

The Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014

Scenarios

No	Scenario Description	Assumptions	Rationale/Notes
1	Pre 1/4//14 AVC member continues to contribute post 31/3/14 to the same AVC provider whilst in the same employment	2008 Scheme regs apply to realisable value of pre and post 1/4/14 contributions. NRD= 65, 100% TFC, 50% contribution limit of 2008 Scheme definition of pensionable pay	Transitional regs 15(1)(d), 15(2) and 15(4) apply
2	New AVC election on/after 1/4/14	2013 regs apply : NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay	Brand new election under 2013 regs 17(1)
3	Pre 1/4/14 AVC member in an employment ceases paying AVCs, restarts paying AVCs in the same employment with the same AVC provider after 31/3/14. Member has remained active member of the LGPS with same employer throughout period AVCs stopped being paid	2008 Scheme regs apply to realisable value of pre and post 1/4/14 contributions. NRD= 65, 100% TFC, 50% contribution limit of 2008 Scheme definition of pensionable pay [Our view agrees with yours but we would need DCLG confirmation]	AVC <u>election</u> in place prior to 1/4/14 so transitional reg 15(1)(d) and 15(2) apply
4	Pre 1/4/14 AVC member opts out of active membership of the LGPS, then opts back in with the same employer and recommences payment of AVCs after 31/3/14	????? [Not sure what the answer to this one is]	
5A	Pre 1/4/14 AVC member leaves service pre 1/4/14 with a deferred benefit. Is later re-employed by same employer (in the same Fund in England/Wales) after 31/3/14 and after a disqualifying break in service of more than 5 years and elects to aggregate main scheme benefits and resumes paying AVCs after 31/3/14	Member can choose whether or not to aggregate AVC funds. If member does not aggregate AVC funds, 2008 Scheme regs apply to realisable value of pre 1/4/14 contributions. NRD= 65, 100% TFC and 2013 regs apply to post 31/3/14 contributions (as it is a new arrangement): NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay If member does aggregate AVC funds, 2013 regs apply to pre and post 1/4/14 contributions (as it is a new arrangement in relation to <i>the employment</i>) : NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay	Had that choice under 2008 Scheme. Transitional regs 15(1)(d), 15(2) and 15(4) and regs 17 and 33 of 2013 Regs. Regs 17 and 33 of 2013 Regs.
5B	Pre 1/4/14 AVC member leaves service pre 1/4/14 with a deferred benefit. Is later re-employed by same employer (in the same Fund in England/Wales) after 31/3/14 and after a disqualifying break in service of more than 5 years and elects to aggregate main scheme benefits and does not resume paying AVCs after 31/3/14	Member can choose whether or not to attach AVC to aggregated main scheme benefits or leave them as 'orphan AVCs'. If member does not choose to attach AVC to aggregated main scheme benefits, 2008 Scheme regs apply to realisable value of pre 1/4/14 contributions. NRD= 65, 100% TFC. If member does choose to attach AVC to aggregated main	Had that choice under 2008 Scheme. Transitional regs 15(1)(d), 15(2) and 15(4). Regs 17 and 33 of 2013

		scheme benefits, 2013 regs apply to pre 1/4/14 contributions (as it is a new arrangement in relation to <i>the employment</i>) : NRD=SPA; 25%TFC.	Regs.
5C	Pre 1/4/14 AVC member leaves service pre 1/4/14 with a deferred benefit. Is later re-employed by same employer (in the same Fund in England/Wales) after 31/3/14 and after a disqualifying break in service of more than 5 years and does not elect to aggregate main scheme benefits and resumes paying AVCs after 31/3/14	<p>Pre 1/4/14 AVCs remain attached to pre 1/4/14 deferred benefit.</p> <p>2008 Scheme regs apply to realisable value of pre 1/4/14 contributions. NRD= 65, 100% TFC</p> <p>Post 31/3/14 AVCs attached to post 31/3/14 main scheme benefits. 2013 regs apply to post 1/4/14 contributions (as it is a new arrangement in relation to <i>the employment</i>) : NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay</p>	<p>Had that choice under 2008 Scheme.</p> <p>Transitional regs 15(1)(d), 15(2) and 15(4).</p> <p>Regs 17 and 33 of 2013 Regs.</p>
5D	Pre 1/4/14 AVC member leaves service pre 1/4/14 with a deferred benefit. Is later re-employed by same employer (in the same Fund in England/Wales) after 31/3/14 and after a disqualifying break in service of more than 5 years and does not elect to aggregate main scheme benefits and does not resume paying AVCs after 31/3/14	<p>Pre 1/4/14 AVCs remain attached to pre 1/4/14 deferred benefit.</p> <p>2008 Scheme regs apply to realisable value of pre 1/4/14 contributions. NRD= 65, 100% TFC</p>	<p>Transitional regs 15(1)(d), 15(2) and 15(4).</p>
6A	Pre 1/4/14 AVC member leaves service pre 1/4/14 with a deferred benefit. Is later re-employed by same employer (in the same Fund in England/Wales) after 31/3/14 and with no disqualifying break in service of more than 5 years and elects within 12 months of rejoining the LGPS to be treated as if had been a member on 31/3/14 and 1/4/14 and resumes paying AVCs after 31/3/14	<p>Main scheme benefits must be aggregated. AVC must be aggregated unless member elects not to.</p> <p>If member does not aggregate AVC funds, 2008 Scheme regs apply to realisable value of pre 1/4/14 contributions. NRD= 65, 100% TFC and 2013 regs apply to post 31/3/14 contributions (as it is a new arrangement): NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay</p> <p>If member does aggregate AVC funds, 2013 regs apply to pre and post 1/4/14 contributions (as it is a new arrangement in relation to <i>the employment</i>) : NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay</p>	<p>Transitional reg 15(3).</p> <p>Transitional regs 15(1)(d), 15(2) and 15(4) and regs 17 and 33 of 2013 Regs.</p> <p>Regs 17 and 33 of 2013 Regs.</p>
6B	Pre 1/4/14 AVC member leaves service pre 1/4/14 with a deferred benefit. Is later re-employed by same employer (in the same Fund in England/Wales) after 31/3/14 and with no disqualifying break in service of more than 5 years and elects within 12 months of rejoining the LGPS to be treated as if had been a member on 31/3/14 and 1/4/14 and does not resume paying AVCs after 31/3/14	<p>The pre 1 April 2014 membership from the deferred benefit will entitle the member to a final salary benefit (and the membership will be attached to the new active pension account).</p> <p>AVC must be transferred to an AVC arrangement attached to the new period of membership unless member elects not to (i.e. to</p>	<p>Transitional reg 15(3).</p>

		<p>leave them as an 'orphan AVC').</p> <p>If the member elects to leave the AVCs as 'orphan AVCs', 2008 Scheme regs apply to realisable value of pre 1/4/14 contributions. NRD= 65, 100% TFC.</p> <p>If member transfers AVCs to an AVC arrangement attached to the new period of membership (even though there are no ongoing AVCs), 2013 regs apply to pre 1/4/14 contributions (as it is a new arrangement in relation to <i>the employment</i>) : NRD=SPA; 25%TFC.</p>	<p>Transitional regs 15(1)(d), 15(2) and 15(4).</p> <p>Regs 17 and 33 of 2013 Regs.</p>
6C	<p>Pre 1/4/14 AVC member leaves service pre 1/4/14 with a deferred benefit. Is later re-employed by same employer (in the same Fund in England/Wales) after 31/3/14 and with no disqualifying break in service of more than 5 years and does not elect within 12 months of rejoining the LGPS to be treated as if had been a member on 31/3/14 and 1/4/14, and elects to aggregate main scheme benefits, and resumes paying AVCs after 31/3/14</p>	<p>Member can choose whether or not to aggregate AVC funds.</p> <p>If member does not aggregate AVC funds (i.e. leaves them as orphan AVCs), 2008 Scheme regs apply to realisable value of pre 1/4/14 contributions. NRD= 65, 100% TFC and 2013 regs apply to post 31/3/14 contributions (as it is a new arrangement): NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay</p> <p>If member does aggregate AVC funds, 2013 regs apply to pre and post 1/4/14 contributions (as it is a new arrangement in relation to <i>the employment</i>) : NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay</p>	<p>Had that choice under 2008 Scheme.</p> <p>Transitional regs 15(1)(d), 15(2) and 15(4) and regs 17 and 33 of 2013 Regs.</p> <p>Regs 17 and 33 of 2013 Regs.</p>
6D	<p>Pre 1/4/14 AVC member leaves service pre 1/4/14 with a deferred benefit. Is later re-employed by same employer (in the same Fund in England/Wales) after 31/3/14 and with no disqualifying break in service of more than 5 years and does not elect within 12 months of rejoining the LGPS to be treated as if had been a member on 31/3/14 and 1/4/14, and elects to aggregate main scheme benefits, and does not resume paying AVCs after 31/3/14</p>	<p>Member can choose whether or not to attach AVC to aggregated main scheme benefits or leave them as 'orphan AVCs'.</p> <p>If member does not choose to attach AVC to aggregated main scheme benefits, 2008 Scheme regs apply to realisable value of pre 1/4/14 contributions. NRD= 65, 100% TFC.</p> <p>If member does choose to attach AVC to aggregated main scheme benefits, 2013 regs apply to pre 1/4/14 contributions (as it is a new arrangement in relation to <i>the employment</i>) : NRD=SPA; 25%TFC.</p>	<p>Had that choice under 2008 Scheme.</p> <p>Transitional regs 15(1)(d), 15(2) and 15(4).</p> <p>Regs 17 and 33 of 2013 Regs.</p>
6E	<p>Pre 1/4/14 AVC member leaves service pre 1/4/14 with a deferred benefit. Is later re-employed by same employer (in the same Fund in England/Wales) after 31/3/14 and with no disqualifying break in service of more than 5 years and does not elect within 12 months of</p>	<p>Pre 1/4/14 AVCs remain attached to pre 1/4/14 deferred benefit. 2008 Scheme regs apply to realisable value of pre 1/4/14 contributions. NRD= 65, 100% TFC</p>	<p>Transitional regs 15(1)(d), 15(2) and 15(4)</p>

