

SCHEDULE 2

Scheme flexibilities

PART 2

Additional pension election

CHAPTER 5

Revocation and refund

Revoking an additional pension election

18.—(1) P may revoke an additional pension election at any time before the end of the contributions payment period.

(2) P is taken to revoke an additional pension election if—

- (a) P leaves all pensionable service before the end of the contributions payment period; and
- (b) P is qualified or re-qualified for retirement benefits in respect of that service.

(3) On the date of revocation—

- (a) monthly payments for additional pension under that election cease to be payable; and
- (b) the amount of accrued additional pension as at that date is an amount determined by the scheme manager.

(4) A revocation must be by written notice to the scheme manager.

(5) A revocation has effect from the date it is received by the scheme manager (“date of revocation”).

Ill health pension becomes payable before end of contributions payment period

19.—(1) This regulation applies if an ill-health pension becomes payable to a member (P) before the end of the contributions payment period for an additional pension election.

(2) If an ill-health pension becomes payable to P before the end of the refund period—

- (a) any monthly payments that have been made under that additional pension election must be refunded to P; and
- (b) the amount of accrued additional pension as at the last day of pensionable service must be adjusted by deducting the amount of accrued additional pension attributable to that election.

(3) If an ill-health pension becomes payable to P after the end of the refund period—

- (a) the monthly payments under the additional pension election are treated as being paid until the earlier of—
 - (i) the end of the contributions payment period for that election; or
 - (ii) the day on which an ill health pension ceases to be payable under regulation 111; and
- (b) for the purpose of calculating the annual rate of ill health pension, the amount of accrued additional pension is—
 - (i) if the declaration that accompanied the additional pension election was made in good faith, the amount of accrued additional pension calculated under regulation 44 or 45 as at the last day of pensionable service; or

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(ii) if that declaration was not made in good faith, an amount determined by the scheme manager having regard to the contributions paid or treated as being paid.

(4) If P re-enters pensionable service when an ill health pension ceases to be payable under regulation 111, P may choose to resume the monthly payments.

Death in service before end of contributions payment period

20.—(1) This paragraph applies on the death of a member (D)—

- (a) whose additional pension election is for an additional (self only) pension and an additional (surviving adult) pension;
- (b) who dies in service within the meaning of Part 6 before the end of the contributions payment period for that election.

(2) If D dies before the end of the refund period—

- (a) the monthly payments must be refunded to D's surviving adult; and
- (b) the additional pension account must be closed.

(3) If D dies after the end of the refund period—

- (a) the monthly payments cease to be payable as at the date of D's death; and
- (b) for the purpose of calculating a survivor's pension, the amount of accrued additional pension is—
 - (i) if the declaration that accompanied the additional pension election was made in good faith, the amount of accrued additional pension calculated under regulation 44 or 45 as at the day of D's death; or
 - (ii) if that declaration was not made in good faith, an amount determined by the scheme manager having regard to the contributions paid or treated as being paid.

Member leaves all pensionable service before qualifying for retirement benefits

21. If a member (P) leaves all pensionable service before P is qualified for retirement benefits in respect of that service—

- (a) any monthly payments made before the last day of pensionable service must be refunded to P; and
- (b) the additional pension account must be closed.