

LGPS England & Wales

Scheme administrator guide to the 85 year rule

Introduction

This guide explains the background to the 85 year rule and its impact on benefits when they are paid before [normal pension age](#) (NPA). The 85 year rule **may** apply where benefits are voluntarily paid before normal pension age and on flexible retirement. The 85 year rule **does not** apply to benefits when they are paid on or after normal pension age, on the grounds of ill health or where a member is dismissed on the grounds of redundancy / business efficiency.

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- Compassionate

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- Compassionate
- In whole or part

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- Compassionate
- In whole or part

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- Compassionate
- In whole or part

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- Compassionate
- In whole or part

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- In whole or part

Disclaimer

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Background

The 85 year rule applies to individuals who were active members of the Local Government Pension Scheme (LGPS) on or after 1 April 1998 and before 1 October 2006.

The 85 year rule was removed from the LGPS on 1 October 2006, for individuals joining the scheme on or after that date.

All members of the LGPS who were active members at any point between 1 April 1998 and 30 September 2006 (inclusive) hold 85 year rule protection on benefits built up before 1 April 2008. Depending on the age of the member on 31 March 2008, further protections on the benefits built up after that date, were introduced. In order to decide what protections a member is entitled, members are placed into 1 of 4 '[Groups](#)' according to their age and the date they joined the scheme. In addition, due to the changes in the scheme (e.g. benefit structure and normal pension age) since 1 April 1998, the membership used to calculate both benefits and the 85 year rule is divided into '[tranches](#)'. Linked to each tranche of membership is the earliest age, should benefits be paid, at which there will be no early payment reduction.

The 85 year rule is not a form of retirement, it is simply a tool to determine whether a member's benefits should be reduced, where benefits are paid early. Early payment means prior to the scheme's [normal pension age](#). Over the years normal pension age has changed from being member specific to scheme specific. Some members retained a right to a member specific [normal retirement age](#). To make sure all historical protections are taken into account when a member takes early payment of their benefits, the phrase [Critical Retirement Age](#) (CRA), which is an all-encompassing definition, was introduced.

The 85 year rule is the date upon which a member's age (in whole years) plus their [membership](#) (in whole years) equals 85. If this date is after age 65, then a member's 85 year rule is age 65.

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Into which 'group' should a member be placed?

As discussed in the [background](#) section, the 85 year rule was removed from the scheme on 1 October 2006, for individuals joining the scheme on and after that date.

All members of the scheme who were active members at any point between 1 April 1998 and 30 September 2006 (inclusive) hold 85 year rule protection on benefits built up before 1 April 2008. Depending on the age of the member on 31 March 2008, further protections on the benefits built up after that date, were introduced.

In order to decide what 85 year rule protections a member is entitled, members are dropped into 1 of 4 'groups' according to their age and the date they joined the scheme. The table below describes the 4 'groups':

Group	Description
1	A member who was an active member of the LGPS at any time between 1 April 1998 and 30 September 2006 inclusive, and who was born before 1 April 1956.
2	A member who was an active member of the LGPS at any time between 1 April 1998 and 30 September 2006 inclusive, was born between 1 April 1956 and 31 March 1960 inclusive, and who would reach their CRA before 1 April 2020.
3	A member who was an active member of the LGPS at any time between 1 April 1998 and 30 September 2006 inclusive and who is not a Group 1 or Group 2 member.
4	A member who was not a member of the LGPS before 1 October 2006.

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Tranches of membership and age at which benefits may be paid without a reduction for early payment

The following tables show:

- each tranche of membership together with the earliest age, should benefits be paid, at which there will be no early payment reduction. **Note:** *it is important to be aware that all of the member's benefits must be paid at the same time¹ (i.e. a group 3 member who has met their [CRA](#) on part A membership, but not their [2008 Scheme NRA](#) or [2014 Scheme NPA](#) on later parts of membership, may not take payment on meeting their [CRA](#), of only the benefits derived from their part A membership – they must take payment of all of their benefits), and*

¹ Excluding flexible retirement. Members who take their benefits on the grounds of flexible retirement may choose, subject to both legislative prescription and employer consent, which benefits they take payment of early.

- the definition of what is meant by parts A - D2 membership. Further information on how membership is allocated to a specific 'part' can be found in the section titled '[membership notes](#)'.

	Group 1	Group 2	Group 3	Group 4
Part A	CRA (can't be later than 65)	CRA (can't be later than 65)	CRA (can't be later than 65)	2008 Scheme NRA
Part B1	CRA (can't be later than 65)	Taper (proportion of normal % reduction to 65)	2008 Scheme NRA	2008 Scheme NRA
Part B2	CRA (can't be later than 65)	Taper (proportion of normal % reduction to 65)	2014 Scheme NPA	2014 Scheme NPA
Part C	2014 Scheme NPA	Taper (proportion of normal % reduction to 65)	2014 Scheme NPA	2014 Scheme NPA
Part D1	2014 Scheme NPA	2014 Scheme NPA	2014 Scheme NPA	2014 Scheme NPA
Part D2	2008 Scheme NRA (or 1997 Scheme NRA if member left active membership before 1 October 2006)			

Part ²	Definition of membership
A	up to and including 31 March 2008
B1	on and after 1 April 2008 up to and including 31 March 2014
B2	on and after 1 April 2014 up to and including 31 March 2016
C	on and after 1 April 2016 up to and including 31 March 2020
D1	from 1 April 2020 onwards (including Part D1 benefits)
D2	D2 membership

Notes:

- A member's [CRA](#) is cast in stone.
- If a member could not meet their 85 year rule by age 65, that member's [CRA](#) is age 65.

² Further information on how membership is allocated to a specific 'part' can be found in the section titled '[membership notes](#)'.

- A member taking payment of their benefits at age 66 who would meet their 85 year rule at age 65½ would still have a [CRA](#) of 65. If that member takes payment of their benefits at age 60 they will, on their protected membership, have an early payment reduction for taking payment 5 years earlier than their CRA (60 – 65) and not an early payment reduction for taking payment 5½ years early.
- The [CRA](#) cannot be later than age 65. For membership from 1 April 2016 to 31 March 2020 inclusive, the taper for a Group 2 member should be applied to the early payment reduction for taking payment prior to age 65 (not SPA). This could mean that there will be cases where a Group 2 member taking payment of their benefits between 1 April 2016 and 31 March 2020 inclusive, will have a lesser actuarial reduction applied than a Group 1 member (whose membership after 31 March 2016 will have an actuarial reduction applied based on the shortfall to SPA).

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Members with an underpin guarantee amount

The then Chief Secretary to the Treasury, Danny Alexander, in his [statement](#) of 2 November 2011 made the following commitment: -

“Anyone ten years or less from retirement age on 1 April 2012 are assured that there will be no detriment to their retirement income”.

The Local Government Pension Scheme (LGPS) in England & Wales by way of the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014 [SI 2014/525] honoured this commitment and also, unlike other public sector schemes went one step further. The LGPS in England and Wales also guarantees to pay the higher of either the equivalent 2014 CARE Scheme benefits or the final salary 2008 Scheme benefits, had the scheme not changed on 1 April 2014. Where such a payment is made, this is called an underpin guarantee amount’.

Please refer to the current scheme administrator guide for guidance on how to apportion an underpin guarantee amount to part B2, Part C and Part D2 membership. This can be found in the [‘Guides and sample documents’](#) page of www.lgpsregs.org

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What counts as membership for working out the [CRA](#) under the 85 year rule?

The following counts as membership when calculating a member’s [CRA](#) for the purposes of the 85 year rule and must be read in conjunction with the section titled [‘membership notes’](#) (the section titled ‘membership notes’ sets out to which ‘part’ of membership a variable is allocated):

Brief description	Description in full (membership that counts for working out CRA)
Total membership	Total membership under the Earlier Schemes (i.e. under the 1974, 1986, 1995, 1998 and 2008 Schemes) which counts as membership in relation to the employment, including membership granted by the employer under regulations 52 or 53 of the LGPS Regulations 1997 [paragraph 4(2)(a)(i) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014] including any aggregated membership [paragraphs 8(1) and (2) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014] (see in particular membership note 5)
Notional membership	The notional period of membership between the date of cessation of active membership and the date benefits become payable [paragraph 4(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014]
Qualifying service from an earlier period of membership	The period of qualifying service from an earlier deferred benefit or frozen refund which has subsequently been aggregated and has bought an amount of pension in a CARE account (see membership note 9).
The total period for which the member has paid, or is treated as having paid contributions	The total period for which the member has paid, or is treated as having paid, contributions under regulations 9 or 10 of the LGPS Regulations 2013 in relation to the employment, including any period of absence due to sickness or injury, child related leave (ordinary maternity, paternity and adoption leave, paid shared parental leave and paid additional maternity or adoption leave) or reserve forces service leave [paragraph 4(2)(a)(ii) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014]
Unpaid leave of absence where the absence has been paid for	Any period after 31 March 2014 of unpaid leave of absence due to industrial action, or absence from work with permission with no pensionable pay (other than because of illness or injury, child related leave or reserve forces service leave) provided contributions have been paid under regulation 16 of the LGPS Regulations 2013 (APCs and SCAPCs) to cover the whole of that period of absence [paragraph 4(2)(a)(iii) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014]
Membership purchased under an	Any membership purchased under an added years contract in accordance with regulations 55 and 83 of the LGPS Regulations 1997 or equivalent Earlier

Brief description	Description in full (membership that counts for working out CRA)
added years contract	Regulations, as continued in effect by regulations 15(1)(a) and (c) of the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 [paragraph 7 of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014] (in particular see membership note 2)
Membership credited from a transfer in from another registered pension scheme	Any membership credited on or before 1 October 2012 under Regulation 84 of the LGPS (Administration) Regulations 2008 or equivalent Earlier Regulations (transferred-in membership) [para 4(2)(b)(ii) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014] (in particular see membership note 1)
Qualifying period from a transfer in	The qualifying period counted by virtue of regulation 123 of the LGPS Regulations 1997 (qualifying service from a transfer in where the period in the former scheme exceeds the membership credited in the LGPS) where that qualifying service was awarded before 1 April 2008 to a person who was a member of the 1995 Scheme immediately before 1 April 1998 [paragraph 4(1)(d) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014]
Membership awarded from a transfer of an in-house AVC	Any membership from a transfer credit awarded under protected regulation 66(8) of the LGPS Regulations 1997 or equivalent Earlier Regulations, as continued in effect by regulation 15(2A)(b) of the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 (in particular see membership note 8)
Membership relating to unpaid benefits after taking flexible retirement	Membership after taking flexible retirement under regulation 30(6) of the LGPS Regulations 2013, regulations 18 or 18A of the LGPS (Benefits, Membership and Contributions) Regulations 2007, or regulation 35(1A) of the LGPS Regulations 1997 (but only for the purposes of calculating the 85 year rule applicable to that part of benefits not drawn upon partial flexible retirement) [paragraphs 4(2)(b)(iv) and 5 of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014]

The 85 year rule continues to apply to any period of membership to which it formally applied but which is not aggregated with a later period of membership (e.g. if a member with a deferred benefit to which the 85 year rule applies joins the LGPS in a new employment and does not aggregate the deferred membership with the new

period of membership, the 85 year rule continues to apply to the deferred benefit but the membership from the unaggregated deferred benefit does not count towards the 85 year rule in the new employment).

