provisions for members who cease active employment on the grounds of ill-health. In Scotland, there will, as in England

and Wales, be a three tier system but the details are different. In Scotland, where a member who has at least 2 years membership (or has had a transfer in from another pension scheme) is retired on the grounds of permanent ill health and has a reduced likelihood of obtaining gainful employment before age 65, ill health benefits will be payable as follows:

- if the employer determines there is no reasonable prospect of the member obtaining gainful employment before age 65 the member's benefits are calculated on the membership the employee could have attained by age 65
- if the employer determines there is a reasonable prospect of the member obtaining gainful employment before age 65 the member's benefits are calculated on accrued membership plus 25% of the membership the employee could have attained between leaving and age 65

Gainful employment means paid employment for not less than 30 hours in each week for a period of not less than 12 months.

The third tier will exist outside the LGPS; employers will be able to make a one-off discretionary lump sum payment. The third tier will cover those members whose employment is terminated on capability grounds, who are not in receipt of ill-health benefits and who have a reasonable prospect of undertaking further gainful employment before age 65.

Regulation 20 of the draft LGPS (Benefits, Membership and Contributions) (Scotland) Regulations does not cover those members who less than two years' total membership and who have not transferred in any benefits. The assumption is that such members will be entitled to a refund of contributions or to transfer their benefits from the LGPS (Scotland).

Further details will be provided in a later Bulletin once the actual regulations have been issued.

LGPS members' website

The [LGPS members website](#) has been now been updated to reflect the changes to the LGPS for employees in England and Wales from 1 April 2008.

To achieve this, the "Thinking of Joining" and "Already a member" sections have been split into the 4 categories of member:

- Employees in England and Wales
- Employees in Scotland
- Councillors in England and Wales
- Councillors in Scotland

The user has to select which group they are in from the overview page and, once selected, all sub pages relate to the group they have chosen. This means that pages will not be displayed to the user which are not relevant to them. Search results are also limited to high level pages in those 2 sections, so users have to choose which category

they belong to before they can access detailed information. The other sections on the site will be amended in the same way as time goes on.

The cost benefit calculator in the "Thinking of Joining" section for Employees in England and Wales and for Employees in Scotland is still being worked on and will be available by mid June.

The general appearance of the website has been retained - so as to give a degree of continuity and familiarity of use to users of the site.

Transfer Value Disclaimer Forms

As promised in [Bulletin 49](#), an updated set of transfer value disclaimer forms is attached to this Bulletin. A separate transfer value disclaimer form has not been created for Pension Credit (PC) members who transfer their benefits to a QROPS due to the expected rarity of the cases. Administering Authorities can use the PC and QROPS disclaimer forms to create a "one-off" form as and when required.

Administering authorities may wish to note that paragraph 78 of the explanatory notes which accompany the Pensions Act 2007 states, in relation to section 15 of the Act, *"The Act abolishes contracting-out for occupational and personal pension schemes that contract out on a money purchase basis. Contracting-out certificates for COMPs and appropriate scheme certificates will be automatically cancelled. The result will be that, from the date of cancellation, members of schemes that had been contracted-out on a money purchase basis will be contracted back into the state second pension and will start to build up entitlement to a state second pension. The Act amends and repeals certain provisions of the PSA1993 and other legislation to abolish contracting-out for money purchase schemes. As a result the contracting-out rebate will no longer be available for money purchase schemes. The Act also removes the rules that apply to the protected rights, except for the rule concerning the provision of survivor benefits from the protected rights if the member is married or in a civil partnership at the point of annuitisation."*

The transfer value disclaimer form completed by receiving schemes will be updated to recognise the demise of Contracted-out Money Purchase (COMP) Schemes and will be reissued by the LGPC Secretariat when section 15(1) of the Pensions Act 2007 comes into force (date not yet announced). It should also be noted that the combination of the Pensions Act 2007 (when section 15(1) comes into force) and Schedule 5 of the Welfare Reform and Pensions Act 1999 (which effectively limits transfers of LGPS Pension Credit rights to schemes that are able to receive contracted-out or safeguarded rights) will inevitably limit the available options for Pension Credit members who wish to transfer their Pension Credit benefits out of the LGPS.

Overriding Legislation – Transfer Regulations

[The Occupational Pension Scheme \(Transfer Values\) \(Amendment\) Regulations 2008](#) [SI 2008/1050] were laid before Parliament on 11 April 2008 with an effective date of 1 October 2008. The regulations are accompanied by an [explanatory memorandum](#). The DWP have also published a [response to the consultation exercise](#) carried out last year in regard to the amended transfer value regulations. The principle behind the amended transfer value regulations is that transfer values should be calculated on a scheme specific basis and reflect the trustees' best estimate on the cost of providing the alternative deferred benefit. The Regulations withdraw mandatory Guidance Note (GN11), which has been used by the actuarial profession to determine transfer values.

The Pensions Regulator has indicated that guidance will be made available on transfer values for both scheme trustees and scheme members. At the time of writing the guidance is not available.

The new transfer value factors for the LGPS, expected for October 2008, will reflect the updated legislation.

Where, on or after 1 October 2008, transfer information is provided to a member the information will have to include:

- a) a statement that the Financial Services Authority, the Regulatory Authority and the Pensions Advisory Service provide information about transfers that may assist the member in deciding whether to transfer; and
- b) a recommendation that the member should take financial advice before making decisions about transfers.

Internal Disputes Resolution Procedure

As reported in [Bulletin 49](#), two Statutory Instruments were promulgated in March which will affect the procedures for the resolution of disputes. These were The Pensions Act 2004 (Commencement No.11) Order 2008 [SI 2008/627], which sets the effective date for the change as 6 April 2008, and The Occupational Pension Schemes (Internal Dispute Resolution Procedures Consequential and Miscellaneous Amendments) Regulations 2008 [SI 2008/649]. [Bulletin 49](#) summarised the changes.

On 14 April, CLG e-mailed LGPS administrators. In the e-mail, CLG stated that:

Regulation 2 of The Occupational Pension Schemes (Internal Dispute Resolution Procedures Consequential and Miscellaneous Amendments) Regulations 2008, SI 2008/649, came into effect earlier this month.

This regulation concerns information requirements. Regulation 2(1) is the part of particular interest.

2(1) When the trustees or managers of an occupational pension scheme receive (or, as the case may be, the specified person receives) an application under the relevant procedure, they must as soon as is reasonably practicable -

(a) inform the applicant that TPAS (the Pensions Advisory Service) is available to assist members and beneficiaries of the scheme in connection with any difficulty with the scheme; and

(b) give the applicant the contact details for TPAS.

