

**Status:** *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

## SCHEDULE 1

### The New Provisions

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

## APPENDIX 2—RULES OF THE CAA SECTION

### SCHEDULE 1 TO APPENDIX 2

#### S Category Members

##### **Death before payment of retirement benefit**

- (a) (a) For S Category Members Rule 26.2 is replaced by the following provisions of this paragraph.

If a Member dies before Normal Pension Date and before any pension has become payable to him from the CAA Section, the Trustees shall, subject as hereinafter provided, pay in accordance with Rule 37 an amount equal to the total of the contributions paid by him to the CAA Section under Rule 23.1 (and under the Previous Scheme Provisions) and his Transferred Contributions (if any);

provided that where there has been an increase to the benefit in respect of a Member as described in the second paragraph in Rule S7(b) the amount described above in this Rule shall be reduced by the capital cost (determined by the Trustees with the advice of the Actuary) of the relevant increase.

- (b) Rule 26.4 is modified to provide that the benefit payable under that Rule to a Member's Spouse shall be equal to the Spouse's Guaranteed Minimum Pension in respect of him at the date of his death or if greater, but in respect only of a married Current Member who joined the A D Scheme after 26 February 1970 and who is not a Lower Rate Contributor, a Spouse's pension determined by the Trustees with the advice of the Actuary to be the pension equivalent of a sum equal to the Member's Fund Salary at the date of his death, disregarding in the case of a Class A Member any part of such Fund Salary which exceeds the Permitted Maximum at that date.

Where the benefit payable under Rule 26.4 in respect of an S Category Member, modified as described above in this Rule S7(b), would be less than the amount (if any) payable in respect of the Member under paragraph 1.3 in Section A of Appendix 5 (contracting-out) on the assumption that the benefits of all such Members are equal to those which would be provided by a reference scheme as described in section 12B of the Pension Schemes Act 1993(1) that benefit shall be increased so as to be equal to such amount.

- (c) Rules 26.5, 26.6, 26.7, 26.8 and 26.9 shall not apply.

---

(1) 1993 c. 48; section 12B was amended by S.I.1997/819, regulation 2.