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What does not count as membership for working out the [CRA](#) under the 85 year rule?

The following does not count as membership when calculating a member's [CRA](#) for the purposes of the 85 year rule and should be read in conjunction with the section titled '[membership notes](#)':

Brief description	Description in full (membership that does not count for working out CRA)
Award of membership by the employer	Any membership credited under regulation 12 of the LGPS (Benefits, Membership and Contributions) Regulations 2007 (power of employing authority to increase total membership of active members) [paragraph 4(2)(b)(i) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014]
Compensation converted into membership	Any membership credited under regulation 12B of the LGPS (Benefits, Membership and Contributions) Regulations 2007 (power of employing authority to convert periods awarded under Discretionary Compensation Regulations into periods of membership) [paragraph 4(2)(b)(i) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014]
Environment Agency granting of additional membership	Any membership credited under regulation 40A of the LGPS (Administration) Regulations 2008 (power of The Environment Agency to award employing authority to grant additional membership) [paragraph 4(2)(b)(iii) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014] (in particular see membership note 4)
Membership credited from a transfer in from another registered pension scheme	Any membership credited after 1 October 2012 under Regulation 84 of the LGPS (Administration) Regulations 2008 or under regulation 9 of the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 (transferred-in membership) [paragraph 4(2)(b)(ii) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014]
Membership after taking flexible retirement	Membership after taking flexible retirement under regulation 30(6) of the LGPS Regulations 2013, regulations 18 or 18A of the LGPS (Benefits, Membership

Brief description	Description in full (membership that does not count for working out CRA)
	and Contributions) Regulations 2007, or regulation 35(1A) of the LGPS Regulations 1997 (except for the purposes of calculating the 85 year rule applicable to that part of benefits not drawn upon partial flexible retirement) [paragraphs 4(2)(b)(iv) and 5 of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014]
Unaggregated membership	In relation to a later period of membership, any period of membership that could have been aggregated with that later period of membership but which the member chose not to aggregate [paragraph 6 of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014]

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Membership notes

The following table provides a series of notes setting out to which ‘part’ of membership a variable is allocated and should be read in conjunction with the sections titled [‘What counts as membership for working out the CRA under the 85 year rule?’](#) and [‘What does not count as membership for working out the CRA under the 85 year rule?’](#)

Number	Note
1	<p>Membership credited from a transfer in from another registered pension scheme</p> <p>Membership credited under Regulation 84 of the Local Government Pension Scheme (Administration) Regulations 2008 (the “Administration Regulations”) or equivalent previous Regulations, or under regulation 9 of the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 (transferred-in membership) in respect of Group 1, 2 or 3 members should:</p> <ul style="list-style-type: none"> a) if the transfer occurred before 1 April 2008, be treated as Part A Membership b) if the member was an active member immediately before 1 April 2008 and the Membership was credited under Regulation 84 of the Administration Regulations on or after 1 April 2008 and before 2 October 2012, the Membership should reflect the basis used to calculate the credit (CRA or age 65 or, for a leaver between 1 April 1998 and 30 September 2006 who joined prior to 1 April 1998, CRA or 1997 Scheme NRD)

Number	Note
	<p>c) if the member was not an active member immediately before 1 April 2008 and the Membership was credited under Regulation 84 of the Administration Regulations on or after 1 April 2008 and before 2 October 2012, the Membership should be treated as Part D2 Membership but note that such credited membership drags forward the 85 year rule for any pre-existing membership</p> <p>d) if the Membership was credited under Regulation 84 of the Administration Regulations after 1 October 2012 and before 1 April 2014 or under regulation 9 of the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 which purchased final salary membership, the membership should be treated as Part D2 Membership but note that such credited membership does not drag forward the 85 year rule for any pre-existing membership.</p>
2	<p>Membership purchased under an added years contract Membership purchased under regulations 55 and 83 of the LGPS Regulations 1997 or equivalent previous Regulations (added years) should be treated as Part A Membership if the election was before 1 October 2006 and the contributions were due to cease before the member's 65th birthday. Other Membership under Regulation 55 of the LGPS Regulations 1997 (where the contributions were due to cease on the member's 65th birthday or where the contract was taken out between 1 October 2006 and 31 March 2008) should be treated as Part D2 Membership. [paragraph 7 of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014]</p>
3	<p>Pension credited from a transfer in from another registered pension scheme Pension purchased by a transfer in under the LGPS Regulations 2013 (other than from the LGPS) and credited in to the member's post 31 March 2014 pension account will purchase Part D1 benefits and will not drag forward the 85 year rule for any pre-existing membership (because it is purchasing an amount of pension, not membership).</p>
4	<p>Environment Agency granting of additional membership Membership credited under Regulation 40 of the LGPS (Administration) Regulations 2008 or the equivalent in previous Regulations e.g. regulation 52 of the LGPS Regulations 1997 (Employer Augmented Membership) in respect of Group 1, 2 or 3 members should be treated as Part A Membership if it was credited before 1 April 2008. Other Membership under Regulation 40 of the LGPS (Administration) Regulations 2008 or the equivalent in previous Regulations should be treated as Part D2 Membership.</p>
5	<p>Power of employing authority to increase total membership</p>

Number	Note
	Membership granted by the employer under regulation 53 of the LGPS Regulations 1997 will count as Part A Membership.
6	<p>Pension awarded by the employer</p> <p>Pension awarded under Regulation 23 of the LGPS (Administration) Regulations 2008 (pension purchased by an ARC), as continued in effect by regulation 15(1)(d) of the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014, should be treated as if it is payable unreduced from age 65 i.e. Part D2.</p>
7	<p>Pension awarded by the employer</p> <p>Pension awarded under regulations 16 or 31 of the LGPS Regulations 2013 (pension purchased by an APC or SCAPC) is treated as payable from Normal Pension Age under the 2014 Scheme i.e. Part D1.</p>
8	<p>Membership awarded from a transfer of an in-house AVC</p> <p>A transfer credit awarded under protected regulation 66(8) of the LGPS Regulations 1997 or equivalent previous Regulations should be reduced if it is taken earlier than the retirement age assumed for the calculation of the credit. For example, transfer credits awarded after 1 September 2011 (including transfer credits awarded after 1 April 2014) are calculated based on a retirement age of 65. Therefore, if taken before age 65, a reduction factor should be applied to the pension based on the period from the date of early retirement to age 65. Similarly, if a credit was previously calculated based on a member's CRA, then if taken early the pension should be reduced based on the period from the date of early retirement to the CRA.</p>
9	<p>Aggregation</p> <p>Where:</p> <ul style="list-style-type: none"> (i) regulation 5(1) of the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 applies, or is deemed to apply by virtue of regulation 5(5) of those Regulations, and (ii) the member subsequently left with a deferred pension or deferred refund, and (iii) the member subsequently rejoins the LGPS after a break of more than 5 years in membership of a public service pension scheme, and (iv) the membership is aggregated [regulations 10(3) and (4) of the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014]. <p>OR</p> <ul style="list-style-type: none"> (i) the member left with a deferred benefit before 1 April 2014, and (ii) regulation 5(1) of the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 does not apply, and is not deemed to apply under regulation 5(5) of those Regulations, and (iii) the member rejoins the LGPS after 31 March 2014, and

Number	Note
	<p>(iv) the membership is aggregated [regulation 10(6) of the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014]</p> <p>OR</p> <p>(i) the member left with a deferred refund before 1 April 2014, and (ii) regulation 5(1) of the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 does not apply, and (iii) the member rejoins the LGPS after 31 March 2014, and (iv) the membership is aggregated [regulation 10(5) of the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014]</p> <p>the amount of CARE pension purchased by the transfer will reflect the fact that the CETV for the earlier membership will have been calculated by reference to the member's 85 year rule and will be treated as Part D1 membership. Thus, where a member rejoins and aggregates membership under regulations 10(3) to (6) of the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014, the cash equivalent transfer value in respect of the benefits being aggregated would reflect the effect of the 85 year rule applicable to those benefits. The CETV would recognise the member's 85 year rule and so would produce a higher CETV than if the member had not been subject to the 85 year rule and the amount of CARE pension bought by this CETV will therefore be higher than the amount bought by a member not subject to the 85 year rule.</p> <p>The 85 year rule will continue to apply to that part of the member's post 2014 CARE pension accruing after rejoining if the member is a Group 1 member and rejoins before 1 April 2016, or is a Group 2 member and rejoins before 1 April 2020 and, where that is the case, the qualifying period of membership that counted towards the 85 year rule in the calculation of the CETV for the earlier membership will count as 'qualifying' service towards when the 85 year rule is met for that part of the CARE pension accrued after rejoining the Scheme (but not for the CARE pension derived from the CETV, as the amount of pension credited from that CETV will already have compensated for the 'loss' of the 85 year rule on that part of the benefits). [Regulations 10(3) to (6) of, and paragraph 8(2) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 which deals with Group 1 members, and paragraph 9 of that Schedule which deals with Group 2 members].</p>

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Applying the 85 year rule to benefits drawn under regulations:

- 30(5) - LGPS Regulations 2013 (retirement benefits: early retirement), or For payment of benefits made on and after 14 May 2018 under:
- 30(1) – LGPS (Benefits, Membership and Contributions) Regulations 2007 (choice of early payment of pension), or
- 30A(2) – LGPS (Benefits, Membership and Contributions) Regulations 2007 (choice of payment of pension: pensioner member with deferred benefits), or
- 31(1) – LGPS Regulations 1997 (other early leavers: deferred retirement pension and elections for early payment)

The 85 year rule automatically applies in full where benefits are voluntarily drawn by the member under the above regulations when aged 60 or over [paragraphs 1(1)(a), 1(1)(b) or 1(1)(e) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014].

The 85 year rule applies in full where benefits are voluntarily drawn by the member under the above regulations on or after age 55 and before age 60 but **only if the employer agrees** that it should be applied [paragraphs 1(1)(aa), 1(1)(c) or 1(1)(f) and 1(3) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014].

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Applying the 85 year rule on or after age 55 and before age 60 where the employer has not agreed that the 85 year rule should be applied in full

Where benefits are voluntarily drawn by the member under regulations:

- 30(5) of the LGPS Regulations 2013,
or
For payment of benefits made on and after 14 May 2018 under:
- 30(1) – LGPS (Benefits, Membership and Contributions) Regulations 2007 (choice of early payment of pension), or
- 30A(2) – LGPS (Benefits, Membership and Contributions) Regulations 2007 (choice of payment of pension: pensioner member with deferred benefits), or
- 31(1) – LGPS Regulations 1997 (other early leavers: deferred retirement pension and elections for early payment)

on or after age 55 and before age 60 and the employer³ has not agreed that the 85 year rule should be applied in full then:

Group 1 member

- satisfies the 85 year rule at the date of drawing the benefits, that part of the member's benefits that are calculated by reference to any period of membership before the 'relevant date' is to be reduced by reference to the period between the date the benefits are brought into payment and the day

³ including a former employer which is a Scheme employer, or where a member's employer or former employer has ceased to be a Scheme employer, the appropriate administering authority.

before age 60 [paragraph 1(4)(a) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014].