The LGPS (Administration) Regulations 2008 contain the current Scheme provisions on internal dispute resolution procedures. (In this context, regulations 58-61 are of most relevance.) At present the LGPS regulations :

do not require such action on receipt of an application relating to a dispute (but only when a decision on the dispute is given)

require "the address" of the TPAS and the Ombudsman to be provided, rather than "contact details". The latter could include additional details such as the email address, phone number, etc.

CLG are seeking advice on the extent to which the Administration Regulations may need amendment as a result of SI 2008/649. In the meantime, CLG have suggested that Scheme employers and administering authorities may wish to reflect the changes anyway in their documentation and procedures. This also applies to employers and administering authorities in Scotland.

If it transpires that regulatory change is necessary, it will form part of a wider consultation exercise later this year on whether the LGPS should adopt a single stage internal dispute resolution procedure or retain the current two stage arrangements.

In the meantime, the DWP has published the [Government's response](#) to the original consultation exercise on the new internal disputes resolution procedures. The document considers the policy which underpins the new regulations, including the option of a one-stage process.

Overriding Legislation - Pensions Bill 2007/08

The [Pensions Bill](#) 2007/08 was brought from the House of Commons on 23 April 2008. The Bill has now progressed to the House of Lords with the 3 June set as the date for the second reading. [Explanatory notes](#) are also available to accompany the Pensions Bill as it moves from the House of Commons to the House of Lords.

European Court of Justice Ruling – Fixed-Term Contracts

The European Court of Justice (ECJ) recently ruled on a case ([C-268/06](#)) brought by the Irish Trade Union, IMPACT, against the Irish government. While the majority of the findings were in respect of the Irish government failing to treat fixed-term contract employees as required under Irish law, there was one part of the ruling which may have consequences for pension scheme administration in the UK.

The Fixed-Term Workers Directive (99/70/EC) was published with an annexe entitled the Framework Agreement with respect to the treatment of fixed-term contract employees. Clause 4(1) of the Fixed-Term Workers directive states that non-discrimination rules in the directive have direct effect. This means they can be enforced irrespective of the national laws within a member state. The ECJ, as part of the ruling, believes that the term, "employment conditions" in clause 4 of the Framework agreement includes pay and pensions provided by the employer.

As reported in [Bulletin 50](#), as a response to Directive 99/70/EC, Parliament passed SI 2002/2034, the Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002. This SI gives fixed-term contract employees the right to be treated no less favourably than a "comparable permanent employee". Under paragraph 3(3)(b) of the SI, employers can treat fixed-term contract employees less favourably if the less favourable treatment can be "justified on objective grounds". [There is guidance on this on the Department for Business Enterprise and Regulatory Reform](#) website and the section on pensions for fixed term workers says: *"There may be occasions where an employer can justifiably treat a fixed-term employee less favourably than a similar permanent employee. For example, where an employee is on a fixed-term contract that is shorter than the vesting period for a pension scheme, the employer may be able to justify excluding them from that scheme if including them has a disproportionate cost and/ or is of no benefit to them. The employer will not have to provide alternative compensation."*

Regulation 2(3) of the LGPS (Benefit, Membership and Contributions) Regulations 2007 prevents an employee with a fixed-term contract of less than three months from joining the LGPS. The Secretariat understands that CLG has used an objective justification for this on the basis that as the scheme has a 3 month vesting period, not providing access to the scheme to those who will leave with less than 3 months employment will not be discriminatory.

In Scotland, the draft LGPS (Benefits, Membership and Contributions) Regulations also contain a clause which prevents employees from joining the LGPS (Scotland) if they have a fixed-term contract of less than three months. However, given that the vesting period in Scotland is still 2 years, the objective justification for excluding employees with a fixed-term contract of less than 3 months might be more difficult. The LCPC Secretariat understands that the SPPA is aware of this issue.

Normal Retirement Date – the Plewes case

Authorities should be aware of the case of *Plewes v Adam Pork Produce* (ET/2600842/07) when retiring employees. This is an employment tribunal decision, and therefore does not set a precedent. However, it highlights a potential inconsistency between the drafting of the retirement provisions in the Employment Equality (Age) Regulations and the way that retirement works in practice.

Regulation 30 of the Employment Equality (Age) Regulations provides that an employer will not discriminate against an employee on the grounds of age if he dismisses him for retirement at or over the age of 65. Mr Plewes' contract contained a clause which provided that the normal retirement date was the day before the employee's 65th birthday. Mr Plewes did not want to retire, but his request to continue working was rejected. He brought a claim that he had been discriminated against on the grounds of age and unfairly dismissed. The employer's defence that they had complied with the statutory retirement procedure failed due to the fact that the contract had terminated the day before Mr Plewes' 65th birthday, whereas the default retirement "exemption" in the regulations only applies to retirement **at or over** age 65. The dismissal was therefore discriminatory and the employer was unable to justify it. The tribunal awarded compensation of over £36,000.

The tribunal's decision in this case was based on a literal reading of the regulations. It is common practice, when an employee retires, that their last day at work is the day before their 65th birthday and they will usually be eligible to draw their pension from the day of their birthday. Employers should take care to ensure that their documentation and any notice they provide to their employees does not put them in the same position as the employer in this case. It would be advisable to provide that the employee's employment will terminate on the day of the employee's 65th birthday. This could provide that termination occurs at one second past midnight. This is based on the fact that provisions in the Pensions Act 1995 (paragraph 1(5) of Part 1 of Schedule 4), which define when a person attains state pension age, provide that a person attains a given age at the commencement of the relevant day. Therefore, providing that a person's contract terminates just after the commencement of the date they become 65 the requirements of the age regulations should be satisfied and, at the same time, this should mean that an employee would not be required to work on their 65th birthday. Technically, however, this would mean that the date of leaving would be the 65th birthday (even if no pay was paid for that day as work ceased at 1 second past midnight) and so the pension could not then commence until the following day. This would tally with the GAD guidance on late retirement which says that an actuarial increase is applied if retirement is **after** age 65.

Agency Workers Deal

The Department for Business, Enterprise and Regulatory Reform, the CBI and the TUC have agreed a [deal on agency workers](#). The aim of the deal is fairer treatment for agency workers and details are given below.

The agreement is an initial response to the Agency Workers Directive. The government will enter into a dialogue with its European partners to agree on the terms of the Agency Workers Directive which will enable Parliament to pass the necessary legislation. The Government hopes the European Union agreement will be obtained in time for the

necessary UK implementing legislation to be introduced in the next Parliamentary session.

Amongst other matters covered by the deal, agency workers in a given job will be entitled to equal treatment after 12 weeks. Equal treatment will include the basic working and employment conditions that would have applied if the workers had been recruited directly by the employer to carry out the same job. The agreement excludes "occupational social security schemes" which the Secretariat thinks covers occupational pension schemes. The Confederation of British Industry (CBI) believes so too as their press release says that "while pay is covered, occupational benefits that recognise the long-term relationship permanent staff have with an employer, like sick pay and pensions, are rightly excluded".

