

SCHEDULE 4

Transitional provisions

PART 10

Pensionable service after the scheme closing date

Active member of the existing England and Wales scheme on the scheme closing date

- 52.**—(1) This paragraph applies in relation to a person (P) who—
- (a) on the scheme closing date and on 31st March 2012, was an active member of the existing England and Wales scheme;
 - (b) ceases to be in pensionable service under the existing England and Wales scheme;
 - (c) would have been a full protection member of the existing England and Wales scheme had P re-entered pensionable service under that scheme.
- (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 England and Wales scheme; and
 - (b) P would have been a full protection member or tapered protection member of the existing England and Wales 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.