

SCHEDULE B1

Relevance of membership for purposes of scheme

Regulation B13(2)

Part II

Relevance of Former and Related Membership For Certain Purposes

Total period of membership to include former and related membership for some purposes of entitlement etc.

5. In the following provisions, namely—
- (a) paragraphs (a) and (b) of the definition of “normal retirement date” in regulation C2(1);
 - (b) regulation C21(1) (return of contributions);
 - (c) regulation D3 (statutory pension entitlement);
 - (d) regulation D7(2) (entitlement to additional period under Schedule D3 in cases of early retirement on grounds of ill-health);
 - (e) regulation D8(1) (entitlement to ill-health retirement grants);
 - (f) regulation F2(2)(a) (amount of member’s spouse’s long-term pension);

the references to a member’s total period of membership include the periods to which this Part applies by virtue of paragraphs 6 to 11.

Former “qualifying service”

6. Any period which any person was immediately before the commencement date entitled to count as qualifying service for any purpose (or would have been so entitled if he had been a member), shall, subject to the following provisions of this Part count as a period to which this Part applies for that purpose (or if he is not such a member, shall so count if he becomes a member in relation to it) and shall so count as a period of the same length as it then counted for that purpose.

Previous service of certain variable-time employees

7. In the case of a person who—
- (a) while a member in the whole-time or part-time employment of a LGPS employer becomes a variable-time employee of any such employer, and
 - (b) while remaining a member in the whole-time or part-time employment becomes a member in the variable-time employment,

any period which at the time he becomes a member in the variable-time employment he is entitled to count as a period of membership or as a period to which this Part applies in relation to the whole-time or part-time employment counts as a period to which this Part applies in relation to the variable-time employment.

Previous service of certain re-employed pensioners

- 8.—(1) In the case of a person who—
- (a) has become entitled to a retirement pension under the Scheme, (otherwise than by virtue of regulation D18(1)), and

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(b) enters further employment with any LGPS employer in which he becomes a member, the period in respect of which he became entitled to the retirement pension counts as a period to which this Part applies in relation to the further employment.

(2) In the case of a person who—

- (a) after becoming entitled on ceasing to hold an employment (“the first employment”) to a retirement pension by virtue of regulation E2(1)(c) of the 1992 regulations (or any corresponding previous provision) enters further employment with a LGPS employer in which he becomes a member; and
- (b) in respect of his ceasing to hold the first employment has received a return of the whole or a part of the aggregate amount of his contributions (within the meaning of regulation C22) to the fund,

the period in respect of which the return of contributions was made counts as a period to which this Part applies.

(3) In sub-paragraph (1) “retirement pension” includes—

- (a) an ill-health grant under regulation D8 of these regulations or under regulation E4 of the 1992 regulations, and
- (b) an annual pension under the former regulations.

Previous service of certain part-time employees

9.—(1) In the case of a person who—

- (a) became a member by virtue of an election under paragraph 5 of Part II of Schedule 2 to the 1981 regulations made before 1st October 1990 or by virtue of paragraph 4 of that Part, or
- (b) became a member in a whole-time employment at any time after 31st March 1974 and before 1st October 1990 and had previously been in a part-time employment under a LGPS employer,

any previous period of employment under a LGPS employer after the material date, except a period which was followed by one of 12 months or more during which he was not employed by such an employer counts as a period to which this Part applies in relation to the employment in which he is a member.

(2) For the purpose of sub-paragraph (1), “the material date” is the earliest date from which, if paragraph 5 of Part II of Schedule 2 to the 1981 regulations had come into force on 1st April 1974, an election or, as the case may be, a deemed election by him could have effect.

Transfers in

10. Any period which a person is entitled to count under regulation K15(1)(b) counts as a period to which this Part applies.

Excluded periods

11. Paragraph 4(5) and (7) have effect as respects the counting of a period as a period to which this Part applies as they have effect as respects the counting of periods of membership.