The government will review the new arrangements which are put in place at an appropriate point in the light of experience.

Local Government Reorganisation

The LGE has commented on "Local Government Reorganisation: Draft Staffing Regulations and Draft Guidance on Staffing Issues" which was published by CLG on 7 May 2008. The LGE made the point that it is not clear whether or not those staff being automatically transferred upon local government reorganisation will be treated for the purposes of regulation 16(6) of the Local Government Pension Scheme (Administration) Regulations 2008 as having ceased to be an active member in one employment and immediately become an active member in another employment. If they are to be so treated the LGPS benefits they have accrued up to the date of transfer would be kept separate from the rights they would accrue thereafter unless they opted to aggregate them within 12 months, or such longer period as the new employer might allow.

If CLG lawyers take the view that staff to whom regulation 3 of the draft Staffing (Structural and Boundary Changes) (England) Regulations 2008 applies have (for the purposes of regulation 16(6) of the LGPS (Administration) Regulations 2008) ceased an employment then, in order to prevent authorities from potentially having to offer all such transferred staff the option of aggregating or retaining separate benefits under the LGPS Regulations (which would be an onerous task given that there had been no real change / worsening of their employment terms), the LGE has commented that it would be useful to amend regulation 6 of the draft Staffing (Structural and Boundary Changes) (England) Regulations 2008 to the effect that staff to whom regulation 3 of those Regulations applies shall **not** be treated for the purposes of regulation 16(6) of the LGPS (Administration) Regulations 2008 as if they had ceased an employment. If, however, the CLG lawyers take the view that such an employee has not (for the purposes of regulation 16(6) of the LGPS (Administration) Regulations 2008) ceased an employment and so no amendment to regulation 6 of the Staffing (Structural and Boundary Changes) (England) Regulations 2008 is required, it would be very helpful if CLG could confirm this in the final version of the staffing transfer guidance, as it would then be clear that regulation 16(6) of the LGPS (Administration) Regulations 2008 does not apply and no option to aggregate / retain separate benefits should be given.

Administration of Estates (Small Payments) Act 1965

Under the Administration of Estates (Small Payments) Act 1965, certain institutions can make small payments up to a specified value to a personal representative without the need for the production of probate or letters of administration. These institutions are named in Schedule 1 to the Act, and are indemnified against the risk of making a payment of up to the specified sum to someone who later turns out not to be entitled to the money. None of the institutions named are obligated to apply the provisions and may insist on the production of a grant of probate or letters of administration before making payment of a death grant. They may also depart from the specified limit and set their own ceilings, but in doing so they do not receive the protection provided by the Act. The LGPS does, however, adhere to the specified limit – see regulation 52 of the LGPS (Administration) Regulations 2008 and regulation 94 of the LGPS (Scotland) Regulations 1998.

The financial limit for making small payments was last raised by Treasury Order in 1984 from £1,500 to £5,000. The Secretariat understands that CLG are seeking support from other public sector schemes colleagues to seek an increase in the limit. It is interesting to note that the limit in Northern Ireland has already been raised to £10,000 by the Administration of Estates (Small Payments) (Increase of Limit) Order (Northern Ireland) 2004 [SI 2004/68] and in Scotland the Confirmation to Small Estates (Scotland) Orders provide that a Grant of Confirmation is not required for estates of under £30,000 unless the fund holder requests it.

GMP Overpayments / Underpayments

CLG issued a letter on 8 May 2008 to administering authorities in England and Wales concerning the possible overpayment of pensions as a result of late or non notification of GMPs by the DWP. The LGPC Secretariat assumes that LGPS Funds will not have a major problem with overpayments due to late notifications of GMPs on the grounds that most Funds will either:

- a) already hold a member's GMP on their pensions administration system following a bulk upload of GMP data from DWP, or
- b) be able to calculate the GMP from contracted out contributions / pay details they hold, or
- c) use a notional GMP

Amendments to GMPs notified by DWP, or changes to the AC < GMP and AC > GMP notifications can result in over or underpayments. However, the Secretariat is not aware that this is causing any major concerns (and in the overall scale of LGPS pension expenditure, any under or over payment, whilst being an issue for the individual concerned, will not be significant).

What is more of an issue is the fact that the Secretariat understands that LGPS Funds (and other public sector schemes) could be underpaying pensions to pensioners who have deferred drawing their state pension. During the period of deferment the Fund should be increasing the member's GMP by PI. However, because in these cases the DWP has apparently stopped issuing "not retired" AC < GMP notifications (without,

as far as the Secretariat knows, telling Funds about the change), Funds may, inadvertently, not be increasing the pre 6 April 1988 GMP and will only be increasing the post 5 April 1988 GMP by RPI up to a maximum of 3%. The Secretariat is liaising with CLG and SPPA to try to resolve this problem with DWP. The Secretariat understands there may also be a similar issue where a member retires to a country where the UK State Pension is not indexed (a non-reciprocal country).

Bits and Pieces

Timeline Regulations

The LGPC Secretariat met with the LB Wandsworth on 14 May 2008 to discuss the maintenance of the Timeline Regulations on the website. The intention is that maintenance will be performed by the LGPC Secretariat in future. The Timeline Regulations are currently not fully up to date and the next Bulletin will set out the schedule for the update of the Timeline Regulations.

Voluntary Overseas Service (VSO) – Pensions Cost

CLG and the LGPC Secretariat met with Voluntary Services Overseas on 15 May 2008 to discuss the announcement of a [pilot arrangement](#) to encourage more public sector workers to volunteer for overseas work. The arrangement involves making monies available to cover loss of pension rights incurred by public sector workers who undertake an overseas volunteer assignment lasting between 7 and 24 months, starting between April 2008 and March 2011. The monies are only available to public sector workers who are granted leave of absence by their employer and who return to their original employer (or to pensionable employment with another public sector employer) for at least six months after the voluntary work has ceased.

As the VSO monies will only be released if the member is on leave of absence, the LGPS (Administration) Regulations 2008 and the LGPS (Scotland) Regulations 1998 already permit members (and their employers) to make payments to cover the contributions missed due to leave of absence. The member and employer must pay basic contributions for the first 30 days of the period of absence and, for the rest of the period to count, the employee must opt to pay the missed contributions within 30 days of returning to LGPS employment (or of leaving, if they do not return). After six months, the member will then be able to claim monies from the VSO to cover the missed contribution payments. There is no requirement under the LGPS (Administration) Regulations 2008 and the LGPS (Scotland) Regulations 1998 for the member to have to pay contributions immediately after making an option to do so.

