

### SCHEDULE 3

#### AMENDMENTS OF LONDON TRANSPORT (MALE WAGES GRADES) PENSION SCHEME'S RULES

3. After rule 16A there is inserted—

**“16B Dependants' and eligible children's pensions**

(1) If a pensioner member or deferred member of Section A or Section B dies, a pension shall be payable to or in respect of his dependants and eligible children at a rate equivalent—

- (a) in the case of dependants, to equal shares of half of the member's pension,
- (b) in the case of eligible children where there is no dependant, to equal shares of the member's pension (but not in the case of any child more than half of that pension), and
- (c) in the case of eligible children where there is a dependant, to equal shares of half of the member's pension (but not in the case of any child more than a quarter of that pension).

(2) For the purposes of this rule—

“deferred member” means a member who is not receiving a pension at the date of his death;

“dependant” means a person (other than an eligible child) who was in the opinion of the Management Committee wholly or mainly dependent on the member for support and the maintenance of his accustomed standard of living at the date of the member's death and became so before the member's contributory membership ceased;

“eligible child” means a person who meets one of the conditions in paragraph (3) and is—

- (a) a child, adopted child or step-child of the member, or a person in respect of whom the member acted as a parent, and a person who in the opinion of the Management Committee was wholly or mainly dependent on the member for support and the maintenance of his accustomed standard of living, both when the member's contributory membership ceased and at the date of the member's death; or
- (b) a child born before the expiry of the period of 12 months beginning with the date on which the member's contributory membership ceased who in the opinion of the Management Committee would have fallen within sub-paragraph (a) above if born before that date;

“the member's pension” means—

- (i) in the case of a pensioner member, the pension payable to the member at the date of his death, and
- (ii) in the case of a deferred member, the pension that would have been payable to the member at minimum pensionable age if he had attained that age on the date of his death;

“pensioner member” means a member who is receiving a pension at the date of his death.

(3) The conditions are that the person—

- (a) has not attained the age of 18,

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

- (b) has not attained the age of 25 and is in full-time education or professional or vocational training, or
- (c) has attained 18 but in the opinion of the Management Committee—
  - (i) is mentally or physically incapacitated and was so before he attained that age or at the date when the member's contributory membership ceased, and
  - (ii) is incapable of earning an income in employment.

### **16C Pension increases**

(1) The rate of every pension (including a deferred or contingent pension which has not yet commenced) shall be increased annually with effect from 1st April in the Scheme year by the Indexation Factor.

(2) For this purpose the rate of a pension includes any increase previously given under this rule or otherwise.

(3) In this rule—

“Index” means the United Kingdom General Index of Retail Prices (for all items) published by the Central Statistical Office (January 1987 = 100), or any index which replaces that Index and the Actuary considers to be comparable; and

the “Indexation Factor” for a Scheme year is the amount (expressed as a percentage to one decimal place) by which the Index for the previous September exceeds the Index for the September before that.”