
STATUTORY INSTRUMENTS

1993 No. 3219

The Occupational Pension Schemes (Transitional Provisions) (Amendment) Regulations 1993

Amendments to the principal Regulations

7. After regulation 5 there shall be inserted—

5A.—(1) In the circumstances prescribed in paragraph (2) below, paragraph 2(2) of the Schedule shall be modified so that the reference to any contrary provision in the rules of the scheme does not include a reference to a provision in the rules allowing a pension to be increased, in accordance with the rules of the scheme, to take account of increases in the cost of living or the general level of earnings.

(2) The circumstances prescribed in this paragraph are circumstances, other than those prescribed in paragraph (2) of regulation 4A, where an employee retires with an immediate pension at or before his normal retirement date.

5B.—(1) In the circumstances prescribed in paragraph (2) below, paragraph 2(2) of the Schedule shall be modified so that the reference to any contrary provision in the rules of the scheme does not include a reference to a provision in the rules allowing a pension to be increased, in accordance with the rules of the scheme, to take account of increases in the cost of living or the general level of earnings.

(2) The circumstances prescribed in this paragraph are circumstances, other than those prescribed in paragraph (2) of regulation 4A, where an employee leaves pensionable service with an entitlement to a pension from a future date.

5C.—(1) In the circumstances prescribed in paragraph (2) below, paragraph 2(2) of the Schedule shall be modified—

- (a) so that the reference to any contrary provision in the rules of the scheme does not include a reference to a provision in the rules allowing a pension to be increased, in accordance with the rules of the scheme, to take account of increases in the cost of living or the general level of earnings; and
- (b) so as to substitute for the reference to a pension exceeding one—thirtieth of the employee's relevant annual remuneration for each year of service up to a maximum of 20 a reference to a pension of the greatest of—
 - (i) one—thirtieth of his relevant annual remuneration for each year of service up to a maximum of 20,
 - (ii) one—thirtieth of his relevant annual remuneration for each year of service at the normal retirement date up to a maximum of 20, increased on an actuarial basis in respect of the period from the normal retirement date to the date the payment of the pension commenced,
 - (iii) one—thirtieth of his relevant annual remuneration for each year of service at the normal retirement date up to a maximum of 20, increased in accordance with the rules of the scheme to take account of increases in the cost of living

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or general level of earnings from the normal retirement date to the date the payment of the pension commenced, and

- (iv) where the employee's total service has exceeded 40 years, the aggregate of one—sixtieth of his relevant annual remuneration for each year of service before the normal retirement date up to a maximum of 40, and of a further one—sixtieth of his relevant annual remuneration for each year of service in respect of the period from the normal retirement date to the date the payment of the pension commenced, subject to an overall maximum of 45 years of service.

(2) The circumstances prescribed in this paragraph are circumstances where an employee continues in service after his normal retirement date.

5D.—(1) In the circumstances prescribed in paragraph (2) below, paragraph 2(2) of the Schedule shall be modified so as to include in the reference to service a reference to service with a relevant employer.

(2) The circumstances prescribed in this paragraph are circumstances where a pension attributable to a transfer payment is provided to an employee in respect of service with a former employer of his who is a relevant employer.”.