Technically, at the moment the VSO pilot arrangement cannot pay monies directly into an LGPS fund (to cover the employee and employer contributions). The employee and employer would have to pay their contributions into the fund and claim them back from the VSO. To prevent this level of administration, a mechanism is required to enable the VSO to pay the contributions direct to the fund. CLG and the SPPA are considering how best this can be managed and an update will appear in a future Bulletin as soon as more information becomes available.

Investment Management Fees

[Bulletin 49](#) reported on a House of Lords ruling whereby, if pension funds can prove exemption from VAT on investment management fees, they will be able to recover VAT fees paid between 1990 and 1996 together with fees paid in the last three years. Subsequently, NAPF have announced that they and the Wheel Common Investment Fund (WCIF) are bringing a joint legal challenge as to whether VAT should be applied to investment management services in the UK. The WCIF is multi-employer scheme which covers the Ford Motor Company and its affiliates. NAPF issued a [press release](#) in respect of the legal action.

The Pension Protection Fund (PPF)

The Pension Protection Fund reached its third anniversary last month. By March 2008, 41 pension schemes, whose sponsoring employers had gone into liquidation, had been transferred into the PPF after completion of the assessment period. The PPF are paying £1.4 million a month in compensation to those members who have already retired.

Reminders

A pensionable employee in Scotland who was in a civil partnership on 10 December 2007 only has until 10 June 2008 to make an election to buy-back pre 6 April 1988 membership for a civil partner's benefit.

Legislation

The following list details Statutory Instruments of relevance for pensions practitioners which have been promulgated since the start of this year.

Reference	Title
2008/133	The Social Security (Contributions) (Amendment) Regulations 2008
2008/213	The Firefighters Pension Scheme (England) (Amendment) Order 2008
2008/214	The Firefighters' Pension Scheme (Amendment) (England) Order 2008
2008/217	The Occupational Pension Schemes (Levy Ceiling – Earnings Percentage Increase) Order 2008
2008/238	The Local Government Pension Scheme (Transitional Provisions) Regulations 2008
2008/239	The Local Government Pension Scheme (Administration) Regulations 2008
2008/541	The Teachers' Pensions (Miscellaneous Amendments) Regulations 2008
2008/561	The Finance Act 2007 section 46 (Commencement) Order 2008
2008/562	The Income Tax (Purchased Life Annuities) Regulations 2008
2008/579	The Social Security (Contributions) (Re-rating) Order 2008
2008/581	The Guaranteed Minimum Pension Increase Order 2008
2008/607	The Social Security(Contributions) (Amendment No. 2) Regulations 2008
2008/624	The Occupational Pension Schemes (Non-European Schemes Exemption) Regulations 2008
2008/627	The Pensions Act 2004 (Commencement No. 11) Order 2008
2008/632	The Social Security Benefits Up-rating Order 2008
2008/636	The Social Security (Contributions) (Amendment No. 3) Regulations 2008
2008/649	The Occupational Pension Scheme (Internal Dispute Resolution Procedures Consequential and Miscellaneous Amendments) Regulations 2008

2008/661	The Occupational and Personal Pension Schemes (General Levy) amendment Regulations 2008
2008/664	The Pension Protection fund (Prescribed Payments) Regulations 2008
2008/667	The Social Security Benefit Up-rating Regulations 2008
2008/711	The Pensions Increase (Review) Order 2008
2008/720	The Registered Pension Schemes (Provision of Information) (Amendment) Regulations 2008
2008/726	The Social Security (contributions) (Amendment) Regulations 2008
2008/730	The Social Security Revaluation of Earnings Factors Order 2008
2008/731	The Occupational Pension Schemes (Employers Debt and Miscellaneous Amendments) Regulations 2008
2008/909	The Pension Protection Fund (Pension Compensation Cap) Order 2008
2008/910	The Occupational Pension Schemes (Levies) Amendment Regulations 2008
2008/911	The Occupational Pension Schemes (Levy Ceiling) Order 2008
2008/1050	The Occupational Pension Schemes (Transfer Values) (Amendment) Regulations 2008
2008/1068	The Occupational Pension Schemes (Employer Debt – Apportionment Arrangements) Amendment Regulations 2008
2008/1083	The Local Government Pension Scheme (Amendment) Regulations 2008

Useful Links

[The LGE Pensions](#) – This is the LGE Pensions home page.

[The members' website](#) – This is the address for the LGPS members' website.

[Tax Guide \(Version 10\)](#) - Please note that administrators should, for the time being, still refer to version 9 if the query is in respect of trivial commutation.

[LGPS Discretions](#) - This document contains a full list of all the potential discretions available within the LGPS in England and Wales.

LGPC Contact Details

Terry Edwards (Head of Pensions)

Telephone: 01954 202 787 or 0207 187 7346

Email: terry.edwards@lge.gov.uk

Tim Hazlewood (LGPC Training & Development Manager)

Telephone: 01530 242 777

Email: tim.hazlewood@lge.gov.uk

Irene Wass (LGPC Communications Officer)

Telephone: 01246 414 902

Email: irene.wass@lge.gov.uk

Elaine English (LGPC Executive Officer)

Telephone: 0207 187 7344

Email: elaine.english@lge.gov.uk

Dave Friend (LGPC Pensions Adviser)

Telephone: 01457 859 016

Email: david.friend@lge.gov.uk

Alison Hazlewood (Part-time Admin Assistant - Training & Development)

Email: alison.hazlewood@lge.gov.uk

Member's Transfer Request Form

Request for Payment of Cash Equivalent Transfer Value to a Qualifying Recognised Overseas Pension Scheme (QROPS)

<p>Please complete this form if you want to transfer the value of your Local Government Pension Scheme (LGPS) rights held in the XXXX Pension Fund to another scheme. Return the completed form to us at: [Administering authority to enter relevant address] [The administering authority should also enter information here on any other actions the scheme member needs to take to comply with the administering authority's working practices when dealing with transfers out e.g. the need for the member to attach the new scheme's completed Receiving Scheme Discharge Form if the administering authority's practice is not to deal direct with the new scheme to get that form completed and returned]</p>			
Surname		Forename(s)	
Address			
	Postcode		
National Insurance Number		Date of birth	
Former employer		Leaving date	
Present status:	<p>Please tick the appropriate box:</p> <p>I am currently married; <input type="checkbox"/></p> <p>I am currently in a civil partnership; <input type="checkbox"/></p> <p>I have nominated a co-habiting partner to be entitled to a benefit under the LGPS; <input type="checkbox"/></p> <p>Or</p> <p>None of the above apply <input type="checkbox"/></p> <p>(for example, you are single, a widow or widower, divorced, etc)</p> <p>Notes:</p> <p>1. If you are married or in a civil partnership and have not previously sent the Marriage or Civil Partnership Certificate to us, please attach the Certificate to this form. The Certificate will be treated confidentially and returned promptly.</p> <p>2. If you have nominated a co-habiting partner to be covered by the LGPS please attach [Enter information required by the administering authority to verify that the cohabitation conditions have been met for 2 years as at the relevant date]</p>		

Full name and address of QROPS to which you want your XXXX Pension Fund pension rights to be transferred to :	

DECLARATION AND REQUEST FOR PAYMENT OF TRANSFER VALUE

I declare that:

- v I have received details of the deferred benefits (if any) I hold in the Local Government Pension Scheme (LGPS) and details of the cash equivalent transfer value (CETV) of them.
- v I am a member of the QROPS named above.
- v If the QROPS named above is an occupational pension scheme, I am in employment to which the QROPS named above applies
- v I have received a statement from the QROPS named above showing the benefits the transfer payment would buy for me in that scheme and the conditions (if any) on which those benefits could be forfeited or withheld.