	rejoining the LGPS to be treated as if had been a member on 31/3/14 and 1/4/14, and does not elect to aggregate main scheme benefits, and resumes paying AVCs after 31/3/14	Post 31/3/14 AVCs attached to post 31/3/14 main scheme benefits. 2013 regs apply to post 1/4/14 contributions (as it is a new arrangement in relation to <i>the employment</i>) : NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay	Regs 17 and 33 of 2013 Regs.
6F	Pre 1/4/14 AVC member leaves service pre 1/4/14 with a deferred benefit. Is later re-employed by same employer (in the same Fund in England/Wales) after 31/3/14 and with no disqualifying break in service of more than 5 years and does not elect within 12 months of rejoining the LGPS to be treated as if had been a member on 31/3/14 and 1/4/14, and does not elect to aggregate main scheme benefits, and does not resume paying AVCs after 31/3/14	Pre 1/4/14 AVCs remain attached to pre 1/4/14 deferred benefit. 2008 Scheme regs apply to realisable value of pre 1/4/14 contributions. NRD= 65, 100% TFC	Transitional regs 15(1)(d), 15(2) and 15(4)
7A	Pre 1/4/14 AVC member leaves service pre 1/4/14 with a deferred benefit. Is re-employed by a different employer (in the same Fund in England/Wales) after 31/3/14 and after a disqualifying break in service of more than 5 years and elects to aggregate main scheme benefits and resumes paying AVCs after 31/3/14	Ditto entry for number 5A	Ditto entry for number 5A
7B	Pre 1/4/14 AVC member leaves service pre 1/4/14 with a deferred benefit. Is re-employed by a different employer (in the same Fund in England/Wales) after 31/3/14 and after a disqualifying break in service of more than 5 years and elects to aggregate main scheme benefits and does not resume paying AVCs after 31/3/14	Ditto entry for number 5B	Ditto entry for number 5B
7C	Pre 1/4/14 AVC member leaves service pre 1/4/14 with a deferred benefit. Is re-employed by a different employer (in the same Fund in England/Wales) after 31/3/14 and after a disqualifying break in service of more than 5 years and does not elect to aggregate main scheme benefits and resumes paying AVCs after 31/3/14	Ditto entry for number 5C	Ditto entry for number 5C
7D	Pre 1/4/14 AVC member leaves service pre 1/4/14 with a deferred benefit. Is re-employed by a different employer (in the same Fund in England/Wales) after 31/3/14 and after a disqualifying break in service of more than 5 years and does not elect to aggregate main scheme benefits and does not resume paying AVCs after 31/3/14	Ditto entry for number 5D	Ditto entry for number 5D
8A	Pre 1/4/14 AVC member leaves service pre 1/4/14 with a deferred benefit. Is re-employed by a different employer (in same Fund in England/Wales) after 31/3/14 and with no disqualifying break in service of more than 5 years (even if there is no gap between leaving old employer and joining new employer) and elects within 12 months of rejoining the LGPS to be treated as if had been a member	Ditto entry for number 6A	Ditto entry for number 6A

	on 31/3/14 and 1/4/14 and resumes paying AVCs after 31/3/14		
8B	Pre 1/4/14 AVC member leaves service pre 1/4/14 with a deferred benefit. Is re-employed by a different employer (in the same Fund in England/Wales) after 31/3/14 and with no disqualifying break in service of more than 5 years (even if there is no gap between leaving old employer and joining new employer) and elects within 12 months of rejoining the LGPS to be treated as if had been a member on 31/3/14 and 1/4/14 and does not resume paying AVCs after 31/3/14	Ditto entry for number 6B	Ditto entry for number 6B
8C	Pre 1/4/14 AVC member leaves service pre 1/4/14 with a deferred benefit. Is re-employed by a different employer (in the same Fund in England/Wales) after 31/3/14 and with no disqualifying break in service of more than 5 years (even if there is no gap between leaving old employer and joining new employer) and does not elect within 12 months of rejoining the LGPS to be treated as if had been a member on 31/3/14 and 1/4/14, and elects to aggregate main scheme benefits, and resumes paying AVCs after 31/3/14	Ditto entry for number 6C	Ditto entry for number 6C
8D	Pre 1/4/14 AVC member leaves service pre 1/4/14 with a deferred benefit. Is re-employed by a different employer (in the same Fund in England/Wales) after 31/3/14 and with no disqualifying break in service of more than 5 years (even if there is no gap between leaving old employer and joining new employer) and does not elect within 12 months of rejoining the LGPS to be treated as if had been a member on 31/3/14 and 1/4/14, and elects to aggregate main scheme benefits, and does not resume paying AVCs after 31/3/14	Ditto entry for number 6D	Ditto entry for number 6D
8E	Pre 1/4/14 AVC member leaves service pre 1/4/14 with a deferred benefit. Is re-employed by a different employer (in the same Fund in England/Wales) after 31/3/14 and with no disqualifying break in service of more than 5 years (even if there is no gap between leaving old employer and joining new employer) and does not elect within 12 months of rejoining the LGPS to be treated as if had been a member on 31/3/14 and 1/4/14, and does not elect to aggregate main scheme benefits, and resumes paying AVCs after 31/3/14	Ditto entry for number 6E	Ditto entry for number 6E
8F	Pre 1/4/14 AVC member leaves service pre 1/4/14 with a deferred benefit. Is re-employed by a different employer (in the same Fund in England/Wales) after 31/3/14 and with no disqualifying break in service of more than 5 years (even if there is no gap between leaving old employer and joining new employer) and does not elect within 12 months of rejoining the LGPS to be treated as if had been	Ditto entry for number 6F	Ditto entry for number 6F

	a member on 31/3/14 and 1/4/14, and does not elect to aggregate main scheme benefits, and does not resume paying AVCs after 31/3/14		
9A	Pre 1/4/14 AVC member leaves service pre 1/4/14 with a deferred benefit. Is re-employed by a different employer (in a different Fund in England/Wales) after 31/3/14 and after a disqualifying break in service of more than 5 years and elects to aggregate main scheme benefits and resumes paying AVCs after 31/3/14	<p>Member can choose whether or not to aggregate AVC funds.</p> <p>If member does not aggregate AVC funds, 2008 Scheme regs apply to realisable value of pre 1/4/14 contributions. NRD= 65, 100% TFC and 2013 regs apply to post 31/3/14 contributions (as it is a new arrangement): NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay</p> <p>If member does aggregate AVC funds, 2013 regs apply to pre and post 1/4/14 contributions (as it is a new arrangement) : NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay</p>	<p>Ditto entry for number 5A</p> <p>Note that the resumption of AVCs must be a new arrangement because under Admin reg 25 the existing arrangement is between the AVC provider and the old AA</p>
9B	Pre 1/4/14 AVC member leaves service pre 1/4/14 with a deferred benefit. Is re-employed by a different employer (in a different Fund in England/Wales) after 31/3/14 and after a disqualifying break in service of more than 5 years and elects to aggregate main scheme benefits and does not resume paying AVCs after 31/3/14	<p>Member can choose whether or not to attach AVC to aggregated main scheme benefits or leave them as 'orphan AVCs'.</p> <p>If member does not choose to attach AVC to aggregated main scheme benefits, 2008 Scheme regs apply to realisable value of pre 1/4/14 contributions. NRD= 65, 100% TFC.</p> <p>If member does choose to attach AVC to aggregated main scheme benefits, 2013 regs apply to pre 1/4/14 contributions (as it is a new arrangement in a different Fund in relation to the employment) : NRD=SPA; 25%TFC.</p>	Ditto entry for number 5B
9C	Pre 1/4/14 AVC member leaves service pre 1/4/14 with a deferred benefit. Is re-employed by a different employer (in a different Fund in England/Wales) after 31/3/14 and after a disqualifying break in service of more than 5 years and does not elect to aggregate main scheme benefits and resumes paying AVCs after 31/3/14	<p>Pre 1/4/14 AVCs remain attached to pre 1/4/14 deferred benefit. 2008 Scheme regs apply to realisable value of pre 1/4/14 contributions. NRD= 65, 100% TFC</p> <p>Post 31/3/14 AVCs attached to post 31/3/14 main scheme benefits. 2013 regs apply to post 1/4/14 contributions (as it is a new arrangement) : NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay</p>	<p>Ditto entry for number 5C</p> <p>Note that the resumption of AVCs must be a new arrangement because under Admin reg 25 the existing arrangement is between the AVC provider and the old AA</p>
9D	Pre 1/4/14 AVC member leaves service pre 1/4/14 with a deferred benefit. Is re-employed by a different employer (in a different Fund in England/Wales) after 31/3/14 and after a disqualifying break in service of more than 5 years and does not elect to aggregate main	Pre 1/4/14 AVCs remain attached to pre 1/4/14 deferred benefit. 2008 Scheme regs apply to realisable value of pre 1/4/14 contributions. NRD= 65, 100% TFC	Ditto entry for number 5D