- does not satisfy the 85 year rule at the date of drawing the benefits, that part of the member's benefits that are calculated by reference to any period of membership before the 'relevant date' is to be reduced by reference to the period between the date the benefits are brought into payment and the day before age 60 or, if later, the date the member would satisfy the 85 year rule (or age 65 if the member would not satisfy the 85 year rule by that age) [paragraph 1(4)(b) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014].
- The relevant date is the earlier of 1 April 2016 or the day following the last day of active membership [paragraph 3 of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014].

Group 2 member

- satisfies the 85 year rule at the date of drawing the benefits, that part of the member's benefits that are calculated by reference to any period of membership before the 'relevant date' is to be reduced by reference to the period between the date the benefits are brought into payment and the day before age 60, and that part of the member's benefits that are calculated by reference to any period of membership on and after the 'relevant date' and before 1 April 2020 is to be reduced by a tapered reduction [paragraphs 1(4)(a) and 9 of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014].
- does not satisfy the 85 year rule at the date of drawing the benefits, that part of the member's benefits that are calculated by reference to any period of membership before the 'relevant date' is to be reduced by reference to the period between the date the benefits are brought into payment and the day before age 60 or, if later, the date the member would satisfy the 85 year rule (or age 65 if the member would not satisfy the 85 year rule by that age), and that part of the member's benefits that are calculated by reference to any period of membership on and after the 'relevant date' and before 1 April 2020 is to be reduced by a tapered reduction [paragraphs 1(4)(b) and 9 of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014].
- The relevant date is the 1 April 2008 [paragraph 3 of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014].

Group 3 member

- satisfies the 85 year rule at the date of drawing the benefits, that part of the member's benefits that are calculated by reference to any period of membership before the 'relevant date' is to be reduced by reference to the period between the date the benefits are brought into payment and the day before age 60 [paragraph 1(4)(a) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014].

- does not satisfy the 85 year rule at the date of drawing the benefits, that part of the member's benefits that are calculated by reference to any period of membership before the 'relevant date' is to be reduced by reference to the period between the date the benefits are brought into payment and the day before age 60 or, if later, the date the member would satisfy the 85 year rule (or age 65 if the member would not satisfy the 85 year rule by that age) [paragraph 1(4)(b) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014].
- The relevant date is the 1 April 2008 [paragraph 3 of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014].

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Waiving early payment reduction on benefits drawn on or after age 55 (age 50 with employer consent) under regulation 31(1) of the LGPS Regulations 1997

Where benefits are drawn by a member under regulation 31(1) of the LGPS Regulations 1997 (voluntarily on or after age 55, or with employer consent on or after age 50 and before age 55) the employer can:

- waive, on compassionate grounds, (and at cost to the employer) the whole of the actuarial reduction that would otherwise have been applied [regulation 3(1) of, and paragraph 2(1) of Schedule 2 to, the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 and regulation 31(5) of the LGPS Regulations 1997].

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Waiving early payment reduction on benefits drawn on or after age 55 under regulation 30(1) or 30A of the LGPS (Benefits, Membership and Contributions) Regulations 2007

Where benefits are drawn by a member under regulation 30(1) or 30A of the LGPS (Benefits, Membership and Contributions) Regulations 2007 (voluntarily on or after age 55) the employer can:

- waive, on compassionate grounds, (and at cost to the employer) the whole of the actuarial reduction that would otherwise have been applied [regulation 3(1) of, and paragraph 2(1) of Schedule 2 to, the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 and regulations 30(5) and 30A(5) of the LGPS (Benefits, Membership and Contributions) Regulations 2007].

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Waiving early payment reduction on benefits drawn by a [Group 1](#) member on or after age 55 under regulation 30(5) of the LGPS Regulations 2013

Where an active member voluntarily retires on or after age 55 and elects under regulation 30(5) of the LGPS Regulations 2013 to immediately draw benefits, or a deferred member or suspended tier 3 ill health pensioner elects under regulation 30(5) of the LGPS Regulations 2013 to draw benefits (other than on ill health grounds) on or after age 55, the employer can:

- waive on compassionate grounds, any actuarial reduction that would otherwise be applied to benefits accrued before 1 April **2016** (including any D2 membership) [paragraph 2(1) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014], and / or
- waive, in whole or in part (on any grounds), any actuarial reduction that would otherwise be applied to benefits accrued after 31 March **2016** [regulation 30(8) of the LGPS Regulations 2013]

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Waiving early payment reduction on benefits drawn by a [Group 2](#) member on or after age 55 under regulation 30(5) of the LGPS Regulations 2013

Where an active member voluntarily retires on or after age 55 and elects under regulation 30(5) of the LGPS Regulations 2013 to immediately draw benefits, or a deferred member or suspended tier 3 ill health pensioner elects under regulation 30(5) of the LGPS Regulations 2013 to draw benefits (other than on ill health grounds) on or after age 55, they employer can:

- waive on compassionate grounds, any actuarial reduction that would otherwise be applied to benefits accrued before 1 April **2020** (including any D2 membership) [paragraph 2(1) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014], and / or
- waive, in whole or in part (on any grounds), any actuarial reduction that would otherwise be applied to benefits accrued after 31 March **2020** [regulation 30(8) of the LGPS Regulations 2013]

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Waiving early payment reduction on benefits drawn by a [Group 3](#) member on or after age 55 under regulation 30(5) of the LGPS Regulations 2013

Where an active member voluntarily retires on or after age 55 and elects under regulation 30(5) of the LGPS Regulations 2013 to immediately draw benefits, or a deferred member or suspended tier 3 ill health pensioner elects under regulation 30(5) of the LGPS Regulations 2013 to draw benefits (other than on ill health grounds) on or after age 55, the employer can:

- waive on compassionate grounds, any actuarial reduction that would otherwise be applied to benefits accrued before 1 April 2014 (including any D2 membership) [regulations 3(1) and (5) of, and paragraph 2(1) of Schedule 2 to, the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 and regulation 30(5) or 30A(5) of the LGPS (Benefits, Membership and Contributions) Regulations 2007], and / or
- waive, in whole or in part (on any grounds), any actuarial reduction that would otherwise be applied to benefits accrued after 31 March 2014 [regulation 30(8) of the LGPS Regulations 2013]

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Waiving early payment reduction on benefits drawn by a [Group 4](#) member on or after age 55 under regulation 30(5) of the LGPS Regulations 2013

Where an active member voluntarily retires on or after age 55 and elects under regulation 30(5) of the LGPS Regulations 2013 to immediately draw benefits, or a deferred member or suspended tier 3 ill health pensioner elects under regulation 30(5) of the LGPS Regulations 2013 to draw benefits (other than on ill health grounds) on or after age 55, the employer can:

- waive on compassionate grounds, any actuarial reduction that would otherwise be applied to benefits accrued before 1 April 2014 [regulations 3(1) and (5) of the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 and regulations 30(5) or 30A(5) of the LGPS (Benefits, Membership and Contributions) Regulations 2007], and / or
- waive, in whole or in part (on any grounds), any actuarial reduction that would otherwise be applied to benefits accrued after 31 March 2014 [regulation 30(8) of the LGPS Regulations 2013]

Note: for a [Group 4](#) member, Part D2 membership (being various types of membership awarded under the regulations governing the 2008 or 1998 Schemes – see paragraphs 1(c), 1(d), 2 and 4 of the '[Membership Notes](#)') would fall within the first indent above and so any actuarial reduction on such membership can only be waived on compassionate grounds.

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Applying the 85 year rule to benefits drawn under regulation 30(6) of the LGPS Regulations 2013 (flexible retirement)

The 85 year rule automatically applies in full where benefits are drawn by the member under regulation 30(6) of the LGPS Regulations 2013 (when aged 55 or over) [paragraph 1(1)(d) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014].

Note: if a member only takes part of their benefits on flexible retirement the 85 year rule continues to apply to the part not drawn. However, it does not apply to benefits accrued after flexible retirement.

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Waiving early payment reductions on benefits drawn on flexible retirement under regulation 30(6) of the LGPS Regulations 2013

Where benefits are drawn by a member (aged 55 or over) under regulation 30(6) of the LGPS Regulations 2013 (flexible retirement) the employer can:

- waive, in whole or in part, any actuarial reduction which would otherwise be applied to the benefits taken on flexible retirement before Normal Pension Age (NPA) [regulation 3(5) of, and paragraph 2(1A) of schedule 2 of the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014, regulation 18(3) of the LGPS (Benefits, Membership and Contributions) Regulations 2007 and regulations 30(6) and 30(8) of the LGPS Regulations 2013]

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Term	Definition
2014 Scheme Normal Pension Age (NPA)	SPa or if later age 65 (Schedule 1 - LGPS Regulations 2013 [SI 2013/2356])
2008 Scheme Normal Retirement Age (NRA)	Age 65 (regulation 16 – LGPS (Benefits, Membership and Contributions) Regulations 2007 [SI 2007/1166]) The 2008 Scheme contains a protected normal retirement age for certain groups of members, however, not all of those members are eligible for the 85 year rule. For further information, please see the table in appendix B of the discretions policy which can be found in the ' Guides and sample documents ' page of www.lgpsregs.org
1997 Scheme Normal Retirement Age (NRA)	<ul style="list-style-type: none"> • age 65 (regulation 25(3) – LGPS Regulations 1997 [SI 2007/1612]), or • a member who joined the scheme before 1 April 2008 and left active membership of the scheme before 1 October 2006 the earlier of: <ul style="list-style-type: none"> - age 60 if, by that age, the member would have had 25 or more years membership of the scheme if they had remained in the scheme until then, or - the date the member would have achieved 25 years membership, if that date would fall after age 60 and before age 65, or - age 65 if, by that age, the member would not have had 25 years membership of the scheme if they had remained in the scheme until then. <p>(regulation 25(3A) of the LGPS Regulations 1997 [SI 1997/1612] before its deletion by SI 2006/966)</p>
Critical Retirement Age (CRA)	<p>the earlier of</p> <ul style="list-style-type: none"> • the member's pre 1 October 2006 'protected' Normal Retirement Date which some members who joined the Scheme before 1 April 1998 had under regulation 25(3A) of the LGPS Regulations 1997 [SI 1997/1612] before its deletion 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 4 of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 [SI 2014/525] • age 65 <p>BUT CRA cannot be earlier than 60 for voluntary early retirements under Regulations:</p>

Term	Definition
	<ul style="list-style-type: none"> • 30(5) - LGPS Regulations 2013 [SI 2013/2356], or • 30(1) & 30A(2) – LGPS (Benefits, Membership and Contributions) Regulations 2007 [SI 2007/1166], or • 31(1) – LGPS Regulations 1997 [SI 1997/1612], <p>unless the employer has agreed, under paragraphs 1(1)(aa), 1(1)(c) or 1(1)(f) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 [SI 2014/525], that it should be.</p>

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Summary

A group 1 member must have been born before 1 April 1956. Therefore, on 14 May 2018 (the date from which the LGPS (Amendment) Regulations 2018 are effective), a group 1 member would have been age 62 or older and could not make an election for voluntary early payment from age 55 and before age 60, under the following regulations:

- 30(1) & 30A(2) – LGPS (Benefits, Membership and Contributions) Regulations 2007, or
- 31(1) – LGPS Regulations 1997.

accordingly there are no examples covering this group.

The following examples are based on the principles and methodology of the current Secretary of State (SoS) guidance which can be found in the ‘Actuarial guidance’ page of www.lgpsregs.org under Early Retirement.