I understand and accept that:

- v The CETV represents the whole of my LGPS benefits including, if any, GMP and post 1997 contracted out rights.
- v The QROPS named above may not be regulated in any way by the law of the United Kingdom and that as a consequence there may be no obligation under that law on the QROPS or its trustees or administrators to provide any particular value or benefit in return for the transfer payment.

I wish to have the cash equivalent value of my pension rights in the LGPS transferred to the QROPS named above. I understand that:

- The benefits the transfer value buys in the new scheme may not be equal or equivalent to those I or my dependants may otherwise have become entitled to from the **XXXX** Pension Fund
- It is my responsibility to ensure that the benefits the transfer value buys in the new scheme are suitable for me and my family and that no responsibility for this rests with **AAAA**
- On payment of the transfer value I will have no further benefits from the **XXXX** Pension Fund based on the rights to which the transfer value relates. Neither I nor my dependants will have any further claim in any circumstances or in any form on the **XXXX** Pension Fund, **AAAA** or my former employer for any rights to which the transfer value relates

I have not rejoined the LGPS within one month and one day of leaving

Signed		Date	
---------------	--	-------------	--

You must return this form within three months after the calculation date shown on your transfer value statement if you want us to pay the amount we have quoted. If we receive it later we will recalculate the transfer value and pay the new amount. That could be more or less than the original figure. Please note that we cannot pay the transfer value until or unless we receive and are satisfied with the Receiving Scheme Discharge Form which

[administering authority to enter appropriate wording e.g.

- **you should get your new scheme to complete and return to you so that you can attach it to this form, or**
- **we have asked your new scheme to complete and return to the Pensions Section]**

Member's Transfer Request Form

Request for Payment of Cash Equivalent Transfer Value to a Non Contracted-out Scheme

Please complete this form if you want to transfer the value of your Local Government Pension Scheme (LGPS) rights held in the **XXXX** Pension Fund to another scheme. Return the completed form to us at:

[Administering authority to enter relevant address]

[The administering authority should also enter information here on any other actions the scheme member needs to take to comply with the administering authority's working practices when dealing with transfers out e.g. the need for the member to attach the new scheme's completed Receiving Scheme Discharge Form if the administering authority's practice is not to deal direct with the new scheme to get that form completed and returned]

Surname		Forename(s)	
Address			
	Postcode:		
National Insurance number		Date of birth	
Former employer		Leaving date	
Present status	<p>Please tick the appropriate box:</p> <p>I am currently married; <input type="checkbox"/></p> <p>I am currently in a civil partnership; <input type="checkbox"/></p> <p>I have nominated a co-habiting partner to be entitled to a benefit under the LGPS; <input type="checkbox"/></p> <p>Or</p> <p>None of the above apply <input type="checkbox"/></p> <p>(for example, you are single, a widow or widower, divorced, etc)</p> <p>Notes:</p> <p>1. If you are married or in a civil partnership and have not previously sent the Marriage or Civil Partnership Certificate to us, please attach the Certificate to this form. The Certificate will be treated confidentially and returned promptly.</p> <p>2. If you have nominated a co-habiting partner to be covered by the LGPS please attach [Enter information required by the administering authority to verify that the cohabitation conditions have been met for 2 years as at the relevant date]</p>		

Full name & address of scheme to which you want XXXX Pension Fund to transfer your non-contracted out rights (if more than one scheme please give second scheme details on separate sheet and indicate how you would like the transfer payment to be split across the schemes)	
	Post code

DECLARATION AND REQUEST FOR PAYMENT OF TRANSFER VALUE
 I have received details of the deferred benefits I hold in the **XXXX** Pension Fund and details of the cash equivalent transfer value of them. **I have also received details from my new scheme or schemes of the pension rights the transfer value will buy for me in that scheme or those schemes.**

Having considered the choices available to me I wish **AAAA** to pay the non-contracted out part of my transfer value (including the transfer value of any additional voluntary contributions I made) to the scheme(s) I have named above and **(TICK APPROPRIATE BOX):**

<input type="checkbox"/>	Keep my contracted out rights in the XXXX Pension Fund
<input type="checkbox"/>	Pay the contracted out part of my transfer value to another scheme

If you have ticked the second box above, please provide the full name & address of scheme to which you want XXXX Pension Fund to transfer your contracted out rights:	
	Postcode:

I understand that:

- The benefits the transfer value buys in the new scheme or schemes may not be equal or equivalent to those I or my dependants may otherwise have become entitled to from the **XXXX** Pension Fund
- It is my responsibility to ensure the benefits the transfer value buys in the new scheme or schemes are suitable for me and my family and that no responsibility for this rests with **AAAA**
- On payment of the transfer value I will have no further benefits from the **XXXX** Pension Fund based on the rights to which the transfer value relates. Neither I nor my dependants will have any further claim in any circumstances or in any form on the **XXXX** Pension Fund, **AAAA** or my former employer for any rights to which the transfer value relates.