	<p>scheme benefits and does not resume paying AVCs after 31/3/14</p>		
10A	<p>Pre 1/4/14 AVC member leaves service pre 1/4/14 with a deferred benefit. Is re-employed by a different employer (in a different Fund in England/Wales) after 31/3/14 with no disqualifying break in service of more than 5 years (even if there is no gap between leaving old employer and joining new employer) and elects within 12 months of rejoining the LGPS to be treated as if had been a member on 31/3/14 and 1/4/14 and resumes paying AVCs after 31/3/14</p>	<p>Main scheme benefits must be aggregated. AVC must be aggregated unless member elects not to.</p> <p>If member does not aggregate AVC funds, 2008 Scheme regs apply to realisable value of pre 1/4/14 contributions. NRD= 65, 100% TFC and 2013 regs apply to post 31/3/14 contributions (as it is a new arrangement): NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay</p> <p>If member does aggregate AVC funds, 2013 regs apply to pre and post 1/4/14 contributions (as it is a new arrangement) : NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay</p>	<p>Ditto entry for number 6A</p> <p>Note that the resumption of AVCs must be a new arrangement (even if there is no gap between leaving old employer and joining new employer) because under Admin reg 25 the existing arrangement is between the AVC provider and the old AA</p>
10B	<p>Pre 1/4/14 AVC member leaves service pre 1/4/14 with a deferred benefit. Is re-employed by a different employer (in a different Fund in England/Wales) after 31/3/14 and with no disqualifying break in service of more than 5 years (even if there is no gap between leaving old employer and joining new employer) and elects within 12 months of rejoining the LGPS to be treated as if had been a member on 31/3/14 and 1/4/14 and does not resume paying AVCs after 31/3/14</p>	<p>The pre 1 April 2014 membership from the deferred benefit will entitle the member to a final salary benefit (and the membership will be attached to the new active pension account).</p> <p>AVC must be transferred to an AVC arrangement attached to the new period of membership unless member elects not to (i.e. to leave them as an 'orphan AVC').</p> <p>If the member elects to leave the AVCs as 'orphan AVCs', 2008 Scheme regs apply to realisable value of pre 1/4/14 contributions. NRD= 65, 100% TFC.</p> <p>If member transfers AVCs to an AVC arrangement attached to the new period of membership (even though there are no ongoing AVCs), 2013 regs apply to pre 1/4/14 contributions (as it is a new arrangement in a different Fund in relation to the employment) : NRD=SPA; 25%TFC.</p>	<p>Ditto entry for number 6B</p>
10C	<p>Pre 1/4/14 AVC member leaves service pre 1/4/14 with a deferred benefit. Is re-employed by a different employer (in a different Fund in England/Wales) after 31/3/14 and with no disqualifying break in service of more than 5 years (even if there is no gap between leaving old employer and joining new employer) and does not elect within 12 months of rejoining the LGPS to be treated as if had been a member on 31/3/14 and 1/4/14, and elects to aggregate main scheme benefits, and resumes paying AVCs after 31/3/14</p>	<p>Member can choose whether or not to aggregate AVC funds.</p> <p>If member does not aggregate AVC funds (i.e. leaves them as orphan AVCs), 2008 Scheme regs apply to realisable value of pre 1/4/14 contributions. NRD= 65, 100% TFC and 2013 regs apply to post 31/3/14 contributions (as it is a new arrangement): NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay</p>	<p>Ditto entry for number 6C</p> <p>Note that the resumption of AVCs must be a new arrangement (even if there is no gap between leaving old employer and joining new employer) because</p>

		If member does aggregate AVC funds, 2013 regs apply to pre and post 1/4/14 contributions (as it is a new arrangement) : NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay	under Admin reg 25 the existing arrangement is between the AVC provider and the old AA
10D	Pre 1/4/14 AVC member leaves service pre 1/4/14 with a deferred benefit. Is re-employed by a different employer (in a different Fund in England/Wales) after 31/3/14 and with no disqualifying break in service of more than 5 years (even if there is no gap between leaving old employer and joining new employer) and does not elect within 12 months of rejoining the LGPS to be treated as if had been a member on 31/3/14 and 1/4/14, and elects to aggregate main scheme benefits, and does not resume paying AVCs after 31/3/14	Member can choose whether or not to attach AVC to aggregated main scheme benefits or leave them as 'orphan AVCs'. If member does not choose to attach AVC to aggregated main scheme benefits, 2008 Scheme regs apply to realisable value of pre 1/4/14 contributions. NRD= 65, 100% TFC. If member does choose to attach AVC to aggregated main scheme benefits, 2013 regs apply to pre 1/4/14 contributions (as it is a new arrangement in a different Fund in relation to the employment) : NRD=SPA; 25%TFC.	Ditto entry for number 6D
10E	Pre 1/4/14 AVC member leaves service pre 1/4/14 with a deferred benefit. Is re-employed by a different employer (in a different Fund in England/Wales) after 31/3/14 and with no disqualifying break in service of more than 5 years (even if there is no gap between leaving old employer and joining new employer) and does not elect within 12 months of rejoining the LGPS to be treated as if had been a member on 31/3/14 and 1/4/14, and does not elect to aggregate main scheme benefits, and resumes paying AVCs after 31/3/14	Pre 1/4/14 AVCs remain attached to pre 1/4/14 deferred benefit. 2008 Scheme regs apply to realisable value of pre 1/4/14 contributions. NRD= 65, 100% TFC Post 31/3/14 AVCs attached to post 31/3/14 main scheme benefits. 2013 regs apply to post 1/4/14 contributions (as it is a new arrangement) : NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay	Ditto entry for number 6E
10F	Pre 1/4/14 AVC member leaves service pre 1/4/14 with a deferred benefit. Is re-employed by a different employer (in a different Fund in England/Wales) after 31/3/14 and with no disqualifying break in service of more than 5 years (even if there is no gap between leaving old employer and joining new employer) and does not elect within 12 months of rejoining the LGPS to be treated as if had been a member on 31/3/14 and 1/4/14, and does not elect to aggregate main scheme benefits, and does not resume paying AVCs after 31/3/14	Pre 1/4/14 AVCs remain attached to pre 1/4/14 deferred benefit. 2008 Scheme regs apply to realisable value of pre 1/4/14 contributions. NRD= 65, 100% TFC	Ditto entry for number 6F
11A	Pre 1/4/14 AVC member leaves service after 31/3/14 with a deferred benefit. Is later re-employed by same employer (in the same Fund in England/Wales) after a disqualifying break in service of more than 5 years and does not elect within 12 months of rejoining the LGPS to retain separate main scheme benefits and resumes paying AVCs	Main scheme benefits must be aggregated and AVC funds must be aggregated. 2013 regs apply to pre and post 1/4/14 contributions (as it is a new arrangement in relation to <i>the employment</i>): NRD=SPA;	Reg 17(11) of the 2013 regs.

	after 31/3/14	25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay	Regs 17 and 33 of 2013 Regs.
11B	Pre 1/4/14 AVC member leaves service after 31/3/14 with a deferred benefit. Is later re-employed by same employer (in the same Fund in England/Wales) after a disqualifying break in service of more than 5 years and does not elect within 12 months of rejoining the LGPS to retain separate main scheme benefits and does not resume paying AVCs after 31/3/14	Main scheme benefits must be aggregated and AVC funds must be attached to aggregated main scheme benefits. AVC fund is subject to 2013 Scheme regs NRD= SPA, 25% TFC.	Reg 17(11) of the 2013 regs. Regs 17 and 33 of 2013 Regs.
11C	Pre 1/4/14 AVC member leaves service after 31/3/14 with a deferred benefit. Is later re-employed by same employer (in the same Fund in England/Wales) after a disqualifying break in service of more than 5 years and elects within 12 months of rejoining the LGPS to retain separate main scheme benefits and resumes paying AVCs after 31/3/14	Pre 1/4/14 contract AVC funds remain attached to unaggregated deferred benefit. Pre 1/4/14 contract AVC fund is subject to 2008 Scheme regs NRD= 65, 100% TFC. 2013 regs apply to post 31/3/14 contract contributions (as it is a new arrangement in relation to <i>the employment</i>) : NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay.	Transitional regs 15(1)(d), 15(2) and 15(4). Regs 17 and 33 of 2013 Regs.
11D	Pre 1/4/14 AVC member leaves service after 31/3/14 with a deferred benefit. Is later re-employed by same employer (in the same Fund in England/Wales) after a disqualifying break in service of more than 5 years and elects within 12 months of rejoining the LGPS to retain separate main scheme benefits and does not resume paying AVCs after 31/3/14	Pre 1/4/14 contract AVC funds remain attached to unaggregated deferred benefit. Pre 1/4/14 contract AVC fund is subject to 2008 Scheme regs NRD= 65, 100% TFC.	Transitional regs 15(1)(d), 15(2) and 15(4).
12A	Pre 1/4/14 AVC member leaves service after 31/3/14 with a deferred benefit. Is later re-employed by same employer (in the same Fund in England/Wales) with no disqualifying break in service of more than 5 years and does not elect within 12 months of rejoining the LGPS to retain separate main scheme benefits and resumes paying AVCs after 31/3/14	Main scheme benefits must be aggregated. AVC funds must be aggregated unless member elects otherwise. If main scheme benefits are aggregated but AVC funds are not, 'old' AVC fund is subject to 2008 Scheme regs NRD= 65, 100% TFC and 2013 regs apply to post 31/3/14 contract contributions (as it is a new arrangement in relation to <i>the employment</i>) : NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay. If main scheme benefits and AVC funds are aggregated, 2013 regs apply to pre and post 1/4/14 contributions (as it is a new	Reg 17(11) of the 2013 regs and reg 15(3) of Transitional regs. Transitional regs 15(1)(d), 15(2) and 15(4) and regs 17 and 33 of 2013 Regs. Regs 17 and 33 of 2013 Regs.