We understand that MHCLG are moving towards issuing ‘unisex’ early retirement factors. Therefore, the factors used in these examples are unisex factors, though they are for **illustration purposes only** as set out in the table below (i.e. they do not correspond to any factors in the current SoS guidance which can be found in the ‘Actuarial guidance’ page of www.lgpsregs.org, nor do they correspond to any future ‘unisex’ factors that may be issued by MHCLG).

Year's early	Unisex Pension reduction %	Retirement grant reduction %
0	0%	0%
1	6%	3%
2	11%	6%
3	16%	8%
4	20%	11%
5	25%	14%
6	29%	16%
7	32%	19%
8	36%	21%
9	39%	23%
10	42%	26%
11	45%	N/A
12	48%	N/A
13	52%	N/A

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Example 1 – group 1 member	Option 1	Option 2
<p>DOB: 01/09/1955</p> <p>Joined: 01/04/1980</p> <p>Leaves active membership: 31/08/2014</p> <p>Date draws benefits: 01/09/2014 (age 59)</p> <p>Was a member of the 1998 Scheme before 1/10/2006 - Meets R85</p> <p>2008 Scheme NRA = 65</p> <p>2014 Scheme NPA = SPa: 66</p> <p>Membership Pre 01/04/2008 = 28 years 01/04/2008 to 31/03/2014 = 6 years 01/04/2014 to 31/08/2014 = 153 days</p>	<p>Leaves and draws benefits under Regulation 30(5) of the LGPS Regulations 2013</p> <p>No employer discretion used under paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that paragraph 1(3)(a) of that Schedule should apply. Paragraphs 1(2) and 1(4)(a) of that Schedule therefore applies.</p> <p>Paragraph 3(1) - Schedule 2 = Relevant Date = 01/09/2014</p> <p>Membership up to 31/08/2014 is reduced for period between drawing benefits and age 60 = 1 year</p> <p>Calculation: Reduction on pension = period between drawing benefits and age 60 = 1 year = 6%</p> <p>Reduction on pre 01/04/2008 3/80ths lump sum = period between drawing benefits and age 60 = 1 year = 3%</p> <p>Note: <i>in any individual case the employer can, for a Group 1 member, waive the actuarial reductions in whole on pre 01/04/2016 membership on compassionate grounds and / or waive the actuarial reductions on any post 31/03/2016 membership in whole or in part on any grounds.</i></p>	<p>Leaves and draws benefits under Regulation 30(5) of the LGPS Regulations 2013</p> <p>Yes employer discretion used under paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that Rule of 85 should be turned on in full. Paragraph 1(3)(a) of that Schedule therefore applies.</p> <p>Paragraph 3(1) - Schedule 2 = Relevant Date = 01/09/2014</p> <p>Membership up to 31/08/2014 no reduction.</p> <p>Calculation: Reduction on pension = period between drawing benefits and CRA = 0 years = 0%</p> <p>Reduction on pre 01/04/2008 3/80ths lump sum = period between drawing benefits and CRA = 0 years = 0%</p> <p><i>Not relevant – no reductions to waive</i></p>

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Example 2 – group 1 member	Option 1	Option 2
<p>DOB: 01/09/1955</p> <p>Joined: 01/04/1988</p> <p>Left active membership: 31/05/2014</p> <p>Date draws benefits: 01/06/2014 (age attained 58)</p> <p>Was a member of the 1998 Scheme before 1/10/2006 - Meets R85 @ CRA 59</p> <p>2008 Scheme NRA = 65</p> <p>2014 Scheme NPA = SPa: 66</p> <p>Membership</p> <p>Pre 01/04/2008 = 20 years</p> <p>01/04/2008 to 31/03/2014 = 6 years</p> <p>01/04/2014 to 31/05/2014 = 61 days</p>	<p>Leaves and draws benefits under Regulation 30(5) of the LGPS Regulations 2013</p> <p>No employer discretion used under paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that paragraph 1(3)(b) of that Schedule should apply. Paragraphs 1(2) and 1(4)(b) of that Schedule therefore applies.</p>	<p>Leaves and draws benefits under Regulation 30(5) of the LGPS Regulations 2013</p> <p>Yes employer discretion used under paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that Rule of 85 should be turned on in full. Paragraph 1(3)(b) of that Schedule therefore applies.</p>
	<p>Paragraph 3(1) - Schedule 2 = Relevant Date = 01/06/2014</p> <p>Membership up to 31/05/2014 = Reduction for period between drawing benefits and age 60 = 1 year 92 days</p>	<p>Paragraph 3(1) - Schedule 2 = Relevant Date = 01/06/2014</p> <p>Membership up to 31/05/2014 = Reduction for period between drawing benefits and CRA = 92 days</p>
	<p>Calculation:</p> <p>Reduction on pension = period between drawing benefits and age 60 = 1 year 92 days = $(92/365 \times 11) + (273/365 \times 6)^* = \mathbf{7.2603\%}$</p> <p>Reduction on pre 01/04/2008 3/80ths lump sum = period between drawing benefits and age 60 = 1 year 92 days = $(92/365 \times 6) + (273/365 \times 3)^{**} = \mathbf{3.7562\%}$</p> <p>* Alternative method of calculation: 1 year = 6%, 2 years = 11% (difference = 5%) $6 + (92/365 \times 5) = \mathbf{7.2603\%}$</p> <p>** Alternative method of calculation: 1 year = 3%, 2 years = 6% (difference = 3%) $3 + (92/365 \times 3) = \mathbf{3.7562\%}$</p>	<p>Calculation:</p> <p>Reduction on pension = period between drawing benefits and CRA = 92 days = $(92/365 \times 6) = \mathbf{1.5123\%}$</p> <p>Reduction on pre 01/04/2008 3/80ths lump sum = period between drawing benefits and CRA = 92 days = $(92/365 \times 3) = \mathbf{0.7562\%}$</p>
	<p>Note: in any individual case the employer can, for a Group 1 member, waive the actuarial reductions in whole on pre 01/04/2016 membership on compassionate grounds and / or waive the actuarial reductions on any post 31/03/2016 membership in whole or in part on any grounds.</p>	

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Example 3 – group 1 member	
DOB: 01/02/1956	Leaves and draws benefits under Regulation 30(5) of the LGPS Regulations 2013
Joined: 01/05/1998	Paragraph 3(1) - Schedule 2 = Relevant Date = 01/04/2016
Left active membership: 31/08/2018	Membership up to 31/03/2016 = Reduction for period between drawing benefits and CRA = 1 year 153 days
Date draws benefits: 01/09/2018 (attained age 62)	Membership from 01/04/2016 to 31/08/2018 = Reduction on this membership for period between drawing benefits and 2014 Scheme NPA = 3 years 153 days
Was a member of the 1998 Scheme before 1/10/2006 - Meets R85 at 31/01/2020 (aged 64)	<p>£100 underpin split as follows:</p> <p>01/04/2014 to 31/08/2018 = 4 years 153 days</p> <p>01/04/2014 to 31/03/2016 = (2 years / 4 years 153 days) x £100 = £45.26</p> <p>01/04/2016 to 31/08/2018 = (2 years 153 days / 4 years 153 days) x £100 = £54.74</p>
2008 Scheme NRA = 65	
2014 Scheme NPA = SPa: 66	
Purchased £500 additional annual pension via APCs	<p>Calculation:</p> <p>Reduction on pre 01/04/2016 pension (including £45.26 of the underpin) = period between drawing benefits and CRA = 1 year 153 days = $(153/365 \times 11) + (212/365 \times 6) = \mathbf{8.0959\%}$</p> <p>Reduction on 01/04/2016 to 31/08/2018 pension (including £54.74 of the underpin) = period between drawing benefits and 2014 Scheme NPA = 3 years 153 days = $(153/365 \times 20) + (212/365 \times 16) = \mathbf{17.6767\%}$</p> <p>Reduction on pre 01/04/2008 3/80ths lump sum = period between drawing benefits and CRA = 1 year 153 days = $(153/365 \times 6) + (212/365 \times 3) = \mathbf{4.2575\%}$</p>
Member is entitled to an annual pension underpin “guarantee amount” of £100	Reduction on APCs = period between drawing benefits and 2014 Scheme NPA = 3 years 153 days = $(153/365 \times 20) + (212/365 \times 16) = \mathbf{17.6767\%}$
Membership	
Pre 01/04/2008 = 9 years 335 days	
01/04/2008 to 31/03/2014 = 6 years	
01/04/2014 to 31/08/2018 = 4 years 153 days	<p>Note: in any individual case the employer can, for a Group 1 member, waive the actuarial reductions in whole on pre 01/04/2016 membership on compassionate grounds and / or waive the actuarial reductions on any post 31/03/2016 membership, and on the additional pension from APCs, in whole or in part on any grounds.</p>

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Example 4 – group 1 member	
DOB: 01/09/1955	Leaves and draws benefits under Regulation 30(5) of the LGPS Regulations 2013
Joined (1): 01/04/1990 Left active membership (1) : 31/03/2010	Membership from 01/05/2015 to 31/03/2016 = Reduction on this membership for period between drawing benefits and CRA = 242 days
Rejoined (2) 01/05/2015 (and has had a continuous break in membership of public service pension schemes of more than 5 years)	Membership from 01/04/2016 to 31/08/2017 = Reduction on this membership for period between drawing benefits and 2014 Scheme NPA = 4 years
Aggregated earlier membership which purchased an amount of pension of £6,000 in the member's CARE pension account	Calculation: Reduction on 01/05/2015 to 31/03/2016 pension = period between drawing benefits and CRA = 242 days = $(242/365 \times 6) + (121/365 \times 0) = \mathbf{3.9781\%}$
Left active membership (2): 31/08/2017	Reduction on 01/04/2016 to 31/08/2017 pension = period between drawing benefits and 2014 Scheme NPA = 4 years = 20%
Date draws benefits: 01/09/2017 (age 62)	
Was a member of the 1998 Scheme before 1/10/2006 – Qualifying service from earlier LGPS membership counts towards 85 year rule applicable to pension in the member's CARE pension account built up from 01/05/2015 to 31/03/2016 Meets R85 at 30/04/2018	Reduction on the revalued £6,000 pension bought when the previous service was aggregated = period between drawing the pension and 2014 Scheme NPA = 4 years = 20%
85 year rule does not apply to: I. the £6,000 pension purchased from the aggregated membership, or II. the CARE pension accrued between 01/04/2016 to 31/08/2017 as this is Part C membership	Note: the employer can waive the actuarial reduction in whole or in part on any grounds.
2008 Scheme NRA = 65	
2014 Scheme NPA = SPa: 66	
Qualifying service 01/04/1990 to 31/03/2010 = 20 years Membership 01/05/2015 to 31/08/2017 = 2 years 123 days	