I have not rejoined the LGPS within one month and one day of leaving

SIGNED **DATE**

You must return this form within three months after the calculation date shown on your transfer value statement if you want us to pay the amount we have quoted. If we receive it later we will recalculate the transfer value and pay the new amount. That could be more or less than the original figure. Please note that we cannot pay the transfer value until or unless we receive and are satisfied with the Receiving Scheme Discharge Form which

- [administering authority to enter appropriate wording e.g.**
- **you should get your new scheme to complete and return to you so that you can attach it to this form, or**
 - **we have asked your new scheme to complete and return to the Pensions Section]**

Member's Transfer Request Form

Request for Payment of Cash Equivalent Transfer Value to a Contracted-out Scheme

Please complete this form if you want to transfer the value of your Local Government Pension Scheme (LGPS) rights held in the **XXXX** Pension Fund to another scheme. Return the completed form to us at:

[Administering authority to enter relevant address]

[The administering authority should also enter information here on any other actions the scheme member needs to take to comply with the administering authority's working practices when dealing with transfers out e.g. the need for the member to attach the new scheme's completed Receiving Scheme Discharge Form if the administering authority's practice is not to deal direct with the new scheme to get that form completed and returned]

Surname		Forename(s)	
Address			
	Postcode:		
National Insurance number		Date of birth	
Former employer		Leaving date	
Present status	<p>Please tick the appropriate box:</p> <p>I am currently married; <input type="checkbox"/></p> <p>I am currently in a civil partnership; <input type="checkbox"/></p> <p>I have nominated a co-habiting partner to be entitled to a benefit Under the LGPS: <input type="checkbox"/></p> <p>Or</p> <p>None of the above apply <input type="checkbox"/></p> <p>(for example, you are single, a widow or widower, divorced, etc)</p> <p>Notes:</p> <p>1. If you are married or in a civil partnership and have not previously sent the Marriage or Civil Partnership Certificate to us, please attach the Certificate to this form. The Certificate will be treated confidentially and returned promptly.</p> <p>2. If you have nominated a co-habiting partner to be covered by the LGPS please attach [Enter information required by the administering authority to verify that the cohabitation conditions have been met for 2 years as at the relevant date]</p>		

Full name & address of scheme which you want your XXXX Pension Fund pension rights to be transferred to (if more than one scheme please give second scheme details on separate sheet and indicate how you would like the transfer payment to be split across the schemes)	
	Postcode:

DECLARATION AND REQUEST FOR PAYMENT OF TRANSFER VALUE

I have received details of the contributions or deferred benefits I hold in the **XXXX** Pension Fund and details of the cash equivalent transfer value that relates to them. **I have also received details from my new scheme of the pension rights the transfer value will buy for me in that scheme or those schemes.**

Having considered the choices available to me I wish **AAAA** to pay the whole of the transfer value of my pension rights in the **XXXX** PF (including the transfer value of any additional voluntary contributions I made) to the scheme(s) I have named above.

I understand that:

- The benefits the transfer value buys in the new scheme may not be equal or equivalent to those I or my dependants may otherwise have become entitled to from the **XXXX** Pension Fund.
- It is my responsibility to ensure that the benefits the transfer value buys in the new scheme are suitable for me and my family and that no responsibility for this rests with **AAAA**.
- On payment of the transfer value I will have no further benefits from the **XXXX** Pension Fund based on the rights to which the transfer value relates. Neither I nor my dependants will have any further claim in any circumstances or in any form on the **XXXX** Pension Fund, **AAAA** or my former employer for any rights to which the transfer value relates.

I have not rejoined the LGPS within one month and one day of leaving.

SIGNED

DATE

You must return this form within three months after the calculation date shown on your transfer value statement if you want us to pay the amount we have quoted. If we receive it later we will recalculate the transfer value and pay the new amount. That could be more or less than the original figure. Please note that we cannot pay the transfer value until or unless we receive and are satisfied with the Receiving Scheme Discharge Form which

[administering authority to enter appropriate wording e.g.

- **you should get your new scheme to complete and return to you so that you can attach it to this form, or**
- **we have asked your new scheme to complete and return to the Pensions Section]**

Pension Credit Member's Transfer Request Form

Please complete this form if you want to transfer the value of your Local Government Pension Scheme (LGPS) rights held in the **XXXX** Pension Fund to another scheme. Return the completed form to us at: **[Administering authority to enter relevant address]**
[The administering authority should also enter information here on any other actions the pension credit member needs to take to comply with the administering authority's working practices when dealing with transfers out e.g. the need for the pension credit member to attach the new scheme's completed Receiving Scheme Discharge Form if the administering authority's practice is not to deal direct with the new scheme to get that form completed and returned]

Surname		Forename(s)	
Address			
	Postcode:		
National Insurance number		Date of birth	
Former Partner's employer		Date of Pension Sharing Order	
Full name & address of scheme which you want your XXXX Pension Fund pension rights to be transferred to (if more than one scheme please give second scheme details on separate sheet and indicate how you would like the transfer payment to be split across the schemes)			
	Postcode:		

DECLARATION AND REQUEST FOR PAYMENT OF TRANSFER VALUE

I have received details of the pension credit rights I hold in the **XXXX** Pension Fund and details of the cash equivalent transfer value that relates to them. **I have also received details from my new scheme of the pension rights the transfer value will buy for me in that scheme or those schemes.**

Having considered the choices available to me I wish **AAAA** to pay the whole of the transfer value of my pension credit rights in the **XXXX** PF to the scheme(s) I have named above.

I understand that:

- The benefits the transfer value buys in the new scheme may not be equal or equivalent to those I may otherwise have become entitled to from the **XXXX** Pension Fund.
- It is my responsibility to ensure that the benefits the transfer value buys in the new scheme are suitable for me and that no responsibility for this rests with **AAAA**.
- On payment of the transfer value I will have no further benefits from the **XXXX** Pension Fund based on the rights to which the transfer value relates. I will have any further claim in any circumstances or in any form on the **XXXX** Pension Fund or **AAAA** for any rights to which the transfer value relates.

SIGNED

DATE

You must return this form within three months after the calculation date shown on your transfer value statement if you want us to pay the amount we have quoted. If we receive it later we will recalculate the transfer value and pay the new amount. That could be more or less than the original figure. Please note that we cannot pay the transfer value until or unless we receive and are satisfied with the Receiving Scheme Discharge Form which

[administering authority to enter appropriate wording e.g.

- **you should get your new scheme to complete and return to you so that you can attach it to this form, or**
- **we have asked your new scheme to complete and return to the Pensions Section]**

XXXX Pension Fund

Transfer to an Overseas Pension Scheme

Confirmation of Receipt of Transfer Value Payment by Administrator or Trustees

DETAILS OF THE PERSON TRANSFERRING PENSION RIGHTS FROM THE LOCAL GOVERNMENT PENSION SCHEME (LGPS):			
Name			
Address			
National Insurance No		Date of birth	

DETAILS OF THE QUALIFYING RECOGNISED OVERSEAS PENSION SCHEME (QROPS):			
Full name and address of QROPS:			
QROPS reference number:			

QROPS CONFIRMATION:		
In my capacity as administrator / trustee / equivalent (specify: _____) (delete as appropriate) of the above named QROPS, I confirm that:		
<input type="checkbox"/> This scheme has NOT been excluded from being a QROPS by HM Revenue and Customs (HMRC) in the UK		
<input type="checkbox"/> I have received the full transfer value payment of £_____ from the XXXX Pension Fund		
<input type="checkbox"/> I have applied the payment to the provision of retirement benefits for the person named above in the pension scheme named above.		
Signed		Pension Scheme Stamp
Date		
Designation		