		arrangement in relation to <i>the employment</i>): NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay.	
12B	Pre 1/4/14 AVC member leaves service after 31/3/14 with a deferred benefit. Is later re-employed by same employer (in the same Fund in England/Wales) with no disqualifying break in service of more than 5 years and does not elect within 12 months of rejoining the LGPS to retain separate main scheme benefits and does not resume paying AVCs after 31/3/14	<p>The pre 1 April 2014 membership from the deferred benefit will entitle the member to a final salary benefit (and the membership will be attached to the new active pension account).</p> <p>AVC must be transferred to an AVC arrangement attached to the new period of membership unless member elects not to (i.e. to leave them as an 'orphan AVC').</p> <p>If the member elects to leave the AVCs as 'orphan AVCs', 2008 Scheme regs apply to realisable value of pre 1/4/14 contributions. NRD= 65, 100% TFC.</p> <p>If member transfers AVCs to an AVC arrangement attached to the new period of membership (even though there are no ongoing AVCs), 2013 regs apply to pre 1/4/14 contributions (as it is a new arrangement in relation to <i>the employment</i>) : NRD=SPA; 25%TFC.</p>	<p>Transitional reg 15(3).</p> <p>Transitional regs 15(1)(d), 15(2) and 15(4).</p> <p>Regs 17 and 33 of 2013 Regs.</p>
12C	Pre 1/4/14 AVC member leaves service after 31/3/14 with a deferred benefit. Is later re-employed by same employer (in the same Fund in England/Wales) with no disqualifying break in service of more than 5 years and elects within 12 months of rejoining the LGPS to retain separate main scheme benefits and resumes paying AVCs after 31/3/14	<p>Pre 1/4/14 AVC contract funds remain attached to unaggregated deferred benefit.</p> <p>Pre 1/4/14 AVC contract fund is subject to 2008 Scheme regs NRD= 65, 100% TFC.</p> <p>2013 regs apply to post 31/3/14 contributions (as it is a new arrangement in relation to <i>the employment</i>) : NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay.</p>	<p>Transitional regs 15(1)(d), 15(2) and 15(4).</p> <p>Regs 17 and 33 of 2013 Regs.</p>
12D	Pre 1/4/14 AVC member leaves service after 31/3/14 with a deferred benefit. Is later re-employed by same employer (in the same Fund in England/Wales) with no disqualifying break in service of more than 5 years and elects within 12 months of rejoining the LGPS to retain separate main scheme benefits and does not resume paying AVCs after 31/3/14	<p>Pre 1/4/14 AVC contract funds remain attached to unaggregated deferred benefit.</p> <p>Pre 1/4/14 AVC contract fund is subject to 2008 Scheme regs NRD= 65, 100% TFC.</p>	Transitional regs 15(1)(d), 15(2) and 15(4).
13A	Pre 1/4/14 AVC member leaves service after 31/3/14 with a deferred benefit. Is re-employed by a different employer (in the same Fund in England/Wales) after a disqualifying break in service of more than 5	Ditto entry for number 11A	Ditto entry for number 11A

	years and does not elect within 12 months of rejoining the LGPS to retain separate main scheme benefits and resumes paying AVCs after 31/3/14		
13B	Pre 1/4/14 AVC member leaves service after 31/3/14 with a deferred benefit. Is re-employed by a different employer (in the same Fund in England/Wales) after a disqualifying break in service of more than 5 years and does not elect within 12 months of rejoining the LGPS to retain separate main scheme benefits and does not resume paying AVCs after 31/3/14	Ditto entry for number 11B	Ditto entry for number 11B
13C	Pre 1/4/14 AVC member leaves service after 31/3/14 with a deferred benefit. Is re-employed by a different employer (in the same Fund in England/Wales) after a disqualifying break in service of more than 5 years and elects within 12 months of rejoining the LGPS to retain separate main scheme benefits and resumes paying AVCs after 31/3/14	Ditto entry for number 11C	Ditto entry for number 11C
13D	Pre 1/4/14 AVC member leaves service after 31/3/14 with a deferred benefit. Is re-employed by a different employer (in the same Fund in England/Wales) after a disqualifying break in service of more than 5 years and elects within 12 months of rejoining the LGPS to retain separate main scheme benefits and does not resume paying AVCs after 31/3/14	Ditto entry for number 11D	Ditto entry for number 11D
14A	Pre 1/4/14 AVC member leaves service after 31/3/14 with a deferred benefit. Is re-employed by a different employer (in the same Fund in England/Wales) with no disqualifying break in service of more than 5 years (even if there is no gap between leaving old employer and joining new employer) and does not elect within 12 months of rejoining the LGPS to retain separate main scheme benefits and resumes paying AVCs after 31/3/14	Ditto entry for number 12A	Ditto entry for number 12A.
14B	Pre 1/4/14 AVC member leaves service after 31/3/14 with a deferred benefit. Is re-employed by a different employer (in the same Fund in England/Wales) with no disqualifying break in service of more than 5 years (even if there is no gap between leaving old employer and joining new employer) and does not elect within 12 months of rejoining the LGPS to retain separate main scheme benefits and does not resume paying AVCs after 31/3/14	Ditto entry for number 12B	Ditto entry for number 12B
14C	Pre 1/4/14 AVC member leaves service after 31/3/14 with a deferred benefit. Is re-employed by a different employer (in the same Fund in England/Wales) with no disqualifying break in service of more than 5 years (even if there is no gap between leaving old employer and	Ditto entry for number 12C	Ditto entry for number 12C

	joining new employer) and elects within 12 months of rejoining the LGPS to retain separate main scheme benefits and resumes paying AVCs after 31/3/14		
14D	Pre 1/4/14 AVC member leaves service after 31/3/14 with a deferred benefit. Is re-employed by a different employer (in the same Fund in England/Wales) with no disqualifying break in service of more than 5 years (even if there is no gap between leaving old employer and joining new employer) and elects within 12 months of rejoining the LGPS to retain separate main scheme benefits and does not resume paying AVCs after 31/3/14	Ditto entry for number 12D	Ditto entry for number 12D
15A	Pre 1/4/14 AVC member leaves service after 31/3/14 with a deferred benefit. Is re-employed by a different employer (in a different Fund in England/Wales) after a disqualifying break in service of more than 5 years and does not elect within 12 months of rejoining the LGPS to retain separate main scheme benefits and resumes paying AVCs after 31/3/14	Main scheme benefits must be aggregated and AVC funds must be aggregated. 2013 regs apply to pre and post 1/4/14 contributions (as it is a new arrangement in relation to <i>the employment</i>): NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay	Reg 17(11) of the 2013 regs. Regs 17 and 33 of 2013 Regs. Note that the resumption of AVCs must be a new arrangement because under Admin reg 25 the existing arrangement is between the AVC provider and the old AA
15B	Pre 1/4/14 AVC member leaves service after 31/3/14 with a deferred benefit. Is re-employed by a different employer (in a different Fund in England/Wales) after a disqualifying break in service of more than 5 years and does not elect within 12 months of rejoining the LGPS to retain separate main scheme benefits and does not resume paying AVCs after 31/3/14	Main scheme benefits must be aggregated and AVC funds must be attached to aggregated main scheme benefits. AVC fund is subject to 2013 Scheme regs NRD= SPA, 25% TFC.	Reg 17(11) of the 2013 regs. Regs 17 and 33 of 2013 Regs.
15C	Pre 1/4/14 AVC member leaves service after 31/3/14 with a deferred benefit. Is re-employed by a different employer (in a different Fund in England/Wales) after a disqualifying break in service of more than 5 years and elects within 12 months of rejoining the LGPS to retain separate main scheme benefits and resumes paying AVCs after 31/3/14	Pre 1/4/14 contract AVC funds remain attached to unaggregated deferred benefit. Pre 1/4/14 contract AVC fund is subject to 2008 Scheme regs NRD= 65, 100% TFC. 2013 regs apply to post 31/3/14 contract contributions (as it is a new arrangement) : NRD=SPA; 25%TFC, 100% contribution limit	Transitional regs 15(1)(d), 15(2) and 15(4) Regs 17 and 33 of 2013 Regs.

		of 2014 Scheme definition of pensionable pay.	Note that the resumption of AVCs must be a new arrangement because under Admin reg 25 the existing arrangement is between the AVC provider and the old AA
15D	Pre 1/4/14 AVC member leaves service after 31/3/14 with a deferred benefit. Is re-employed by a different employer (in a different Fund in England/Wales) after a disqualifying break in service of more than 5 years and elects within 12 months of rejoining the LGPS to retain separate main scheme benefits and does not resume paying AVCs after 31/3/14	Pre 1/4/14 contract AVC funds remain attached to unaggregated deferred benefit. Pre 1/4/14 contract AVC fund is subject to 2008 Scheme regs NRD= 65, 100% TFC.	Transitional regs 15(1)(d), 15(2) and 15(4).
16A	Pre 1/4/14 AVC member leaves service after 31/3/14 with a deferred benefit. Is re-employed by a different employer (in a different Fund in England/Wales) with no disqualifying break in service of more than 5 years (even if there is no gap between leaving old employer and joining new employer) and does not elect within 12 months of rejoining the LGPS to retain separate main scheme benefits and resumes paying AVCs after 31/3/14	Main scheme benefits must be aggregated. AVC funds must be aggregated unless member elects otherwise. If main scheme benefits are aggregated but AVC funds are not, 'old' AVC fund is subject to 2008 Scheme regs NRD= 65, 100% TFC and 2013 regs apply to post 31/3/14 contract contributions (as it is a new arrangement) : NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay. If main scheme benefits and AVC funds are aggregated, 2013 regs apply to pre and post 1/4/14 contributions (as it is a new arrangement): NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay.	Reg 17(11) of the 2013 regs and reg 15(3) of Transitional regs. Transitional regs 15(1)(d), 15(2) and 15(4) and regs 17 and 33 of 2013 Regs. Note that the resumption of AVCs must be a new arrangement (even if there is no gap between leaving old employer and joining new employer) because under Admin reg 25 the existing arrangement is between the AVC provider and the old AA Regs 17 and 33 of 2013 Regs.
16B	Pre 1/4/14 AVC member leaves service after 31/3/14 with a deferred benefit. Is re-employed by a different employer (in a different Fund in England/Wales) with no disqualifying break in service of more than 5 years (even if there is no gap between leaving old employer	The pre 1 April 2014 membership from the deferred benefit will entitle the member to a final salary benefit (and the membership will be attached to the new active pension account).	