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Example 5 – group 2 member	Option 1 Leaves and draws benefits under Regulation 30(5) of the LGPS Regulations 2013 <i>No employer discretion</i> used under paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that paragraph 1(3)(a) of that Schedule should apply. Paragraphs 1(2), 1(4)(a) and 9 of that Schedule therefore apply.	Option 2 Leaves and draws benefits under Regulation 30(5) of the LGPS Regulations 2013 <i>Yes employer discretion</i> used under paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that Rule of 85 should be turned on in full. Paragraphs 1(3)(a) and 9 of that Schedule therefore apply.
<p>DOB: 01/09/1959</p> <p>Joined: 01/04/1980</p> <p>Left active membership: 31/08/2016</p> <p>Date draws benefits: 01/09/2016 (age 57)</p> <p>Was a member of the 1998 Scheme before 1/10/2006 - Meets R85</p> <p>2008 Scheme NRA = 65</p> <p>2014 Scheme NPA = SPa: 66</p> <p>Membership</p> <p>Pre 01/04/2008 = 28 years</p> <p>01/04/2008 to 31/03/2014 = 6 years</p> <p>01/04/2014 to 31/08/2016 = 2 years 153 days</p>	<p>Paragraph 3(2) - Schedule 2 = Relevant Date = 01/04/2008</p> <p>Membership up to 31/03/2008 = Reduction for period between drawing benefits and age 60 = 3 years</p> <p>Paragraph 9 of Schedule 2 - Membership from 01/4/2008 to 31/03/2014 = Reduction on this membership for period between drawing benefits and 2008 Scheme NRA (with TAPER)</p> <p>Paragraph 9 of Schedule 2 - Membership from 01/04/2014 to 31/08/2016 = Reduction on this membership for period between drawing benefits and 2008 Scheme NRA (with TAPER)</p> <p>Calculation: Reduction on pre 01/04/2008 pension = period between drawing benefits and age 60 = 3 years = 16%</p> <p>Reduction on 01/04/2008 to 31/08/2016 pension = tapered reduction</p> <p>$F_1 = \text{Taper period } 01/04/2016 - 31/08/2019 \text{ (i.e. later of CRA and age 60)} / 4 = 3 \text{ years } 153 \text{ days} / 4 = 0.8548$</p>	<p>Paragraph 3(2) - Schedule 2 = Relevant Date = 01/04/2008</p> <p>Membership up to 31/03/2008 = No Reduction</p> <p>Paragraph 9 of Schedule 2 - Membership from 01/04/2008 to 31/03/2014 = Reduction on this membership for period between drawing benefits and 2008 Scheme NRA (with TAPER)</p> <p>Paragraph 9 of Schedule 2 - Membership from 01/04/2014 to 31/08/2016 = Reduction on this membership for period between drawing benefits and 2008 Scheme NRA (with TAPER)</p> <p>Calculation: Reduction on pre 01/04/2008 pension = period between drawing benefits and CRA = 0 years = 0%</p> <p>Reduction on 01/04/2008 to 31/08/2016 pension = tapered reduction</p> <p>$F_1 = \text{Taper period } 01/04/2016 - 31/08/2019 \text{ (i.e. later of CRA and age 60)} / 4 = 3 \text{ years } 153 \text{ days} / 4 = 0.8548$</p>

Example 5 – group 2 member	Option 1 Leaves and draws benefits under Regulation 30(5) of the LGPS Regulations 2013 <i>No employer discretion</i> used under paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that paragraph 1(3)(a) of that Schedule should apply. Paragraphs 1(2), 1(4)(a) and 9 of that Schedule therefore apply.	Option 2 Leaves and draws benefits under Regulation 30(5) of the LGPS Regulations 2013 <i>Yes employer discretion</i> used under paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that Rule of 85 should be turned on in full. Paragraphs 1(3)(a) and 9 of that Schedule therefore apply.
	<p>$P_{NRA} = 01/09/2016 - 31/08/2024$ (i.e. period between drawing benefits and age 65) = 8 years = 36%</p> <p>$P_{CRA} = 01/09/2016 - 31/08/2019$ (i.e. period between drawing benefits and later of CRA and age 60) = 3 years = 16%</p> <p>$P_{taper} = 0.8548 \times 36 + [(1 - 0.8548) \times 16] = \mathbf{33.096\%}$</p> <p>Reduction on pre 01/04/2008 3/80ths lump sum = period between drawing benefits and age 60 = 3 years = 8%</p>	<p>$P_{NRA} = 01/09/2016 - 31/08/2024$ (i.e. period between drawing benefits and age 65) 8 years = 36%</p> <p>$P_{CRA} = 01/09/2016 - 31/08/2016$ (i.e. period between drawing benefits and CRA) = 0 years = 0%</p> <p>$P_{taper} = 0.8548 \times 36 + [(1 - 0.8548) \times 0] = \mathbf{30.7728\%}$</p> <p>Reduction on pre 01/04/2008 3/80ths lump sum = period between drawing benefits and CRA = 0 years = 0%</p>
<p>Note: in any individual case the employer can, for a Group 2 member, waive the actuarial reductions in whole on pre 01/04/2020 membership on compassionate grounds and / or waive the actuarial reductions on any post 31/03/2020 membership in whole or in part on any grounds.</p>		

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Example 6 – group 2 member	Option 1 Leaves and draws benefits under Regulation 30(5) of the LGPS Regulations 2013 No employer discretion used under paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that paragraph 1(3)(b) of that Schedule should apply. Paragraphs 1(2), 1(4)(b) and 9 of that Schedule therefore apply.	Option 2 Leaves and draws benefits under Regulation 30(5) of the LGPS Regulations 2013 Yes employer discretion used under paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that Rule of 85 should be turned on in full. Paragraphs 1(3)(b) and 9 of that Schedule therefore apply.
<p>DOB: 01/01/1960</p> <p>Joined: 01/04/1991</p> <p>Left active membership: 31/08/2016</p> <p>Date draws benefits: 01/09/2016 (age attained 56)</p> <p>Was a member of the 1998 Scheme before 1/10/2006 - Meets R85 at CRA of 31/03/2018</p> <p>2008 Scheme NRA = 65</p> <p>2014 Scheme NPA = SPa: 66</p>	<p>Paragraph 3(2) - Schedule 2 = Relevant Date = 01/04/2008</p> <p>Membership up to 31/03/2008 = Reduction for period between drawing benefits and age 60 = 3 years 122 days</p> <p>Paragraph 9 of Schedule 2 - Membership from 01/04/2008 to 31/03/2014 = Reduction on this membership for period between drawing benefits and 2008 Scheme NRA (with TAPER)</p> <p>Paragraph 9 of Schedule 2 - Membership from 01/04/2014 to 31/08/2016 = Reduction on this membership for period between drawing benefits and 2008 Scheme NRA (with TAPER)</p>	<p>Paragraph 3(2) - Schedule 2 = Relevant Date = 01/04/2008</p> <p>Membership up to 31/03/2008 = Reduction for period between drawing benefits and CRA = 1 year 212 days</p> <p>Paragraph 9 of Schedule 2 - Membership from 01/04/2008 to 31/03/2014 = Reduction on this membership for period between drawing benefits and 2008 Scheme NRA (with TAPER)</p> <p>Paragraph 9 of Schedule 2 - Membership from 01/04/2014 to 31/08/2016 = Reduction on this membership for period between drawing benefits and 2008 Scheme NRA (with TAPER)</p>
<p>Membership</p> <p>Pre 01/04/2008 = 17 years</p> <p>01/04/2008 to 31/03/2014 = 6 years</p> <p>01/04/2014 to 31/08/2016 = 2 years 153 days</p>	<p>Calculation:</p> <p>Reduction on pre 01/04/2008 pension = period between drawing benefits and age 60 = 3 years 122 days = $(122/365 \times 20) + (243/365 \times 16) = \mathbf{17.3370\%}$</p> <p>Reduction on 01/04/2008 to 31/08/2016 pension = tapered reduction</p> <p>$F_1 = \text{Taper period } 01/04/2016 - 31/12/2019 \text{ (i.e. later of CRA and age 60)} / 4 = 3 \text{ years } 275 \text{ days} / 4 = 0.9384$</p>	<p>Calculation:</p> <p>Reduction on pre 01/04/2008 pension = period between drawing benefits and CRA = 1 year 212 days = $(212/365 \times 11) + (153/365 \times 6) = \mathbf{8.9041\%}$</p> <p>Reduction on 01/04/2008 to 31/08/2016 pension = tapered reduction</p> <p>$F_1 = \text{Taper period } 01/04/2016 - 31/12/2019 \text{ (i.e. later of CRA and age 60)} / 4 = 3 \text{ years } 275 \text{ days} / 4 = 0.9384$</p>

Example 6 – group 2 member	Option 1 Leaves and draws benefits under Regulation 30(5) of the LGPS Regulations 2013 No employer discretion used under paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that paragraph 1(3)(b) of that Schedule should apply. Paragraphs 1(2), 1(4)(b) and 9 of that Schedule therefore apply.	Option 2 Leaves and draws benefits under Regulation 30(5) of the LGPS Regulations 2013 Yes employer discretion used under paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that Rule of 85 should be turned on in full. Paragraphs 1(3)(b) and 9 of that Schedule therefore apply.
	<p>$P_{NRA} = 01/09/2016 - 31/12/2024$ (i.e. period between drawing benefits and age 65) = 8 years 122 days = $(122/365 \times 39) + (243/365 \times 36) = 37.0027\%$</p> <p>$P_{CRA} = 01/09/2016 - 31/12/2019$ (i.e. period between drawing benefits and later of CRA and age 60) = 3 years 122 days = $(122/365 \times 20) + (243/365 \times 16) = 17.3370\%$</p> <p>$P_{taper} = 0.9384 \times 37.0027 + [(1 - 0.9384) \times 17.3370] = \mathbf{35.7913\%}$</p> <p>Reduction on pre 01/04/2008 3/80ths lump sum = period between drawing benefits and age 60 = 3 years 122 days = $(122/365 \times 11) + (243/365 \times 8) = \mathbf{9.0027\%}$</p>	<p>$P_{NRA} = 01/09/2016 - 31/12/2024$ (i.e. period between drawing benefits and age 65) = 8 years 122 days = $(122/365 \times 39) + (243/365 \times 36) = 37.0027\%$</p> <p>$P_{CRA} = 01/09/2016 - 31/03/2018$ (i.e. period between drawing benefits and CRA) = 1 year 212 days = $(212/365 \times 11) + (153/365 \times 6) = 8.9041\%$</p> <p>$P_{taper} = 0.9384 \times 37.0027 + [(1 - 0.9384) \times 8.9041] = \mathbf{35.2718\%}$</p> <p>Reduction on pre 01/04/2008 3/80ths lump sum = period between drawing benefits and CRA = 1 year 212 days = $(212/365 \times 6) + (153/365 \times 3) = \mathbf{4.7425\%}$</p>
<p>Note: in any individual case the employer can, for a Group 2 member, waive the actuarial reductions in whole on pre 01/04/2020 membership on compassionate grounds and / or waive the actuarial reductions on any post 31/03/2020 membership in whole or in part on any grounds.</p>		