XXXX Pension Fund – Administered by AAAA
Transfer to a Qualifying Recognised Overseas Pension Scheme (QROPS)
QROPS Certification

DETAILS OF THE PERSON TRANSFERRING PENSION RIGHTS FROM THE LOCAL GOVERNMENT PENSION SCHEME (LGPS):			
Name			
Address			
National Insurance No		Date of birth	

DETAILS OF THE QROPS TO WHICH THE TRANSFER PAYMENT IS TO BE MADE :	
Full name of the QROPS:	
QROPS reference number:	
Full official address of the scheme's administrator or trustees (or equivalent):	
Reference (if any):	

QROPS CERTIFICATE:	
In my capacity as administrator (or equivalent) of the above named QROPS, I certify that:	
<ul style="list-style-type: none"> • This scheme is a qualifying recognised overseas pension scheme (QROPS) under UK tax law and has NOT been excluded from being a QROPS by HM Revenue and Customs (HMRC) in the UK. I enclose a copy of the letter from HMRC accepting the scheme's status as a QROPS. I will let you know immediately if the scheme is excluded from being a QROPS at any time before the transfer takes place. • This QROPS is able and willing to receive the transfer payment and we will use the transfer payment to provide retirement benefits in this QROPS for the person named above. • Both the member and we understand that the transfer value represents the whole of the member's LGPS benefits including any GMP and post 1997 contracted out rights. • We have given the member a statement showing the benefits we will award for the transfer payment and the conditions (if any) on which those benefits could be forfeited or withheld. We enclose a copy of that statement, signed by us and endorsed by the member. 	
Please delete ONE of the following statements:	
<input type="checkbox"/> This QROPS is an occupational pension scheme. The person named above is in an employment to which the QROPS applies and is a member of this QROPS.	
OR	
<input type="checkbox"/> This QROPS is not an occupational pension scheme but the person named above is a member of this QROPS.	
Please send the transfer value cheque for this person to the scheme's trustees* / administrators* at the address given above. The cheque should be made payable to:	

*Please delete as appropriate	

Signed		QROPS Stamp
Date		
Designation		

XXXX Pension Fund – Administered by AAAA

**Request for payment of a transfer value
and receiving scheme discharge form**

Instructions to administrators / trustees of the new scheme:

Please complete **Part A** – to be completed by all schemes (This page)

Plus complete one of the following:

Part B – occupational pension schemes only (Pages 2 & 3)

or

Part C – personal pension schemes only (Pages 4 & 5)

or

Part D – buy-out policies only (Page 6)

Then return the completed form to:

[Administering authority to enter appropriate info]

PART A	Please complete this part in ALL cases:
Member's Full Name	
Member's date of birth	
Member's NI Number	
Name of New Pension Scheme	
Address of New Pension Scheme which is to receive the transfer value ('the Scheme'):	
	Postcode

PART B - Occupational pension scheme

(continued on next page)

Please read this certificate carefully and complete it fully. The **XXXX** Pension Fund will not accept incomplete or unsatisfactory forms.

I certify that:

- 'The Scheme' is a registered pension scheme with HM Revenue and Customs (HMRC), Pension Scheme Tax Reference (PSTR): _____.
- I enclose a copy of 'the Scheme's' registration certificate.
- I authorise HMRC to provide the **XXXX** Pension Fund with independent confirmation or otherwise that 'the Scheme' is registered with them
- 'The Scheme' is:
 - ***a self-administered scheme**, or
 - ***an insured scheme** i.e. a retirement benefits scheme where all of the income and other assets are invested in insurance policies
- 'The Scheme' meets the requirements of Regulation 12 of the Occupational Pension Schemes (Transfer Values) Regulations 1996 [SI 1996/1847]
- The member named in Part A is an employee of an employer that contributes to 'the Scheme' and the employee became a member of 'the Scheme' on _____.
- 'The Scheme' is both able and willing to accept the transfer value offered.
- The member has been given details of the benefits the transfer value will buy in 'the Scheme'.
- If 'the Scheme' is a money purchase scheme, any part of the member's transfer value accepted by 'the Scheme' will be used to provide money purchase benefits for the member including, where appropriate, protected rights based on the information supplied by the **XXXX** Pension Fund.

This section need be completed only if 'the Scheme' is contracted-out of SERPS/S2P:

- The ECON and SCON are E _____ and S _____.
- *'The Scheme' is a Contracted-Out Salary Related Scheme (or the active COSR part of a Contracted-Out Mixed Benefit Scheme)
- *'The Scheme' is a Contracted-Out Money Purchase Scheme (or the active COMP part of a Contracted-Out Mixed Benefit Scheme)
- The member became contracted out in relation to 'the Scheme' on _____.
- 'The Scheme' will accept any transferred EPB and/or GMP and/or section 9(2B) rights
- **The rate of revaluation 'the Scheme' applies to transferred in GMPs is ***Limited Rate/Fixed Rate/Section 148 Orders

Signature of authorised person		Pension Scheme Stamp:
Full name and position		
Date		

Now please complete payment details on the next page:

* Delete as appropriate.

** Delete if 'the Scheme' is a Contracted-Out Money Purchase Scheme.

*** Delete as appropriate. Note that Limited Rate revaluation can only apply where the member left the LGPS before 6.4.97.

Part B continued - Payment Details – please complete the section that applies to your scheme – you must complete one of the three sections.

SELF ADMINISTERED SCHEME - PAYMENT CERTIFICATE			
<ul style="list-style-type: none"> • I understand the XXXX Pension Fund will not pay the transfer value if they are dissatisfied with the completion of this form or do not receive evidence of 'the Scheme's' HMRC registered status (other than a Statutory Scheme) • If the transfer value becomes payable the transfer cheque should be made payable to the following (crossed A/C Payee Only): 			
Scheme			name:

Address:			

_____			Postcode

Signature of authorised person		Date	
Full name and position			

INSURED SCHEME - LIFE OFFICE DETAILS			
<ul style="list-style-type: none"> • I understand the XXXX Pension Fund will not pay the transfer value if they are dissatisfied with the completion of this form or do not receive evidence of 'the Scheme's' HMRC registered status • If the transfer value becomes payable I understand the transfer cheque must be made payable and sent direct to the Life Office insuring the benefits in 'the Scheme' • The name and address of that Life Office, to whom the cheque (crossed A/C Payee Only) is to be sent is: 			
Name:			

Address:			

_____			Postcode

Signature of authorised person		Date	
Full name and position			

PART C - Personal pension scheme
(continued on next page)

Please read this certificate carefully and complete it fully. The **XXXX** Pension Fund will not accept incomplete or unsatisfactory forms.

