

## Schedule 4

### Transitional provisions

## PART 10

### Pensionable service after scheme closing date

#### **Transition member with continuity of service**

46.—(1) A transition member with continuity of service (T) becomes an active member of this scheme—

- (a) if T is in pensionable service on the transition date, on that date; or
- (b) if T is not in pensionable service on the transition date, when T re-enters pensionable service after that date.

(2) A transition member who does not have continuity of service becomes an active member of this scheme when the member re-enters pensionable service—

- (a) on or after the transition date; or
- (b) on or after ceasing to be a full protection member.

#### **Active member of the 1987 Great Britain police pension scheme on scheme closing date who joins 1988 scheme**

47.—(1) This paragraph applies to a person (P) who—

- (a) was an active member of the 1987 Great Britain police pension on the scheme closing date and on 31st March 2012; and
- (b) ceases to be in pensionable service under the 1987 Great Britain police pension scheme.

(2) P joins the 1988 scheme if—

- (a) P does not have a gap in pensionable service after ceasing to be in pensionable service under the 1987 Great Britain police pension scheme; and
- (b) P would have been a full protection member or tapered protection member of the 1987 Great Britain police pension scheme had P remained in pensionable service under that scheme.

(3) P is taken to be a full protection member or tapered protection member of the 1988 scheme.

(4) P's protection period—

- (a) begins on the day P joins the 1988 scheme; and
- (b) ends when P ceases to be a full protection member or tapered protection member of the 1988 scheme.

#### **Active member of the 1987 Great Britain police pension scheme on scheme closing date who joins 2006 scheme**

48.—(1) This paragraph applies to a person (P) who—

- (a) was an active member of the 1987 Great Britain police pension scheme on the scheme closing date and on 31st March 2012; and
- (b) ceases to be in pensionable service under the 1987 Great Britain police pension scheme.

(2) P joins the 2006 scheme if—

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- (a) P has a gap in pensionable service after ceasing to be in pensionable service under the 1987 Great Britain police pension scheme; and
  - (b) P would have been a full protection member or tapered protection member of the 1987 Great Britain police pension scheme had P remained in 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.

**Active member of the 1988 scheme on scheme closing date**

- 49.—(1) This sub-paragraph applies to a person (P) who—
- (a) was an active member of the 1988 scheme on the scheme closing date and on 31st March 2012; and
  - (b) ceases to be in pensionable service under the 1988 scheme.
- (2) This sub-paragraph applies to a person (P) who—
- (a) was an active member of the 1987 Great Britain police pension scheme on 31st March 2012;
  - (b) was an active member of the 1988 scheme on the scheme closing date; and
  - (c) ceases to be in pensionable service under the 1988 scheme.
- (3) 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 1988 scheme; and
  - (b) P would have been a full protection member or tapered protection member of the 1988 scheme had P re-entered pensionable service under that scheme.
- (4) P is taken to be a full protection member or tapered protection member of the 2006 scheme.
- (5) 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.

**Deferred member of 1988 scheme on scheme closing date**

- 50.—(1) This paragraph applies to a member of the 1988 scheme (P)—
- (a) who was not an active member of the 1988 scheme on the scheme closing date;
  - (b) who ceases to be in pensionable service for any period not exceeding 5 years; and
  - (c) who re-enters pensionable service after the scheme closing date.
- (2) Unless the person is a protected member of the 2006 scheme—
- (a) the person becomes a member of this scheme;
  - (b) the person is taken to be a transition member with continuity of service; and
  - (c) the service to which the final salary benefits relate is counted when calculating qualifying service.

- (3) If the person is a protected member of the 2006 scheme, the person joins the 2006 scheme.
- (4) For the purpose of sub-paragraph (1)(b), T is not on a gap in pensionable service after the scheme closing date while T is in pensionable service under—
  - (a) an existing scheme other than the 2006 scheme or the existing 2006 England and Wales police pension scheme or the existing 2006 Scotland police pension scheme;
  - (b) the 1987 Great Britain police pension scheme;
  - (c) another scheme under section 1 of the Act providing for payment of retirement pensions;
  - (d) the 2015 England and Wales police pension scheme;
  - (e) the 2015 Scotland police pension scheme.

#### **Active member of the 2006 England and Wales police pension scheme on scheme closing date**

- 51.—(1) This paragraph applies to a person (P) who—
- (a) was an active member of the scheme 2006 England and Wales police pension scheme(1) on the scheme closing date and on 31stMarch 2012; and
  - (b) ceases to be in pensionable service under the 2006 England and Wales police pension 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 2006 England and Wales police pension scheme; and
  - (b) P would have been a full protection member or tapered protection member of the 2006 England and Wales police pension 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.

#### **Active member of the 2006 Scotland police pension scheme on scheme closing date**

- 52.—(1) This paragraph applies to a person (P) who—
- (a) on the scheme closing date and on 31stMarch 2012, was an active member of the 2006 Scotland police pension scheme;
  - (b) ceases to be in pensionable service under the 2006 Scotland police pension scheme;
  - (c) would have been a full protection member of the 2006 Scotland police pension schemehad 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 2006 Scotland pension scheme; and
  - (b) P would have been a full protection member or tapered protection member of the 2006 Scotland police pension schemehad 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—

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- (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.

**Active member of an existing scheme on the scheme closing date**

- 53.—(1) This paragraph applies to a person (P) who—
- (a) on the scheme closing date and on 31st March 2012, was an active member of an existing scheme (“the existing scheme”) other than the 1988 scheme, the 2006 England and Wales scheme or the 2006 Scotland police pension scheme;
  - (b) ceases to be in pensionable service under the existing scheme; and
  - (c) unless P dies, P would reach 55 on or before 1st April 2022.
- (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 scheme; and
  - (b) P would have been a full protection member or tapered protection member of the existing 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.