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Example 7 – group 2 member	Option 1 Leaves and draws benefits under Regulation 30(5) of the LGPS Regulations 2013 No employer discretion used under paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that paragraph 1(3)(a) of that Schedule should apply. Paragraphs 1(2), 1(4)(b) and 9 of that Schedule therefore apply.	Option 2 Leaves and draws benefits under Regulation 30(5) of the LGPS Regulations 2013 Yes employer discretion used under paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that Rule of 85 should be turned on in full. Paragraphs 1(3)(b) and 9 of that Schedule therefore apply.
<p>DOB: 01/09/1956</p> <p>Joined: 01/12/1997</p> <p>Left active membership: 30/11/2014</p> <p>Date draws benefits: 01/12/2014 (age attained 58)</p> <p>Was a member of the 1998 Scheme before 1/10/2006 - Meets R85 at CRA of 30/11/2019 (age 63)</p> <p>2008 Scheme NRA = 65</p> <p>2014 Scheme NPA = SPa: 66</p>	<p>Paragraph 3(2) - Schedule 2 = Relevant Date = 01/04/2008</p> <p>Membership up to 31/03/2008 = Reduction for period between drawing benefits and CRA = 5 years</p> <p>Paragraph 9 of Schedule 2 - Membership from 01/4/2008 to 31/03/2014 = Reduction on this membership for period between drawing benefits and 2008 Scheme NRA (with TAPER)</p> <p>Paragraph 9 of Schedule 2 - Membership from 01/04/2014 to 30/11/2014 = Reduction on this membership for period between drawing benefits and 2008 Scheme NRA (with TAPER)</p>	<p>As the member's CRA is after age 60 the reductions would be the same as in Option 1.</p>
<p>Membership</p> <p>Pre 01/04/2008 = 10 years 121 days</p> <p>01/04/2008 to 31/03/2014 = 6 years</p> <p>01/04/2014 to 30/11/2014 = 244 days</p>	<p>Calculation:</p> <p>Reduction on pre 01/04/2008 pension = period between drawing benefits and CRA 30/11/2019 = 5 years = 25%</p> <p>Reduction on 01/04/2008 to 30/11/2014 pension = tapered reduction</p> <p>$F_1 = \text{Taper period } 01/04/2016 - 30/11/2019 \text{ (i.e. later of CRA and age 60)} / 4 = 3 \text{ years } 244 \text{ days} / 4 = 0.9171$</p>	<p>As per option 1</p>

Example 7 – group 2 member	Option 1 Leaves and draws benefits under Regulation 30(5) of the LGPS Regulations 2013 No employer discretion used under paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that paragraph 1(3)(a) of that Schedule should apply. Paragraphs 1(2), 1(4)(b) and 9 of that Schedule therefore apply.	Option 2 Leaves and draws benefits under Regulation 30(5) of the LGPS Regulations 2013 Yes employer discretion used under paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that Rule of 85 should be turned on in full. Paragraphs 1(3)(b) and 9 of that Schedule therefore apply.
	<p>$P_{NRA} = 01/12/2014 - 31/08/2021$ (i.e. period between drawing benefits and age 65) = 6 years 274 = $(274/365 \times 32\%) + (91/365 \times 29\%) = 31.2521\%$</p> <p>$P_{CRA} = 01/12/2014 - 30/11/2019$ (i.e. period between drawing benefits and later of CRA and age 60) = 5 years = 25%</p> <p>$P_{taper} = 0.9171 \times 31.2521 + [(1 - 0.9171) \times 25] =$ 30.7338%</p> <p>Reduction on pre 01/04/2008 3/80ths lump sum = period between drawing benefits and CRA = 5 years = 14%</p>	
<p>Note: in any individual case the employer can, for a Group 2 member, waive the actuarial reductions in whole on pre 01/04/2020 membership on compassionate grounds and / or waive the actuarial reductions on any post 31/03/2020 membership in whole or in part on any grounds.</p>		

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Example 8 – group 3 member	Option 1 Leaves and draws benefits under Regulation 30(5) of the LGPS Regulations 2013 No employer discretion used under paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that paragraph 1(3)(a) of that Schedule should apply. Paragraphs 1(2) and 1(4)(a) of that Schedule therefore applies.	Option 2 Leaves and draws benefits under Regulation 30(5) of the LGPS Regulations 2013 Yes employer discretion used under paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that Rule of 85 should be turned on in full. Paragraph 1(3)(a) of that Schedule therefore applies.
<p>DOB: 01/09/1961</p> <p>Joined: 01/04/1980</p> <p>Left active membership: 31/08/2019</p> <p>Date draws benefits: 01/09/2019 (age 58)</p> <p>Was a member of the 1998 Scheme before 1/10/2006 - Meets R85</p> <p>2008 Scheme NRA = 65</p> <p>2014 Scheme NPA = SPa: 67</p>	<p>Paragraph 3(2) - Schedule 2 = Relevant Date = 01/04/2008</p> <p>Membership up to 31/03/2008 = Reduction for period between drawing benefits and age 60 = 2 years</p> <p>Membership from 01/04/2008 to 31/03/2014 = Reduction on this membership for period between drawing benefits and 2008 Scheme NRA = 7 years</p> <p>Membership from 01/04/2014 to 31/08/2019 = Reduction on this membership for period between drawing benefits and 2014 Scheme NPA = 9 years</p>	<p>Paragraph 3(2) - Schedule 2 = Relevant Date = 01/04/2008</p> <p>Membership up to 31/03/2008 = No Reduction</p> <p>Membership from 01/04/2008 to 31/03/2014 = Reduction on this membership for period between drawing benefits and 2008 Scheme NRA = 7 years</p> <p>Membership from 01/04/2014 to 31/08/2019 = Reduction on this membership for period between drawing benefits and 2014 Scheme NPA = 9 years</p>
<p>Membership</p> <p>Pre 01/04/2008 = 28 years</p> <p>01/04/2008 to 31/03/2014 = 6 years</p> <p>01/04/2014 to 31/08/2019 = 5 years 153 days</p>	<p>Calculation:</p> <p>Reduction on pre 01/04/2008 pension = period between drawing benefits and 60 = 2 years = 11%</p> <p>Reduction on 01/04/2008 to 31/03/2014 pension = period between drawing benefits and 2008 Scheme NRA = 7 years = 32%</p> <p>Reduction on 01/04/2014 to 31/08/2019 pension = period between drawing benefits and 2014 Scheme NPA = 9 years = 39%</p>	<p>Calculation:</p> <p>Reduction on pre 01/04/2008 pension = period between drawing benefits and CRA = 0 years = 0%</p> <p>Reduction on 01/04/2008 to 31/03/2014 pension = period between drawing benefits and 2008 Scheme NRA = 7 years = 32%</p> <p>Reduction on 01/04/2014 to 31/08/2019 pension = period between drawing benefits and 2014 Scheme NPA = 9 years = 39%</p>

Example 8 – group 3 member	<p>Option 1 Leaves and draws benefits under Regulation 30(5) of the LGPS Regulations 2013 No employer discretion used under paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that paragraph 1(3)(a) of that Schedule should apply. Paragraphs 1(2) and 1(4)(a) of that Schedule therefore applies.</p>	<p>Option 2 Leaves and draws benefits under Regulation 30(5) of the LGPS Regulations 2013 Yes employer discretion used under paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that Rule of 85 should be turned on in full. Paragraph 1(3)(a) of that Schedule therefore applies.</p>
	Reduction on pre 1/4/08 3/80ths lump sum = period between drawing benefits and 60 = 2 years = 6%	Reduction on pre 01/04/2008 3/80ths lump sum = period between drawing benefits and CRA = 0 years = 0%
<p>Note: in any individual case the employer can, for a Group 3 member, waive the actuarial reductions in whole on pre 01/04/2014 membership on compassionate grounds and / or waive the actuarial reductions on any post 31/03/2014 membership in whole or in part on any grounds.</p>		

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Example 9 – group 3 member	Option 1 Leaves and draws benefits under Regulation 30(5) of the LGPS Regulations 2013 No employer discretion used under paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that paragraph 1(3)(b) of that Schedule should apply. Paragraphs 1(2) and 1(4)(b) of that Schedule therefore applies.	Option 2 Leaves and draws benefits under Regulation 30(5) of the LGPS Regulations 2013 Yes employer discretion used under paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that Rule of 85 should be turned on in full. Paragraph 1(3)(b) of that Schedule therefore applies.
<p>DOB: 01/09/1961</p> <p>Joined: 01/04/1994</p> <p>Left active membership: 31/08/2019</p> <p>Date draws benefits: 01/09/2019 (age 58)</p> <p>Was a member of the 1998 Scheme before 1/10/2006 - Meets R85 at age 59</p> <p>2008 Scheme NRA = 65</p> <p>2014 Scheme NPA = SPa: 67</p>	<p>Paragraph 3(2) - Schedule 2 = Relevant Date = 01/04/2008</p> <p>Membership up to 31/03/2008 = Reduction for period between drawing benefits and age 60 = 2 years</p> <p>Membership from 01/04/2008 to 31/03/2014 = Reduction on this membership for period between drawing benefits and 2008 Scheme NRA = 7 years</p> <p>Membership from 01/04/2014 to 31/08/2019 = Reduction on this membership for period between drawing benefits and 2014 Scheme NPA = 9 years</p>	<p>Paragraph 3(2) - Schedule 2 = Relevant Date = 01/04/2008</p> <p>Membership up to 31/03/2008 = Reduction for period between drawing benefits and CRA = 1 year</p> <p>Membership up from 01/04/2008 to 31/03/2014 = Reduction on this membership for period between drawing benefits and 2008 Scheme NRA = 7 years</p> <p>Membership from 01/04/2014 to 31/08/2019 = Reduction on this membership for period between drawing benefits and 2014 Scheme NPA = 9 years</p>
<p>Membership</p> <p>Pre 01/04/2008 = 14 years</p> <p>01/04/2008 to 31/03/2014 = 6 years</p> <p>01/04/2014 to 31/08/2019 = 5 years 153 days</p>	<p>Calculation:</p> <p>Reduction on pre 01/04/2008 pension = period between drawing benefits and 60 = 2 years = 11%</p> <p>Reduction on 01/04/2008 to 31/03/2014 pension = period between drawing benefits and 2008 Scheme NRA = 7 years = 32%</p> <p>Reduction on 01/04/2014 to 31/08/2019 pension = period between drawing benefits and 2014 Scheme NPA = 9 years = 39%</p>	<p>Calculation:</p> <p>Reduction on pre 01/04/2008 pension = period between drawing benefits and CRA = 1 year = 6%</p> <p>Reduction on 01/04/2008 to 31/03/2014 pension = period between drawing benefits and 2008 Scheme NRA = 7 years = 32%</p> <p>Reduction on 01/04/2014 to 31/08/2019 pension = period between drawing benefits and 2014 Scheme NPA = 9 years = 39%</p>

Example 9 – group 3 member	<p>Option 1 Leaves and draws benefits under Regulation 30(5) of the LGPS Regulations 2013 No employer discretion used under paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that paragraph 1(3)(b) of that Schedule should apply. Paragraphs 1(2) and 1(4)(b) of that Schedule therefore applies.</p>	<p>Option 2 Leaves and draws benefits under Regulation 30(5) of the LGPS Regulations 2013 Yes employer discretion used under paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that Rule of 85 should be turned on in full. Paragraph 1(3)(b) of that Schedule therefore applies.</p>
	Reduction on pre 01/04/2008 3/80ths lump sum = period between drawing benefits and 60 = 2 years = 6%	Reduction on pre 01/04/2008 3/80ths lump sum = period between drawing benefits and CRA = 1 year = 3%
<p>Note: in any individual case the employer can, for a Group 3 member, waive the actuarial reductions in whole on pre 01/04/2014 membership on compassionate grounds and / or waive the actuarial reductions on any post 31/03/2014 membership in whole or in part on any grounds.</p>		