I certify that:

- The person named in Part A is a member of 'the Scheme' and has agreed to be bound by its rules.
- The member has been given details of the benefits the transfer value will buy in 'the Scheme' and has authorised 'the Company' to accept the transfer value from the **XXXX** Pension Fund
- 'The Scheme' is both able and willing to accept the transfer value offered
- The Scheme' meets the requirements of regulation 12 of the Occupational Pension Schemes (Transfer Values) Regulations 1996 (SI 1996/1847).
- 'The Company' is a financial institution.
- 'The Scheme' is a registered pension scheme with HM Revenue and Customs (HMRC), Pension Scheme Tax Reference (PSTR):_____.
- I enclose a copy of 'the Scheme's' registration certificate.
- I authorise HMRC to provide the **XXXX** Pension Fund with independent confirmation or otherwise that 'the Scheme' is registered with them
- 'The Scheme' will use the transfer value to provide money purchase benefits for the member.
- 'The Scheme' is not being used just for receiving minimum contributions from HMRC (NICO) under section 43 of the Pension Schemes Act 1993 (PSA 1993)
- 'The Scheme' **IS** an appropriate personal pension scheme
- 'The Scheme' **IS NOT** an appropriate personal pension scheme

} **DELETE ONE LINE**

I understand that the **XXXX** Pension Fund will not pay the transfer value if they are dissatisfied with the completion of this form or the information provided above or if they do not receive evidence of 'the Scheme's' HMRC registered status

This section to be completed **only if** 'the Scheme' is an appropriate personal pension scheme **and** it is to be used to accept liability for any contracted-out rights included in the transfer value

- 'The Scheme' is an appropriate personal pension scheme and is the subject of a current appropriate scheme certificate issued under section 7 of the PSA 1993, appropriate scheme number _____.
- 'The Scheme' will accept the GMP and / or section 9(2B) rights liability included in the transfer value and use them to provide money purchase benefits for the person named above in the form of protected rights.
- The person named in Part A **IS** currently contributing to 'the Scheme'
- The person named in Part A **IS NOT** currently contributing to 'the Scheme'

} **DELETE ONE LINE**

Signature of authorised person		Official Company Stamp:
Full name and position		
Date		

Now please complete payment details on the next page:

Part C continued - Payment Details

PAYMENT DECLARATION BY THE PERSONAL PENSION SCHEME ('THE SCHEME') PROVIDER

I certify that 'the Scheme' is wholly underwritten by the Life Office named below. If the transfer value becomes payable the transfer cheque should be made payable to the Life Office at the address given below (crossed A/C Payee Only):

Name of Life Office: _____

Address: _____

_____ Post Code _____

OR

I certify that 'the Scheme' is not underwritten by a Life Office or is only partially underwritten by a Life Office. If the transfer value becomes payable the transfer cheque should be made payable and sent to the following (crossed A/C Payee Only):

*Name of Life Office

or *name of administrator:

Address: _____

_____ Post Code: _____

Signature of authorised person		Official Company Stamp:
Full name and position		
Date		

* Delete as appropriate

PART D - Buy-out policy

Please read this certificate carefully and complete it fully. The **XXXX** Pension Fund will not accept incomplete or unsatisfactory forms.

DECLARATION BY THE INSURANCE COMPANY ('THE COMPANY') PROVIDING THE BUY-OUT POLICY ('THE POLICY')

I certify that:

- The person named in Part A has been given details of the benefits the transfer will buy under 'the Policy' and has authorised 'the Company' to accept the transfer value from the **XXXX** Pension Fund.
- 'The Company' is an insurance company.
- 'The Company' is both able and willing to accept the transfer value offered.
- 'The Policy' satisfies the requirements of the Occupational Pension Scheme (Discharge of Liability) Regulations 1997 (SI 1997/784) and of regulation 12 of the Occupational Pension Schemes (Transfer Values) Regulations 1996 (SI 1996/1847).
- 'The Policy' is a registered pension scheme under HM Revenue and Customs (HMRC) legislation, Pension Scheme Tax Reference (PSTR): _____.
- I enclose a copy of 'the Policy's' registration certificate.
- I authorise HMRC to provide the **XXXX** Pension Fund with independent confirmation or otherwise that 'the Policy' is registered with them.
- 'The Company' will use the transfer value to secure relevant benefits for this person under 'the Policy' that fully comply with HMRC and DWP requirements.
- 'The Company' warrants that the benefits provided by 'the Policy' satisfy all HMRC statutory requirements and, both separately and in aggregate, are approvable in both form and amount by HMRC.
- 'The Policy' ***is / is not*** an appropriate policy.

I understand that the **XXXX** Pension Fund will not pay the transfer value if they are dissatisfied with the completion of this form or the information provided

If the transfer value becomes payable the transfer cheque (crossed A/C Payee Only) should be made payable to the following and sent direct to 'the Company' as follows:

Company name: _____

Address: _____

_____ Postcode _____

This section to be completed **only if** 'the Policy' is an appropriate policy **and** it is to be used to accept liability for any guaranteed minimum pension (GMP) included in the transfer value.

'The Policy' is an appropriate policy and any GMP liability included in the transfer value will be accepted, appropriately secured (within the meaning of section 19 of the Pension Schemes Act 1993) and revalued at the Fixed Rate. The SCON for 'the Policy' is S _____ .

Signature of authorised person		Official Company Stamp:
Full name and position		
Date		

* Delete as appropriate

Distribution sheet

Pension managers (internal) of administering authorities
Pension managers (outsourced) and administering authority client managers
Officer advisory group
Local Government Pensions Committee
Trade unions
CLG
COSLA
SPPA
Regional Directors
Private clients

Copyright

Copyright remains with Local Government Employers (LGE). This Bulletin may be reproduced without the prior permission of LGE provided it is not used for commercial gain, the source is acknowledged and, if regulations are reproduced, the Crown Copyright Policy Guidance issued by HMSO is adhered to.

Disclaimer

The information contained in this Bulletin has been prepared by the LGPC Secretariat, a part of LGE. It represents the views of the Secretariat and should not be treated as a complete and authoritative statement of the law. Readers may wish, or will need, to take their own legal advice on the interpretation of any particular piece of legislation. No responsibility whatsoever will be assumed by LGE for any direct or consequential loss, financial or otherwise, damage or inconvenience, or any other obligation or liability incurred by readers relying on information contained in this Bulletin. Whilst every attempt is made to ensure the accuracy of the Bulletin, it would be helpful if readers could bring to the attention of the Secretariat any perceived errors or omissions. Please write to:

LGPC
Local Government Employers
Local Government House
Smith Square
London, SW1P 3HZ

or email: david.friend@lge.gov.uk
tel: 01457 859016