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STATUTORY INSTRUMENTS

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**2000 No. 3386**

**The London Transport Pension Arrangements Order 2000**

**Right to continue to participate in LRT pension scheme after becoming protected person**

4.—(1) A person who—

- (a) is a protected person, and
- (b) was participating in the LRT Pension Fund as a contributing member immediately before his relevant transaction,

has the right to continue to participate as a contributing member in the LRT Pension Fund for the protected period.

(2) For this purpose—

- (a) “the protected period” is the period during which the conditions which are the appropriate conditions for the purposes of paragraph 3(3)(a) of Schedule 32 continue to be met, and
- (b) a person is to be regarded as continuing to participate in the LRT Pension Fund despite voluntarily withdrawing from participation in it if the conditions mentioned in article 3(3) are met in relation to the withdrawal.

(3) The activities specified in Schedule 2 to this Order are those specified for the purposes of paragraph 3(9) of Schedule 32 (activities persons must be employed to carry on to qualify as persons “employed in the London underground railway industry” for the purposes of paragraph 3 and, in particular, the appropriate condition mentioned in paragraph 3(4)(a)).

(4) The appropriate condition mentioned in paragraph 3(4)(b) of Schedule 32 is that the person must remain in continuous employment.

(5) In determining whether the conditions which are the appropriate conditions for the purposes of paragraph 3(3)(a) of Schedule 32 are met in the case of any person—

- (a) any period of less than 12 months during which the person is not employed in the London underground railway industry shall be disregarded if the person was so employed immediately before the period and immediately after it, and
- (b) any break in the person’s continuity of employment shall be disregarded if the person re-entered employment after the break pursuant to a statutory or contractual right to return to employment which existed before the break.