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Example 10 – group 2 member	Option 1 Leaves and draws benefits under Regulation 30(1) of the LGPS Regulations 2007 No employer discretion used under paragraph 1(1)(aa) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that paragraph 1(3)(a) of that Schedule should apply. Paragraphs 1(2), 1(4)(a) and 9 of that Schedule therefore apply.	Option 2 Leaves and draws benefits under Regulation 30(5) of the LGPS Regulations 2007 Yes employer discretion used under paragraph 1(1)(aa) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that Rule of 85 should be turned on in full. Paragraphs 1(3)(a) and 9 of that Schedule therefore apply.
<p>DOB: 01/09/1959</p> <p>Joined: 01/04/1980</p> <p>Left active membership: 01/09/2008 (age 49)</p> <p>Date draws benefits: 01/09/2018 (age 59)</p> <p>Was a member of the 1998 Scheme before 1/10/2006 - Meets R85</p> <p>2008 Scheme NRA = 65</p> <p>Membership Pre 01/04/2008 = 28 years</p> <p>01/04/2008 to 01/09/2008 = 154 days</p> <p>Notional membership for the purpose of calculating R85 = 01/04/1980 – 31/08/2018 = 38 years 153 days</p>	<p>Paragraph 3(2) - Schedule 2 = Relevant Date = 01/04/2008</p> <p>Membership up to 31/03/2008 = Reduction for period between drawing benefits and age 60 = 1 year</p> <p>Paragraph 9 of Schedule 2 - Membership from 01/4/2008 to 01/09/2008 = Reduction on this membership for period between drawing benefits and 2008 Scheme NRA (with TAPER)</p> <p>Calculation: Reduction on pre 01/04/2008 pension = period between drawing benefits and age 60 = 1 year = 6%</p> <p>Reduction on 01/04/2008 to 01/09/2008 pension = tapered reduction</p> <p>$F_1 = \text{Taper period } 01/04/2016 - 31/08/2019 \text{ (i.e. later of CRA and age 60)} / 4 = 3 \text{ years } 153 \text{ days} / 4 = 0.8548$</p> <p>$P_{NRA} = 01/09/2018 - 31/08/2024 \text{ (i.e. period between drawing benefits and age 65)} = 6 \text{ years} = 29\%$</p>	<p>Paragraph 3(2) - Schedule 2 = Relevant Date = 01/04/2008</p> <p>Membership up to 31/03/2008 = No Reduction</p> <p>Paragraph 9 of Schedule 2 - Membership from 01/04/2008 to 01/09/2008 = Reduction on this membership for period between drawing benefits and 2008 Scheme NRA (with TAPER)</p> <p>Calculation: Reduction on pre 01/04/2008 pension = period between drawing benefits and CRA = 0 years = 0%</p> <p>Reduction on 01/04/2008 to 01/09/2008 pension = tapered reduction</p> <p>$F_1 = \text{Taper period } 01/04/2016 - 31/08/2019 \text{ (i.e. later of CRA and age 60)} / 4 = 3 \text{ years } 153 \text{ days} / 4 = 0.8548$</p> <p>$P_{NRA} = 01/09/2018 - 31/08/2024 \text{ (i.e. period between drawing benefits and age 65)} = 6 \text{ years} = 29\%$</p>

Example 10 – group 2 member	Option 1 Leaves and draws benefits under Regulation 30(1) of the LGPS Regulations 2007 No employer discretion used under paragraph 1(1)(aa) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that paragraph 1(3)(a) of that Schedule should apply. Paragraphs 1(2), 1(4)(a) and 9 of that Schedule therefore apply.	Option 2 Leaves and draws benefits under Regulation 30(5) of the LGPS Regulations 2007 Yes employer discretion used under paragraph 1(1)(aa) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that Rule of 85 should be turned on in full. Paragraphs 1(3)(a) and 9 of that Schedule therefore apply.
	<p>$P_{CRA} = 01/09/2018 - 31/08/2019$ (i.e. period between drawing benefits and later of CRA and age 60) = 1 year = 6%</p> <p>$P_{taper} = 0.8548 \times 29 + [(1 - 0.8548) \times 6] = \mathbf{25.6604\%}$</p> <p>Reduction on pre 01/04/2008 3/80ths lump sum = period between drawing benefits and age 60 = 1 year = 3%</p>	<p>$P_{CRA} = 01/09/2018 - 31/08/2016$ (i.e. period between drawing benefits and CRA) = 0 years = 0%</p> <p>$P_{taper} = 0.8548 \times 29 + [(1 - 0.8548) \times 0] = \mathbf{24.7892\%}$</p> <p>Reduction on pre 01/04/2008 3/80ths lump sum = period between drawing benefits and CRA = 0 years = 0%</p>
<p>Note: in any individual case the employer can waive the actuarial reductions in whole on compassionate grounds.</p>		

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Example 11 – group 2 member	Option 1 Leaves and draws benefits under Regulation 30(1) of the LGPS Regulations 2007 <i>No employer discretion</i> used under paragraph 1(1)(aa) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that paragraph 1(3)(b) of that Schedule should apply. Paragraphs 1(2), 1(4)(b) and 9 of that Schedule therefore apply.	Option 2 Leaves and draws benefits under Regulation 30(5) of the LGPS Regulations 2007 <i>Yes employer discretion</i> used under paragraph 1(1)(aa) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that Rule of 85 should be turned on in full. Paragraphs 1(3)(b) and 9 of that Schedule therefore apply.
<p>DOB: 01/01/1960</p> <p>Joined: 01/04/1992</p> <p>Left active membership: 01/09/2008 (age 48)</p> <p>Date draws benefits: 01/09/2018 (age attained 58)</p> <p>Was a member of the 1998 Scheme before 1/10/2006 - Meets R85 at CRA of 31/03/2019</p> <p>2008 Scheme NRA = 65</p> <p>Membership Pre 01/04/2008 = 16 years</p>	<p>Paragraph 3(2) - Schedule 2 = Relevant Date = 01/04/2008</p> <p>Membership up to 31/03/2008 = Reduction for period between drawing benefits and age 60 = 1 year 122 days</p> <p>Paragraph 9 of Schedule 2 - Membership from 01/04/2008 to 01/09/2008 = Reduction on this membership for period between drawing benefits and 2008 Scheme NRA (with TAPER)</p>	<p>Paragraph 3(2) - Schedule 2 = Relevant Date = 01/04/2008</p> <p>Membership up to 31/03/2008 = Reduction for period between drawing benefits and CRA = 212 days</p> <p>Paragraph 9 of Schedule 2 - Membership from 01/04/2008 to 01/09/2008 = Reduction on this membership for period between drawing benefits and 2008 Scheme NRA (with TAPER)</p>
<p>01/04/2008 to 01/09/2008 = 154 days</p> <p>Notional membership for the purpose of calculating R85 = 01/04/1992 – 31/08/2018 = 26 years 153 days</p>	<p>Calculation: Reduction on pre 01/04/2008 pension = period between drawing benefits and age 60 = 1 year 122 days = $(122/365 \times 11) + (243/365 \times 6) = 7.6712\%$</p> <p>Reduction on 01/04/2008 to 01/09/2008 pension = tapered reduction</p> <p>$F_1 = \text{Taper period } 01/04/2016 - 31/12/2019 \text{ (i.e. later of CRA and age 60)} / 4 = 3 \text{ years } 275 \text{ days} / 4 = 0.9384$</p>	<p>Calculation: Reduction on pre 01/04/2008 pension = period between drawing benefits and CRA = 212 days = $(212/365 \times 6) + (153/365 \times 0) = 3.4849\%$</p> <p>Reduction on 01/04/2008 to 01/09/2008 pension = tapered reduction</p> <p>$F_1 = \text{Taper period } 01/04/2016 - 31/12/2019 \text{ (i.e. later of CRA and age 60)} / 4 = 3 \text{ years } 275 \text{ days} / 4 = 0.9384$</p>

Example 11 – group 2 member	Option 1 Leaves and draws benefits under Regulation 30(1) of the LGPS Regulations 2007 <i>No employer discretion</i> used under paragraph 1(1)(aa) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that paragraph 1(3)(b) of that Schedule should apply. Paragraphs 1(2), 1(4)(b) and 9 of that Schedule therefore apply.	Option 2 Leaves and draws benefits under Regulation 30(5) of the LGPS Regulations 2007 <i>Yes employer discretion</i> used under paragraph 1(1)(aa) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that Rule of 85 should be turned on in full. Paragraphs 1(3)(b) and 9 of that Schedule therefore apply.
	<p>$P_{NRA} = 01/09/2018 - 31/12/2024$ (i.e. period between drawing benefits and age 65) = 6 years 122 days = $(122/365 \times 32) + (243/365 \times 29) = 30.0027\%$</p> <p>$P_{CRA} = 01/09/2018 - 31/12/2019$ (i.e. period between drawing benefits and later of CRA and age 60) = 1 year 122 days = $(122/365 \times 11) + (243/365 \times 6) = 7.6712\%$</p> <p>$P_{taper} = 0.9384 \times 30.0027 + [(1 - 0.9384) \times 7.6712] = \mathbf{28.627\%}$</p> <p>Reduction on pre 01/04/2008 3/80ths lump sum = period between drawing benefits and age 60 = 1 year 122 days = $(122/365 \times 6) + (243/365 \times 3) = \mathbf{4.0028\%}$</p>	<p>$P_{NRA} = 01/09/2018 - 31/12/2024$ (i.e. period between drawing benefits and age 65) = 6 years 122 days = $(122/365 \times 32) + (243/365 \times 29) = 30.0027\%$</p> <p>$P_{CRA} = 01/09/2016 - 31/03/2019$ (i.e. period between drawing benefits and CRA) = 212 days = $(212/365 \times 6) + (153/365 \times 0) = 3.4849\%$</p> <p>$P_{taper} = 0.9384 \times 30.0027 + [(1 - 0.9384) \times 3.4849] = \mathbf{28.3692\%}$</p> <p>Reduction on pre 01/04/2008 3/80ths lump sum = period between drawing benefits and CRA = 212 days = $(212/365 \times 3) + (153/365 \times 0) = \mathbf{1.7425\%}$</p>
<i>Note: in any individual case the employer can waive the actuarial reductions in whole on compassionate grounds.</i>		