	and joining new employer) and does not elect within 12 months of rejoining the LGPS to retain separate main scheme benefits and does not resume paying AVCs after 31/3/14	<p>AVC must be transferred to an AVC arrangement attached to the new period of membership unless member elects not to (i.e. to leave them as an 'orphan AVC').</p> <p>If the member elects to leave the AVCs as 'orphan AVCs', 2008 Scheme regs apply to realisable value of pre 1/4/14 contributions. NRD= 65, 100% TFC.</p> <p>If member transfers AVCs to an AVC arrangement attached to the new period of membership (even though there are no ongoing AVCs), 2013 regs apply to pre 1/4/14 contributions (as it is a new arrangement in a different Fund in relation to <i>the employment</i>) : NRD=SPA; 25%TFC.</p>	<p>Transitional reg 15(3).</p> <p>Transitional regs 15(1)(d), 15(2) and 15(4).</p> <p>Regs 17 and 33 of 2013 Regs.</p>
16C	Pre 1/4/14 AVC member leaves service after 31/3/14 with a deferred benefit. Is re-employed by a different employer (in a different Fund in England/Wales) with no disqualifying break in service of more than 5 years (even if there is no gap between leaving old employer and joining new employer) and elects within 12 months of rejoining the LGPS to retain separate main scheme benefits and resumes paying AVCs after 31/3/14	<p>Pre 1/4/14 AVC contract funds remain attached to unaggregated deferred benefit.</p> <p>Pre 1/4/14 AVC contract fund is subject to 2008 Scheme regs NRD= 65, 100% TFC.</p> <p>2013 regs apply to post 31/3/14 contract contributions (as it is a new arrangement in relation to <i>the employment</i>) : NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay.</p>	<p>Transitional regs 15(1)(d), 15(2) and 15(4)</p> <p>Regs 17 and 33 of 2013 Regs.</p> <p>Note that the resumption of AVCs must be a new arrangement (even if there is no gap between leaving old employer and joining new employer) because under Admin reg 25 the existing arrangement is between the AVC provider and the old AA)</p>
16D	Pre 1/4/14 AVC member leaves service after 31/3/14 with a deferred benefit. Is re-employed by a different employer (in a different Fund in England/Wales) with no disqualifying break in service of more than 5 years (even if there is no gap between leaving old employer and joining new employer) and elects within 12 months of rejoining the LGPS to retain separate main scheme benefits and does not	<p>Pre 1/4/14 AVC contract funds remain attached to unaggregated deferred benefit.</p> <p>Pre 1/4/14 AVC contract fund is subject to 2008 Scheme regs NRD= 65, 100% TFC.</p>	<p>Transitional regs 15(1)(d), 15(2) and 15(4).</p>

	resume paying AVCs after 31/3/14		
17	Pre 1/4/14 AVC member begins concurrent employment with a different employer and begins paying AVC with new employer on/after 1/4/14	Realisable value of pre and post 1/4/14 contributions with first employer subject to 2008 scheme regs AVC account with new employer subject to 2013 scheme regs	AVC election made in respect of an employment therefore new election under 2013 regs made with new employer
18	Pre 1/4/14 AVC member begins concurrent employment with the same employer and begins paying AVCs in the new employment on/after 1/4/14	Realisable value of pre and post 1/4/14 contributions in first employment subject to 2008 scheme regs Realisable value of AVC account in second employment subject to 2013 scheme regs	AVC are elections made in respect of <i>employment</i> not employer. The election in the new employment is therefore election under 2013 regs
19	Pre 1/4/14 life cover only AVC member begins paying investment contributions with the same employer on/after 1/4/14	Realisable value of contributions subject to 2008 scheme regs (NRD 65, 100% TFC, 50% contribution limit)	Same election applies to life cover and investment contributions under Admin reg 25(5)(b)(ii)
20	Member has made AVC election to employer or AA before 1/4/14 but no contributions have been received. Member begins paying contributions on/after 1/4/14	Realisable value of contributions subject to 2008 regs (100% TFC, 50% contribution limit of 2008 Scheme definition of pensionable pay, NRD = 65)	Transitional reg 15(5)
21	Pre 1/4/14 AVC member already paying a 50% AVC contribution wants to take out a separate "additional" AVC contract and claims this is not an increase in contributions to the existing AVC arrangement but a new "additional" AVC arrangement. The member makes this claim in order to circumvent the 50% contribution limit (as, under the "additional" AVC arrangement the member can pay in another 50% and take a lump sum of up to 25%)	If the member's claim is correct the member could pay AVCs of 100% of pay and take out 100% of the value of the pre 1/4/14 arrangement as a tax free lump sum plus 25% of the value of the post 31/3/14 arrangement, subject to an overall limit of 25% of the total value of the member's LGPS and AVC arrangements. Do the Regulations prevent this? Regulation 15(1)(d) of the Transitional Provisions Regulations 2014 says: Notwithstanding the revocations effected by regulation 2 of these Regulations (revocation of regulations) the following regulations continue to have effect - (d) regulations 14 (election in respect of additional pension), 14A (election to pay additional contributions: survivor benefits) and 15 (elections to pay AVCs) of the Benefits Regulations and regulations 23, 24, 24A, 24B, 25 , 26, 27 and 28 of the Administration Regulations (payment, discontinuance and use etc of additional contributions and AVCs) as they apply to a	

		<p>member who has elected before 1st April 2014 to pay additional contributions or additional voluntary contributions under those regulations.</p> <p>The member did elect before 1 April 2014 to make AVC payments under the Administration Regulations and the above says that regulation 25 of the Administration Regulations continues to apply to anyone who made such an election. It doesn't say that regulation 25 only applies to AVC paid under a pre 1 April 2014 arrangement – it applies to all AVCs paid by the member. So it can be argued that regulation 25(10) applies to the member and the member is, therefore still limited to a maximum contribution of 50% of pay.</p>	
22	<p>Member with pre 1/4/14 AVC plan in employment 1, begins a concurrent employment with employer 2 after 31st March 2014. Member pays into both plans for a period of time then leaves employment 2.</p>	<p>A member who has a deferred refund account from employment 2 MUST aggregate that deferred refund service – see regulation 22(6) – and so the AVC arrangement attached to employment 2 MUST be transferred to an AVC arrangement made under regulation 17 – see regulation 17(11). Thus, it cannot be transferred to the AVC arrangement made under the 2008 Scheme in employment 1. The member would have a single aggregated set of main scheme benefits to which would be attached two AVC arrangements; the one from employment 1 and the one that used to be attached to employment 2 (but which is now attached to employment 1 as a separate AVC arrangement).</p> <p>2008 Scheme regs apply to realisable value of pre and post 1/4/14 contributions to AVC attached to employment 1. NRD= 65, 100% TFC, 50% contribution limit of 2008 Scheme definition of pensionable pay.</p> <p>2013 regs apply to realisable value of AVC that used to be attached to employment 2 (but which is now attached to employment 1 as a separate AVC arrangement) from employment 2: NRD=SPA; 25%TFC; 100% contribution limit of 2014 Scheme definition of pensionable pay.</p> <p>A member who has a deferred pension account from employment 2 MAY aggregate that deferred benefit service – see regulation 22(7). If the member does not elect to retain a separate deferred pension account then the position is as set out in the paragraphs</p>	<p>Regulation 22(6) and Transitional reg 17(11)</p> <p>Transitional regs 15(1)(d), 15(2) and 15(4) apply</p> <p>Brand new election under 2013 regs 17(1)</p> <p>Regulation 22(7)</p>

		<p>above.</p> <p>However, if the member elects to retain a separate deferred pension account, the AVC pot from employment 2 will remain attached to that deferred pension account (as a closed AVC) and the AVC pot from employment 1 will remain attached to employment 1 (as an open AVC).</p> <p>2008 Scheme regs apply to realisable value of pre and post 1/4/14 contributions to AVC attached to employment 1. NRD= 65, 100% TFC, 50% contribution limit of 2008 Scheme definition of pensionable pay.</p> <p>2013 regs apply to realisable value of AVC attached to deferred pension account from employment 2. NRD=SPA; 25%TFC.</p>	<p>Regulation 22(7)</p> <p>Transitional regs 15(1)(d), 15(2) and 15(4) apply</p> <p>Was a new election under 2013 regs 17(1)</p>
23	Pre 1/4/14 AVC member leaves service pre 1/4/14 with a deferred refund. Is re-employed by same or different employer (in the same or different Fund in England/Wales) after 31/3/14 and resumes paying AVCs after 31/3/14	<p>Main scheme benefits must be aggregated. AVC must be aggregated unless member elects not to.</p> <p>If member does not aggregate AVC funds, 2008 Scheme regs apply to realisable value of pre 1/4/14 contributions. NRD= 65, 100% TFC and 2013 regs apply to post 31/3/14 contributions (as it is a new arrangement): NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay</p> <p>If member does aggregate AVC funds, 2013 regs apply to pre and post 1/4/14 contributions (as it is a new arrangement in relation to <i>the employment</i>) : NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay</p>	<p>Had that choice under 2008 Scheme.</p> <p>Transitional regs 15(1)(d), 15(2) and 15(4) and regs 17 and 33 of 2013 Regs.</p> <p>Regs 17 and 33 of 2013 Regs.</p>
24	Pre 1/4/14 AVC member leaves service pre 1/4/14 with a deferred refund. Is re-employed by same or different employer (in the same or different Fund in England/Wales) after 31/3/14 and does not resume paying AVCs after 31/3/14	<p>Main scheme benefits must be aggregated.</p> <p>Member may elect to aggregate AVC or leave as orphan AVCs.</p> <p>If member does not choose to attach AVC to aggregated main scheme benefits, 2008 Scheme regs apply to realisable value of pre 1/4/14 contributions. NRD= 65, 100% TFC.</p> <p>If member does choose to attach AVC to aggregated main scheme benefits, 2013 regs apply to pre 1/4/14 contributions (as it is a new arrangement in a different Fund (where the Fund has changed) and in relation to <i>the employment</i>) : NRD=SPA; 25%TFC.</p>	<p>Had that choice under 2008 Scheme.</p> <p>Transitional regs 15(1)(d), 15(2) and 15(4).</p> <p>Regs 17 and 33 of 2013 Regs.</p>

