

SCHEDULE 2

RE-EMPLOYMENT OF MEMBERS

Continuity of elections by certain rejoining deferred members

- 9.—(1) This sub-paragraph applies where a rejoining deferred member—
- (a) becomes an active member again—
 - (i) before the expiry of the period of 12 months beginning with the date he ceased to be an active member, and
 - (ii) before becoming entitled to the immediate payment of benefits under the 1987 Regulations;
 - (b) immediately before ceasing to be an active member was making payments under an election made under regulation C6 or C8 of the 1987 Regulations; and
 - (c) elects under regulation 31(1) of the 1998 Regulations.
- (2) Where sub-paragraph (1) applies the member may pay his employing authority in the employment in which he is an active member an amount equal to the amount which would have been payable if he had continued to be an active member and to make those payments.
- (3) That amount must be paid before the expiry of the period of three months beginning with the date he becomes an active member again.
- (4) If he pays them that amount—
- (a) that payment shall be treated as having been made under regulation 54 of the 1998 Regulations; and
 - (b) the election made under regulation C6 or C8 of the 1987 Regulations shall be treated as having been made under that regulation as respects so much of the period of membership as he may not count by virtue of regulation 7 of these Regulations (and accordingly the amounts of his additional contributions shall be determined under regulation 54 of the 1998 Regulations).
- (5) Sub-paragraph (1) does not apply if the member—
- (a) has received a return of contributions which includes additional contributions under regulation C6 of the 1987 Regulations made under the election mentioned in sub-paragraph (1)(b); or
 - (b) has requested such a return of contributions.