

Schedule 4

Transitional provisions

**PART 10**

**Pensionable service after scheme closing date**

**Active member of an existing scheme on the scheme closing date**

53.—(1) This paragraph applies to a person (P) who—

- (a) on the scheme closing date and on 31st March 2012, was an active member of an existing scheme (“the existing scheme”) other than the 1988 scheme, the 2006 England and Wales scheme or the 2006 Scotland police pension scheme;
- (b) ceases to be in pensionable service under the existing scheme; and
- (c) unless P dies, P would reach 55 on or before 1st April 2022.

(2) P joins the 2006 scheme if—

- (a) P re-enters pensionable service not more than 5 years after ceasing to be in pensionable service under the existing scheme; and
- (b) P would have been a full protection member or tapered protection member of the existing scheme had P re-entered pensionable service under that scheme.

(3) P is taken to be a full protection member or tapered protection member of the 2006 scheme.

(4) P’s protection period—

- (a) begins on the day P joins the 2006 scheme; and
- (b) ends when P ceases to be a full protection member or tapered protection member of the 2006 scheme.