25	Pre 1/4/14 AVC member leaves service after 31/3/14 with a deferred refund. Is re-employed by the same or a different employer (in the same or a different Fund in England/Wales) with no disqualifying break in service of more than 5 years and resumes paying AVCs after 31/3/14	<p>Main scheme benefits must be aggregated.</p> <p>AVC funds must be aggregated unless member elects otherwise.</p> <p>If main scheme benefits are aggregated but AVC funds are not, 'old' AVC fund is subject to 2008 Scheme regs NRD= 65, 100% TFC and 2013 regs apply to post 31/3/14 contract contributions (as it is a new arrangement in relation to <i>the employment</i>) : NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay.</p> <p>If main scheme benefits and AVC funds are aggregated, 2013 regs apply to pre and post 1/4/14 contributions (as it is a new arrangement in relation to <i>the employment</i>): NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay.</p>	<p>Reg 17(11) of the 2013 regs and reg 15(3) of Transitional regs.</p> <p>Transitional regs 15(1)(d), 15(2) and 15(4) and regs 17 and 33 of 2013 Regs.</p> <p>Regs 17 and 33 of 2013 Regs.</p>
26	Pre 1/4/14 AVC member leaves service after 31/3/14 with a deferred refund. Is re-employed by the same or a different employer (in the same or a different Fund in England/Wales) with no disqualifying break in service of more than 5 years and does not resume paying AVCs after 31/3/14	<p>Main scheme benefits must be aggregated.</p> <p>AVC must be attached to aggregated main scheme benefits unless member elects not to (i.e. to leave AVC as an orphan AVC).</p> <p>If the member elects to leave the AVCs as 'orphan AVCs', 2008 Scheme regs apply to realisable value of pre 1/4/14 contributions. NRD= 65, 100% TFC.</p> <p>If member transfers AVCs to an AVC arrangement attached to the new period of membership (even though there are no ongoing AVCs), 2013 regs apply to pre 1/4/14 contributions (as it is a new arrangement in a different Fund (where the Fund has changed) and in relation to <i>the employment</i>) : NRD=SPA; 25%TFC.</p>	<p>Reg 17(11) of the 2013 regs and reg 15(3) of Transitional regs.</p> <p>Transitional regs 15(1)(d), 15(2) and 15(4).</p> <p>Regs 17 and 33 of 2013 Regs.</p>
27	Pre 1/4//14 AVC member takes flexible retirement post 31/3/14, draws their AVC pot and does not continue to pay AVCs post flexible retirement.	2008 Scheme regs apply to realisable value of pre and post 1/4/14 contributions taken on flexible retirement. NRD= 65, 100% TFC, 50% contribution limit of 2008 Scheme definition of pensionable pay	Transitional regs 15(1)(d), 15(2) and 15(4) apply
28	Pre 1/4//14 AVC member takes flexible retirement post 31/3/14, draws their AVC pot, continues to pay AVCs post flexible retirement to the same AVC provider and has not changed employment (for example where the member has reduced their contractual hours in	2008 Scheme regs apply to realisable value of pre and post 1/4/14 contributions taken on flexible retirement. NRD= 65, 100% TFC, 50% contribution limit of 2008 Scheme definition of pensionable pay	Transitional regs 15(1)(d), 15(2) and 15(4) apply

	an employment via a variation to their contract).	2013 regs apply to post flexible retirement contributions (as it is a new AVC arrangement) : NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay.	Regs 17 and 33 of 2013 Regs.
29	Pre 1/4//14 AVC member takes flexible retirement post 31/3/14, draws their AVC pot, continues to pay AVCs post flexible retirement to the same AVC provider and has changed employment (for example where the member has changed employment on moving to a reduced grade).	2008 Scheme regs apply to realisable value of pre and post 1/4/14 contributions taken on flexible retirement. NRD= 65, 100% TFC, 50% contribution limit of 2008 Scheme definition of pensionable pay 2013 regs apply to post flexible retirement contributions (as it is a new AVC arrangement in relation to <i>the employment</i>) : NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay.	Transitional regs 15(1)(d), 15(2) and 15(4) apply Regs 17 and 33 of 2013 Regs.
30	Pre 1/4//14 AVC member takes flexible retirement post 31/3/14, does not draw their AVC pot, continues to pay AVCs post flexible retirement to the same AVC provider and has not changed employment* (for example where the member has reduced their contractual hours in an employment via a variation to their contract). *Note: the AVC provider may not be in a position to determine whether a new employment relationship has been created or not and so may seek clarification on this from the administering authority (who in turn may need to contact the employer to seek the necessary clarification)	2008 Scheme regs apply to realisable value of pre and post 1/4/14 contributions. NRD= 65, 100% TFC (subject to amount not exceeding 25% of the aggregate value of post flexible retirement main scheme benefits and AVC pot), 50% contribution limit of 2008 Scheme definition of pensionable pay	Transitional regs 15(1)(d), 15(2) and 15(4) apply
31	Pre 1/4//14 AVC member takes flexible retirement post 31/3/14, does not draw their AVC pot, continues to pay AVCs post flexible retirement to the same AVC provider and has changed employment* (for example where the member has changed employment on moving to a reduced grade). *Note: the AVC provider may not be in a position to determine whether a new employment relationship has been created or not and so may seek clarification on this from the administering authority (who in turn may need to contact the employer to seek the necessary clarification)	2008 Scheme regs apply to realisable value of pre and post 1/4/14 contributions made prior to date of flexible retirement. NRD= 65, 100% TFC, 50% contribution limit of 2008 Scheme definition of pensionable pay 2013 regs apply to post flexible retirement contributions (as it is a new AVC arrangement in relation to <i>the employment</i>) : NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay.	Transitional regs 15(1)(d), 15(2) and 15(4) apply Regs 17 and 33 of 2013 Regs.
32	Pre 1/4//14 AVC member took flexible retirement pre 1/4/14, drew their AVC pot and did not continue to pay AVCs post flexible retirement.	2008 Scheme regs applied to realisable value of pre 1/4/14 contributions taken on flexible retirement. NRD= 65, 100% TFC, 50% contribution limit of 2008 Scheme definition of pensionable pay	

33	Pre 1/4//14 AVC member takes flexible retirement pre 1/4/14, draws their AVC pot, continues (pre 1/4/14) to pay AVCs post flexible to the same AVC provider and has not changed employment (for example where the member has reduced their contractual hours in an employment via a variation to their contract).	2008 Scheme regs applies to realisable value of pre and post 1/4/14 contributions. NRD= 65, 100% TFC, 50% contribution limit of 2008 Scheme definition of pensionable pay	Transitional regs 15(1)(d), 15(2) and 15(4) apply
34	Pre 1/4//14 AVC member takes flexible retirement pre 1/4/14, draws their AVC pot, continues (pre 1/4/14) to pay AVCs post flexible retirement to the same AVC provider and has changed employment (for example where the member has changed employment on moving to a reduced grade).	2008 Scheme regs applies to realisable value of pre and post 1/4/14 contributions. NRD= 65, 100% TFC, 50% contribution limit of 2008 Scheme definition of pensionable pay	Transitional regs 15(1)(d), 15(2) and 15(4) apply
35	Pre 1/4//14 AVC member takes flexible retirement pre 1/4/14, does not draw their AVC pot, continues to pay AVCs post flexible retirement to the same AVC provider and has not changed employment (for example where the member has reduced their contractual hours in an employment via a variation to their contract).	2008 Scheme regs apply to realisable value of pre and post 1/4/14 contributions. NRD= 65, 100% TFC (subject to amount not exceeding 25% of the aggregate value of post flexible retirement main scheme benefits and AVC pot), 50% contribution limit of 2008 Scheme definition of pensionable pay	Transitional regs 15(1)(d), 15(2) and 15(4) apply
36	Pre 1/4//14 AVC member takes flexible retirement pre 1/4/14, does not draw their AVC pot, continues to pay AVCs post flexible retirement to the same AVC provider and has changed employment (for example where the member has changed employment on moving to a reduced grade).	2008 Scheme regs apply to realisable value of pre and post 1/4/14 contributions. NRD= 65, 100% TFC (subject to amount not exceeding 25% of the aggregate value of post flexible retirement main scheme benefits and AVC pot), 50% contribution limit of 2008 Scheme definition of pensionable pay	Transitional regs 15(1)(d), 15(2) and 15(4) apply
37	Pre 1/4//14 AVC member takes flexible retirement pre 1/4/14, draws their AVC pot, does not immediately resume paying AVCs but does so post 31/3/14.	2008 Scheme regs applied to realisable value of pre 1/4/14 contributions taken on flexible retirement. NRD= 65, 100% TFC, 50% contribution limit of 2008 Scheme definition of pensionable pay 2013 regs apply to post 31/3/14 contributions (as it is a new AVC arrangement) : NRD=SPA; 25%TFC, 100% contribution limit of 2014 Scheme definition of pensionable pay.	Regs 17 and 33 of 2013 Regs.

The following scenarios relate to members who have concurrently been paying AVCs to two different AVC providers.

Scenario 1

Member has a single employment.

Member had elected to pay AVCs into an AVC arrangement with AVC provider 'A' before 1 April 2014.

Member had also elected to pay AVCs into an AVC arrangement with AVC provider 'B' before 1 April 2014.

Member wishes to transfer accumulated AVC pot with AVC provider 'A' to AVC provider 'B'.

In this scenario, TP reg 15(1)(d) says that Benefits reg 15 and Admin regs 25 to 28 continue to apply and TP reg 15(4) modifies reg 33(2) of the LGPS Regulations 2013.

By virtue of Admin reg 25(1) the arrangements with AVC provider 'A' and AVC provider 'B' are separate arrangements.

Admin reg 25(8) allows the member to transfer the AVC pots between the arrangements i.e. transfer the AVC pot with provider 'A' to the AVC pot with provider 'B'.