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Example 12 – group 3 member	Option 1 Leaves and draws benefits under Regulation 30(1) of the LGPS Regulations 2007 No employer discretion used under paragraph 1(1)(aa) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that paragraph 1(3)(a) of that Schedule should apply. Paragraphs 1(2) and 1(4)(a) of that Schedule therefore applies.	Option 2 Leaves and draws benefits under Regulation 30(1) of the LGPS Regulations 2007 Yes employer discretion used under paragraph 1(1)(aa) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that Rule of 85 should be turned on in full. Paragraph 1(3)(a) of that Schedule therefore applies.
<p>DOB: 01/09/1961</p> <p>Joined: 01/04/1980</p> <p>Left active membership: 01/09/2008 (age 47)</p> <p>Date draws benefits: 01/09/2018 (age 57)</p> <p>Was a member of the 1998 Scheme before 1/10/2006 - Meets R85</p> <p>2008 Scheme NRA = 65</p> <p>Membership Pre 01/04/2008 = 28 years</p> <p>01/04/2008 to 01/09/2008 = 154 days</p> <p>Notional membership for the purpose of calculating R85 = 01/04/1980 – 31/08/2018 = 38 years 153 days</p>	<p>Paragraph 3(2) - Schedule 2 = Relevant Date = 01/04/2008</p> <p>Membership up to 31/03/2008 = Reduction for period between drawing benefits and age 60 = 3 years</p> <p>Membership from 01/04/2008 to 01/09/2008 = Reduction on this membership for period between drawing benefits and 2008 Scheme NRA = 8 years</p> <p>Calculation: Reduction on pre 01/04/2008 pension = period between drawing benefits and 60 = 3 years = 16%</p> <p>Reduction on 01/04/2008 to 01/09/2008 pension = period between drawing benefits and 2008 Scheme NRA = 8 years = 36%</p> <p>Reduction on pre 1/4/08 3/80ths lump sum = period between drawing benefits and 60 = 3 years = 8%</p> <p>Note: in any individual case the employer can waive the actuarial reductions in whole on compassionate grounds.</p>	<p>Paragraph 3(2) - Schedule 2 = Relevant Date = 01/04/2008</p> <p>Membership up to 31/03/2008 = No Reduction</p> <p>Membership from 01/04/2008 to 01/09/2008 = Reduction on this membership for period between drawing benefits and 2008 Scheme NRA = 8 years</p> <p>Calculation: Reduction on pre 01/04/2008 pension = period between drawing benefits and CRA = 0 years = 0%</p> <p>Reduction on 01/04/2008 to 01/09/2008 pension = period between drawing benefits and 2008 Scheme NRA = 8 years = 36%</p> <p>Reduction on pre 01/04/2008 3/80ths lump sum = period between drawing benefits and CRA = 0 years = 0%</p>

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Example 13 – group 3 member	Option 1 Leaves and draws benefits under Regulation 30(1) of the LGPS Regulations 2007 No employer discretion used under paragraph 1(1)(aa) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that paragraph 1(3)(b) of that Schedule should apply. Paragraphs 1(2) and 1(4)(b) of that Schedule therefore applies.	Option 2 Leaves and draws benefits under Regulation 30(1) of the LGPS Regulations 2007 Yes employer discretion used under paragraph 1(1)(aa) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that Rule of 85 should be turned on in full. Paragraph 1(3)(b) of that Schedule therefore applies.
<p>DOB: 01/09/1961</p> <p>Joined: 01/04/1994</p> <p>Left active membership: 01/09/2008 (age 47)</p> <p>Date draws benefits: 01/09/2019 (age 58)</p> <p>Was a member of the 1998 Scheme before 1/10/2006 - Meets R85 at age 59</p> <p>2008 Scheme NRA = 65</p> <p>Membership Pre 01/04/2008 = 14 years</p> <p>01/04/2008 to 01/09/2008 = 154 days</p> <p>Notional membership for the purpose of calculating R85 = 01/04/1994 – 31/08/2019 = 25 years 153 days</p>	<p>Paragraph 3(2) - Schedule 2 = Relevant Date = 01/04/2008</p> <p>Membership up to 31/03/2008 = Reduction for period between drawing benefits and age 60 = 2 years</p> <p>Membership from 01/04/2008 to 01/09/2008 = Reduction on this membership for period between drawing benefits and 2008 Scheme NRA = 7 years</p> <p>Calculation: Reduction on pre 01/04/2008 pension = period between drawing benefits and 60 = 2 years = 11%</p> <p>Reduction on 01/04/2008 to 01/09/2008 pension = period between drawing benefits and 2008 Scheme NRA = 7 years = 32%</p> <p>Reduction on pre 01/04/2008 3/80ths lump sum = period between drawing benefits and 60 = 2 years = 6%</p>	<p>Paragraph 3(2) - Schedule 2 = Relevant Date = 01/04/2008</p> <p>Membership up to 31/03/2008 = Reduction for period between drawing benefits and CRA = 1 year</p> <p>Membership up from 01/04/2008 to 01/09/2008 = Reduction on this membership for period between drawing benefits and 2008 Scheme NRA = 7 years</p> <p>Calculation: Reduction on pre 01/04/2008 pension = period between drawing benefits and CRA = 1 year = 6%</p> <p>Reduction on 01/04/2008 to 01/09/2008 pension = period between drawing benefits and 2008 Scheme NRA = 7 years = 32%</p> <p>Reduction on pre 01/04/2008 3/80ths lump sum = period between drawing benefits and CRA = 1 year = 3%</p>
<p>Note: in any individual case the employer can waive the actuarial reductions in whole on compassionate grounds.</p>		

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Example 14 – member left active membership before 1 April 2008 accordingly, they do not fall into a group of membership	Option 1 Leaves and draws benefits under Regulation 31(1) of the LGPS Regulations 1997 <i>No employer discretion</i> used under paragraph 1(1)(f) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that paragraph 1(3)(a) of that Schedule should apply. Paragraphs 1(2) and 1(4)(a) of that Schedule therefore applies.	Option 2 Leaves and draws benefits under Regulation 31(1) of the LGPS Regulations 1997 <i>Yes employer discretion</i> used under paragraph 1(1)(f) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that Rule of 85 should be turned on in full. Paragraph 1(3)(a) of that Schedule therefore applies.
<p>DOB: 01/09/1961</p> <p>Joined: 01/04/1980</p> <p>Left active membership of the scheme on 01/09/2007 (age 46)</p> <p>Date draws benefits: 01/09/2018 (age 57)</p> <p>Was a member of the 1998 Scheme before 1/10/2006 - Meets R85</p> <p>2008 Scheme NRA = 65</p> <p>Membership Pre 01/04/2008 = 28 years</p> <p>01/04/2008 to 01/09/2008 = 154 days</p> <p>Notional membership for the purpose of calculating R85 = 01/04/1980 – 31/08/2018 = 38 years 153 days</p>	<p>Paragraph 3(2) - Schedule 2 = Relevant Date = 01/04/2008</p> <p>Membership up to 01/09/2007 = Reduction for period between drawing benefits and age 60 = 3 years</p>	<p>Paragraph 3(2) - Schedule 2 = Relevant Date = 01/04/2008</p> <p>Membership up to 01/09/2007 = No Reduction</p>
	<p>Calculation: Reduction on pre 01/04/2008 pension = period between drawing benefits and 60 = 3 years = 16%</p> <p>Reduction on pre 1/4/08 3/80ths lump sum = period between drawing benefits and 60 = 3 years = 8%</p>	<p>Calculation: Reduction on pre 01/04/2008 pension = period between drawing benefits and CRA = 0 years = 0%</p> <p>Reduction on pre 01/04/2008 3/80ths lump sum = period between drawing benefits and CRA = 0 years = 0%</p>
	<p>Note: <i>in any individual case the employer can waive the actuarial reductions in whole on compassionate grounds.</i></p>	<p><i>Not relevant – no reductions to waive</i></p>

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<p>Example 15 – member left active membership before 1 April 2008 accordingly, they do not fall into a group of membership</p>	<p>Option 1 Leaves and draws benefits under Regulation 31(1) of the LGPS Regulations 1997 No employer discretion used under paragraph 1(1)(f) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that paragraph 1(3)(b) of that Schedule should apply. Paragraphs 1(2) and 1(4)(b) of that Schedule therefore applies.</p>	<p>Option 2 Leaves and draws benefits under Regulation 31(1) of the LGPS Regulations 1997 Yes employer discretion used under paragraph 1(1)(f) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that Rule of 85 should be turned on in full. Paragraph 1(3)(b) of that Schedule therefore applies.</p>
<p>DOB: 01/09/1961</p> <p>Joined: 01/04/1994</p> <p>Left active membership: 01/09/2007 (age 46)</p> <p>Date draws benefits: 01/09/2019 (age 58)</p> <p>Was a member of the 1998 Scheme before 1/10/2006 - Meets R85 at age 59</p> <p>1997 Scheme NRA = 65</p> <p>Membership Pre 01/04/2008 = 13 years 154 days</p> <p>Notional membership for the purpose of calculating R85 = 01/04/1994 – 31/08/2019 = 25 years 153 days</p>	<p>Paragraph 3(2) - Schedule 2 = Relevant Date = 01/04/2008</p> <p>Membership up to 01/09/2007 = Reduction for period between drawing benefits and age 60 = 2 years</p> <p>Calculation: Reduction on pre 01/04/2008 pension = period between drawing benefits and 60 = 2 years = 11%</p> <p>Reduction on pre 01/04/2008 3/80ths lump sum = period between drawing benefits and 60 = 2 years = 6%</p> <p>Note: <i>in any individual case the employer can waive the actuarial reductions in whole on compassionate grounds.</i></p>	<p>Paragraph 3(2) - Schedule 2 = Relevant Date = 01/04/2008</p> <p>Membership up to 01/09/2007 = Reduction for period between drawing benefits and CRA = 1 year</p> <p>Calculation: Reduction on pre 01/04/2008 pension = period between drawing benefits and CRA = 1 year = 6%</p> <p>Reduction on pre 01/04/2008 3/80ths lump sum = period between drawing benefits and CRA = 1 year = 3%</p>

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<p>Example 16 - member left active membership before 1 April 2008 accordingly, they do not fall into a group of membership</p>	<p>Option 1 Leaves and draws benefits under Regulation 31(1) of the LGPS Regulations 1997 No employer discretion used under paragraph 1(1)(f) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that paragraph 1(3)(b) of that Schedule should apply. Paragraphs 1(2) and 1(4)(b) of that Schedule therefore applies.</p>	<p>Option 2 Leaves and draws benefits under Regulation 31(1) of the LGPS Regulations 1997 Yes employer discretion used under paragraph 1(1)(f) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 to agree that Rule of 85 should be turned on in full. Paragraph 1(3)(b) of that Schedule therefore applies.</p>
<p>DOB: 01/09/1961</p> <p>Joined: 01/04/1997</p> <p>Left active membership of the scheme on 01/09/2006 (age 45)</p> <p>Date draws benefits: 01/09/2018 (age 57)</p> <p>Was a member of the 1998 Scheme before 1/10/2006 - Meets R85 on 31/03/2022</p> <p>1997 Scheme NRA = 60 year 212 days (date upon which the member would have achieved 25 years membership had they remained in the scheme)</p> <p>Membership Pre 01/04/2008 = 9 years 154 days</p> <p>Notional membership for the purpose of calculating R85 = 01/04/1997 – 31/08/2018 = 21 years 153 days</p>	<p>Paragraph 3(2) - Schedule 2 = Relevant Date = 01/04/2008</p> <p>Membership up to 01/09/2006 = Reduction for period between drawing benefits and age 60 years 212 days = 3 years 212 days</p> <p>Calculation: Reduction on pre 01/04/2008 pension = period between drawing benefits and 60 years 212 days = 3 years 212 days $(212/365 \times 20) + (153/365 \times 16) = 18.3233\%$</p> <p>Reduction on pre 01/04/2008 3/80ths lump sum = period between drawing benefits and 60 years 212 days = 3 years 212 days $= (212/365 \times 11) + (153/365 \times 8) = 9.7425\%$</p> <p>Note: in any individual case the employer can waive the actuarial reductions in whole on compassionate grounds.</p>	<p>Outcome is the same as option 1 as the member's R85 is age 60 years 212 days.</p> <p>As per option 1</p>

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