Admin reg 25(10) still limits the maximum monthly AVC payments to 50% of the 2008 Scheme definition of pensionable pay.

TP reg 15(4) allows up to 100% of the monies in the AVC pot with provider 'B' (including the transferred AVCs from provider 'A') to be taken as tax free cash (subject to HMRC limits) because that AVC arrangement had been entered into prior to 1 April 2014.

There is nothing to stop the member continuing to contribute to AVC provider 'A' under the arrangement entered into with provider 'A' prior to 1 April 2014 (to which TP reg 15(4) would still apply and allow up to 100% of the new monies in the AVC pot with provider 'A' to be taken as tax free cash, subject to HMRC limits, because that AVC arrangement had been entered into prior to 1 April 2014).

Scenario 2

Member has two employments with the same employer.

Member had elected to pay AVCs into an AVC arrangement with AVC provider 'A' before 1 April 2014.

Member had also elected to pay AVCs into an AVC arrangement with AVC provider 'B' before 1 April 2014.

Member wishes to transfer accumulated AVC pot with AVC provider 'A' to AVC provider 'B'.

In this scenario, TP reg 15(1)(d) says that Benefits reg 15 and Admin regs 25 to 28 continue to apply and TP reg 15(4) modifies reg 33(2) of the LGPS Regulations 2013.

By virtue of Admin reg 25(1) the arrangements with AVC provider 'A' and AVC provider 'B' are separate arrangements.

Admin reg 26 does not apply because the member is still with the same employer.

Admin reg 25(8) allows the member to transfer the AVC pots between the arrangements i.e. transfer the AVC pot with provider 'A' to the AVC pot with provider 'B'.

Admin reg 25(10) still limits the maximum monthly AVC payments to 50% of the 2008 Scheme definition of pensionable pay.

TP reg 15(4) allows up to 100% of the monies in the AVC pot with provider 'B' (including the transferred AVCs from provider 'A') to be taken as tax free cash (subject to HMRC limits) because that AVC arrangement had been entered into prior to 1 April 2014.

There is nothing to stop the member continuing to contribute to AVC provider 'A' under the arrangement entered into with provider 'A' prior to 1 April 2014 (to which TP reg 15(4) would still apply and allow up to 100% of the new monies in the AVC pot with provider 'A' to be taken as tax free cash, subject to HMRC limits, because that AVC arrangement had been entered into prior to 1 April 2014).

Scenario 3

Member has two employments with different employers in the same Fund, neither of which has ended.

Member had elected to pay AVCs into an AVC arrangement with AVC provider 'A' before 1 April 2014 in respect of the employment with employer 'Y'.

Member had also elected to pay AVCs into an AVC arrangement with AVC provider 'B' before 1 April 2014 in respect of the employment with employer 'Z'.

Member wishes to transfer accumulated AVC pot with AVC provider 'A' to AVC provider 'B'.

In this scenario, TP reg 15(1)(d) says that Benefits reg 15 and Admin regs 25 to 28 continue to apply and TP reg 15(4) modifies reg 33(2) of the LGPS Regulations 2013.

By virtue of Admin reg 25(1) the arrangements with AVC provider 'A' and AVC provider 'B' are separate arrangements.

Admin reg 26 does not apply because the member has not ceased employment with the employer to which AVC pot 'A' relates i.e. employer 'Y'.

Admin reg 25(8) allows the member to transfer the AVC pots between the arrangements i.e. transfer the AVC pot with provider 'A' to the AVC pot with provider 'B'.

Admin reg 25(10) still limits the maximum monthly AVC payments to 50% of the 2008 Scheme definition of pensionable pay.

TP reg 15(4) allows up to 100% of the monies in the AVC pot with provider 'B' (including the transferred AVCs from provider 'A') to be taken as tax free cash (subject to HMRC limits) because that AVC arrangement had been entered into prior to 1 April 2014.

There is nothing to stop the member continuing to contribute to AVC provider 'A' under the arrangement entered into with provider 'A' prior to 1 April 2014 (to which TP reg 15(4) would still apply and allow up to 100% of the new monies in the AVC pot with provider 'A' to be taken as tax free cash, subject to HMRC limits, because that AVC arrangement had been entered into prior to 1 April 2014).

Scenario 4

Member has two employments with different employers in the same Fund (employers 'Y' and 'Z'), and the employment with the employer to which AVC pot 'A' relates (employer 'Y') has ended.

Member had elected to pay AVCs into an AVC arrangement with AVC provider 'A' before 1 April 2014 in respect of the employment with employer 'Y'.

Member had also elected to pay AVCs into an AVC arrangement with AVC provider 'B' before 1 April 2014 in respect of the employment with employer 'Z'.

Member wishes to transfer accumulated AVC pot with AVC provider 'A' to AVC provider 'B'. Note that reg 17(11) requires the AVC pot to be transferred if the main scheme benefits are aggregated, unless regulation 15(3) of the Transitional regulations applies to the member and the member makes an election under that regulation not to transfer the AVC pot.

In this scenario, TP reg 15(1)(d) says that Benefits reg 15 and Admin regs 25 to 28 continue to apply and TP reg 15(4) modifies reg 33(2) of the LGPS Regulations 2013.

By virtue of Admin reg 25(1) the arrangements with AVC provider 'A' and AVC provider 'B' are separate arrangements.

Admin regs 26(1)(a)(i), (2) and (3)(c) apply because the member has left employment with the employer to which AVC pot 'A' relates i.e. employer 'Y'. However, purchasing an appropriate policy under Admin reg 26(3)(c) does not seem appropriate and I would rely on Admin reg 25(8) instead.

Admin reg 25(8) allows the member to transfer the AVC pots between the arrangements i.e. transfer the AVC pot with provider 'A' to the AVC pot with provider 'B'.

Admin reg 25(10) still limits the maximum monthly AVC payments to 50% of the 2008 Scheme definition of pensionable pay.

TP reg 15(4) allows up to 100% of the monies in the AVC pot with provider 'B' (including the transferred AVCs from provider 'A') to be taken as tax free cash (subject to HMRC limits) because that AVC arrangement had been entered into prior to 1 April 2014.

Scenario 5

Member has two employments with different employers in different Funds, neither of which has ended.

Member had elected to pay AVCs into an AVC arrangement with AVC provider 'A' before 1 April 2014 in respect of the employment with employer 'Y'.

Member had also elected to pay AVCs into an AVC arrangement with AVC provider 'B' before 1 April 2014 in respect of the employment with employer 'Z'.

Member wishes to transfer accumulated AVC pot with AVC provider 'A' to AVC provider 'B'.

In this scenario, TP reg 15(1)(d) says that Benefits reg 15 and Admin regs 25 to 28 continue to apply and TP reg 15(4) modifies reg 33(2) of the LGPS Regulations 2013.

By virtue of Admin reg 25(1) the arrangements with AVC provider 'A' and AVC provider 'B' are separate arrangements.

Admin reg 26 does not apply because the member has not ceased employment with the employer to which AVC pot 'A' relates i.e. employer 'Y'.

Admin reg 25(8) allows the member to transfer the AVC pots between the arrangements i.e. transfer the AVC pot with provider 'A' to the AVC pot with provider 'B'.

Admin reg 25(10) still limits the maximum monthly AVC payments to 50% of the 2008 Scheme definition of pensionable pay.

TP reg 15(4) allows up to 100% of the monies in the AVC pot with provider 'B' (including the transferred AVCs from provider 'A') to be taken as tax free cash (subject to HMRC limits) because that AVC arrangement had been entered into prior to 1 April 2014.

There is nothing to stop the member continuing to contribute to AVC provider 'A' under the arrangement entered into with provider 'A' prior to 1 April 2014 (to which TP reg 15(4) would still apply and allow up to 100% of the new monies in the AVC pot with provider 'A' to be taken as tax free cash, subject to HMRC limits, because that AVC arrangement had been entered into prior to 1 April 2014).

Scenario 6

Member has two employments with different employers in different Funds (employers 'Y' and 'Z'), and the employment with the employer to which AVC pot 'A' relates (employer 'Y') has ended.

Member had elected to pay AVCs into an AVC arrangement with AVC provider 'A' before 1 April 2014 in respect of the employment with employer 'Y'.

Member had also elected to pay AVCs into an AVC arrangement with AVC provider 'B' before 1 April 2014 in respect of the employment with employer 'Z'.

Member wishes to transfer accumulated AVC pot with AVC provider 'A' to AVC provider 'B'. Note that reg 17(11) requires the AVC pot to be transferred if the main scheme benefits are aggregated, unless regulation 15(3) of the Transitional regulations applies to the member and the member makes an election under that regulation not to transfer the AVC pot.

In this scenario, TP reg 15(1)(d) says that Benefits reg 15 and Admin regs 25 to 28 continue to apply and TP reg 15(4) modifies reg 33(2) of the LGPS Regulations 2013.

By virtue of Admin reg 25(1) the arrangements with AVC provider 'A' and AVC provider 'B' are separate arrangements.

Admin regs 26(1)(a)(i), (2) and (3)(c) apply because the member has left employment with the employer to which AVC pot 'A' relates i.e. employer 'Y'. However, purchasing an appropriate policy under Admin reg 26(3)(c) does not seem appropriate and I would rely on Admin reg 25(8) instead.

Admin reg 25(8) allows the member to transfer the AVC pots between the arrangements i.e. transfer the AVC pot with provider 'A' to the AVC pot with provider 'B'.

Admin reg 25(10) still limits the maximum monthly AVC payments to 50% of the 2008 Scheme definition of pensionable pay.

TP reg 15(4) allows up to 100% of the monies in the AVC pot with provider 'B' (including the transferred AVCs from provider 'A') to be taken as tax free cash (subject to HMRC limits) because that AVC arrangement had been entered into prior to 1 April 2014.

Scenario 7

Member has a single employment.

Member had elected to pay AVCs into an AVC arrangement with AVC provider 'A' before 1 April 2014.

Member had also elected to pay AVCs into an AVC arrangement with AVC provider 'B' after 31 March 2014.

Member wishes to transfer accumulated AVC pot with AVC provider 'B' to AVC provider 'A'.

In this scenario, TP reg 15(1)(d) says that Benefits reg 15 and Admin regs 25 to 28 continue to apply to the arrangement with AVC provider 'A' and TP reg 15(4) modifies reg 33(2) of the LGPS Regulations 2013 in respect of that arrangement.

By virtue of Admin reg 25(1) and reg 17(2) of the LGPS regulations 2013 the arrangements with AVC provider 'A' and AVC provider 'B' are separate arrangements.

Admin reg 25(8) allows the member to transfer the AVC pots between the arrangements i.e. transfer the AVC pot with provider 'B' to the AVC pot with provider 'A'.

Admin reg 25(10) still limits the maximum monthly AVC payments to 50% of the 2008 Scheme definition of pensionable pay.

TP reg 15(4) allows up to 100% of the monies in the AVC pot with provider 'A' (including the transferred AVCs from provider 'B') to be taken as tax free cash (subject to HMRC limits) because that AVC arrangement had been entered into prior to 1 April 2014.

Scenario 8

Member has two employments with the same employer.

Member had elected to pay AVCs into an AVC arrangement with AVC provider 'A' before 1 April 2014.

Member had also elected to pay AVCs into an AVC arrangement with AVC provider 'B' after 31 March 2014.

Member wishes to transfer accumulated AVC pot with AVC provider 'B' to AVC provider 'A'.

In this scenario, TP reg 15(1)(d) says that Benefits reg 15 and Admin regs 25 to 28 continue to apply to the arrangement with AVC provider 'A' and TP reg 15(4) modifies reg 33(2) of the LGPS Regulations 2013 in respect of that arrangement.

By virtue of Admin reg 25(1) and reg 17(2) of the LGPS regulations 2013 the arrangements with AVC provider 'A' and AVC provider 'B' are separate arrangements.

Admin reg 26 does not apply because the member is still with the same employer.

Admin reg 25(8) allows the member to transfer the AVC pots between the arrangements i.e. transfer the AVC pot with provider 'B' to the AVC pot with provider 'A'.

Admin reg 25(10) still limits the maximum monthly AVC payments to 50% of the 2008 Scheme definition of pensionable pay.

TP reg 15(4) allows up to 100% of the monies in the AVC pot with provider 'A' (including the transferred AVCs from provider 'B') to be taken as tax free cash (subject to HMRC limits) because that AVC arrangement had been entered into prior to 1 April 2014.

Scenario 9

Member has two employments with different employers in the same Fund, neither of which has ended.

Member had elected to pay AVCs into an AVC arrangement with AVC provider 'A' before 1 April 2014 in respect of the employment with employer 'Y'.

Member had also elected to pay AVCs into an AVC arrangement with AVC provider 'B' after 31 March 2014 in respect of the employment with employer 'Z'.

Member wishes to transfer accumulated AVC pot with AVC provider 'B' to AVC provider 'A'.

In this scenario, TP reg 15(1)(d) says that Benefits reg 15 and Admin regs 25 to 28 continue to apply to the arrangement with AVC provider 'A' and TP reg 15(4) modifies reg 33(2) of the LGPS Regulations 2013 in respect of that arrangement.

By virtue of Admin reg 25(1) and reg 17(2) of the LGPS regulations 2013 the arrangements with AVC provider 'A' and AVC provider 'B' are separate arrangements.

Admin reg 26 does not apply because the member has not ceased employment with the employer to which AVC pot 'B' relates i.e. employer 'Z'.

Admin reg 25(8) allows the member to transfer the AVC pots between the arrangements i.e. transfer the AVC pot with provider 'B' to the AVC pot with provider 'A'.

Admin reg 25(10) still limits the maximum monthly AVC payments to 50% of the 2008 Scheme definition of pensionable pay.

TP reg 15(4) allows up to 100% of the monies in the AVC pot with provider 'A' (including the transferred AVCs from provider 'B') to be taken as tax free cash (subject to HMRC limits) because that AVC arrangement had been entered into prior to 1 April 2014.

Scenario 10

Member has two employments with different employers in the same Fund (employers 'Y' and 'Z'), and the employment with the employer to which AVC pot 'B' relates (employer 'Z') has ended.

Member had elected to pay AVCs into an AVC arrangement with AVC provider 'A' before 1 April 2014 in respect of the employment with employer 'Y'.

Member had also elected to pay AVCs into an AVC arrangement with AVC provider 'B' after 31 March 2014 in respect of the employment with employer 'Z'.

Member wishes to transfer accumulated AVC pot with AVC provider 'B' to AVC provider 'A'. Note that reg 17(11) requires the AVC pot to be transferred if the main scheme benefits are aggregated, unless regulation 15(3) of the Transitional regulations applies to the member and the member makes an election under that regulation not to transfer the AVC pot.

In this scenario, TP reg 15(1)(d) says that Benefits reg 15 and Admin regs 25 to 28 continue to apply to the arrangement with AVC provider 'A' and TP reg 15(4) modifies reg 33(2) of the LGPS Regulations 2013 in respect of that arrangement.

By virtue of Admin reg 25(1) and reg 17(2) of the LGPS regulations 2013 the arrangements with AVC provider 'A' and AVC provider 'B' are separate arrangements.

Admin regs 26(1)(a)(i), (2) and (3)(c) apply because the member has left employment with the employer to which AVC pot 'B' relates i.e. employer 'Z'. However, purchasing an appropriate policy under Admin reg 26(3)(c) does not seem appropriate and I would rely on Admin reg 25(8) instead.

Admin reg 25(8) allows the member to transfer the AVC pots between the arrangements i.e. transfer the AVC pot with provider 'B' to the AVC pot with provider 'A'.

Admin reg 25(10) still limits the maximum monthly AVC payments to 50% of the 2008 Scheme definition of pensionable pay.

TP reg 15(4) allows up to 100% of the monies in the AVC pot with provider 'A' (including the transferred AVCs from provider 'B') to be taken as tax free cash (subject to HMRC limits) because that AVC arrangement had been entered into prior to 1 April 2014.

Scenario 11

Member has two employments with different employers in different Funds, neither of which has ended.

Member had elected to pay AVCs into an AVC arrangement with AVC provider 'A' before 1 April 2014 in respect of the employment with employer 'Y'.

Member had also elected to pay AVCs into an AVC arrangement with AVC provider 'B' after 31 March 2014 in respect of the employment with employer 'Z'.

Member wishes to transfer accumulated AVC pot with AVC provider 'B' to AVC provider 'A'.

In this scenario, TP reg 15(1)(d) says that Benefits reg 15 and Admin regs 25 to 28 continue to apply to the arrangement with AVC provider 'A' and TP reg 15(4) modifies reg 33(2) of the LGPS Regulations 2013 in respect of that arrangement.

By virtue of Admin reg 25(1) and reg 17(2) of the LGPS regulations 2013 the arrangements with AVC provider 'A' and AVC provider 'B' are separate arrangements.

Admin reg 26 does not apply because the member has not ceased employment with the employer to which AVC pot 'B' relates i.e. employer 'Z'.

Admin reg 25(8) allows the member to transfer the AVC pots between the arrangements i.e. transfer the AVC pot with provider 'B' to the AVC pot with provider 'A'.

Admin reg 25(10) still limits the maximum monthly AVC payments to 50% of the 2008 Scheme definition of pensionable pay.

TP reg 15(4) allows up to 100% of the monies in the AVC pot with provider 'A' (including the transferred AVCs from provider 'B') to be taken as tax free cash (subject to HMRC limits) because that AVC arrangement had been entered into prior to 1 April 2014.

Scenario 12

Member has two employments with different employers in different Funds (employers 'Y' and 'Z'), and the employment with the employer to which AVC pot 'B' relates (employer 'Z') has ended.

Member had elected to pay AVCs into an AVC arrangement with AVC provider 'A' before 1 April 2014 in respect of the employment with employer 'Y'.

Member had also elected to pay AVCs into an AVC arrangement with AVC provider 'B' after 31 March 2014 in respect of the employment with employer 'Z'.

Member wishes to transfer accumulated AVC pot with AVC provider 'B' to AVC provider 'A'. Note that reg 17(11) requires the AVC pot to be transferred if the main scheme benefits are aggregated, unless regulation 15(3) of the Transitional regulations applies to the member and the member makes an election under that regulation not to transfer the AVC pot.

In this scenario, TP reg 15(1)(d) says that Benefits reg 15 and Admin regs 25 to 28 continue to apply to the arrangement with AVC provider 'A' and TP reg 15(4) modifies reg 33(2) of the LGPS Regulations 2013 in respect of that arrangement.

By virtue of Admin reg 25(1) and reg 17(2) of the LGPS regulations 2013 the arrangements with AVC provider 'A' and AVC provider 'B' are separate arrangements.

Admin regs 26(1)(a)(i), (2) and (3)(c) apply because the member has left employment with the employer to which AVC pot 'B' relates i.e. employer 'Z'. However, purchasing an appropriate policy under Admin reg 26(3)(c) does not seem appropriate and I would rely on Admin reg 25(8) instead.

Admin reg 25(8) allows the member to transfer the AVC pots between the arrangements i.e. transfer the AVC pot with provider 'B' to the AVC pot with provider 'A'.

Admin reg 25(10) still limits the maximum monthly AVC payments to 50% of the 2008 Scheme definition of pensionable pay.

TP reg 15(4) allows up to 100% of the monies in the AVC pot with provider 'A' (including the transferred AVCs from provider 'B') to be taken as tax free cash (subject to HMRC limits) because that AVC arrangement had been entered into prior to 1 April 2014.

Other scenarios

There are, of course, other scenarios. For instance, there are variations of all of the cases in examples 7 to 12 where the member wishes to move the AVC pot from provider 'A' to provider 'B'. I have not considered the outcomes for such cases as I suspect they will be rare.

Version 8.1

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