

SCHEDULE 1

The Royal Mail Statutory Pension Scheme Rules

PART II

THE GENERAL RULES OF THE SCHEME

Application of the General Rules

1.—(1) Except where specified otherwise in these General Rules, the General Rules apply to all Members who are Cut-Off Date Actives subject to the Section A Rules, the Section B Rules, the Section C Rules and the Section E Rules. They do not apply to Members who are Cut-Off Date Non-Actives or to any other Wholly Transferred Beneficiaries. References to Member in the General Rules shall be read accordingly.

(2) Unless the context requires otherwise, a General Rule which is specified to apply to Section A Actives or Section B Actives shall also apply to Section E Actives who, prior to joining Section E under the RMPP, were Section A Members or Section B Members under the RMPP (respectively).

RMSPS Reckonable Service

2. In respect of Section A Actives, Section B Actives and Section E Actives (who are subject to the Section A Rules, the Section B Rules and the Section E Rules respectively), the following expression has the meaning hereby assigned to it (but, for avoidance of doubt, this expression does not apply to Section C Actives (who are subject to the Section C Rules)) and references to Member in this expression shall be read accordingly—

“RMSPS Reckonable Service” means, in relation to a Member, such period as would have constituted the Member’s “Reckonable Service” under the General Rules of the RMPP had the Member opted out of the RMPP under General Rule 1A (Optional membership) of the RMPP Rules at the end of the Cut-Off Date, excluding any such period which was, at the end of the Cut-Off Date, not treated by the RMPP Cut-Off Date Rules as continuous with the Member’s then-continuing RMPP Reckonable Service. For avoidance of doubt, this shall—

- (a) include a period of employment which was, at the end of the Cut-Off Date, treated by the RMPP Cut-Off Date Rules as continuous with the Member’s then-continuing RMPP Reckonable Service;
- (b) include such part of the Member’s RMPP Reckonable Service as constitutes the “Pre-Cut-Off Date AVC FS Added Years Service” of a Section B Active, as defined in Rule 1(1) of Section B of the RMPP Rules (and any equivalent period for a Section A Active); and
- (c) be subject to any special conditions specified by the Principal Employer and agreed by the RMPP Trustees in respect of that Member under General Rule 7(10A) (Members’ contributions) of the RMPP Rules.

Refund of contributions

3.—(1) This Rule only applies to Members who are subject to the Section A or Section B Rules.

(2) In this Rule: the “determined proportion” of contributions which is referable to specified benefits means the proportion of those contributions which is determined by the Secretary of State on the advice of the Actuary to be referable to those benefits in particular circumstances.

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(3) A Member who has qualified for a pension, whose last marriage has ended and who has no eligible child at the date of that Member's retirement or death before retirement may elect to receive on retirement, or there may be paid to the Member's personal representatives, an amount equal to that Member's own standard contributions paid to the Fund which is referable to Family Benefits and that Member's own contributions paid to the Fund for the purchase of added years which is referable to Family Benefits (being in each case contributions paid to the Fund in respect of that Member's RMPP Reckonable Service since the end of that Member's last marriage if the Member is subject to the Section A Rules, or, if subject to the Section B Rules, since the end of that Member's last marriage or the cessation of that Member's children's eligibility for benefit (whichever is the later)), with Interest. In addition to the ending of a marriage by divorce, decree of nullity or the spouse's death, for the purposes of the Section B Rules a marriage shall be regarded as ended by judicial separation the terms of which do not require the Member to contribute to the spouse's support.

(4) A Member who has qualified for a pension, and who throughout that Member's service under the RMPP has had no spouse, and has no eligible child at the date of that Member's retirement or at the date of death of that Member before retirement, but has had a child or children whom either the RMPP Trustees (before the end of the Cut-Off Date) or the Secretary of State agreed to regard as eligible for Family Benefits, and who is subject to the Section B Rules, may elect to receive on retirement, or on death before retirement there may be paid to that Member's personal representatives, that Member's own standard contributions which is referable to Family Benefits and that Member's own contributions paid to the Fund for the purchase of added years which is referable to Family Benefits (being in each case contributions paid to the Fund in respect of that Member's RMPP Reckonable Service since the cessation of that Member's child's or children's eligibility for benefit), with Interest.

(5) A Member who has qualified for a pension and who throughout that Member's service under the RMPP has had no spouse and no child who is or was eligible for benefits under the Section A Rules or the Section B Rules as may be applicable to the Member, may elect to receive on retirement, or on death of that Member before retirement there may be paid to that Member's personal representatives, an amount equal to a refund of that Member's own standard contributions paid to the Fund which is referable to Family Benefits and that Member's own contributions paid to the Fund for the purchase of added years which is referable to Family Benefits, with Interest.

(6) Sub-paragraphs (3) to (5) inclusive of this Rule shall not apply in respect of contributions paid by a Member to the Fund in respect of Contracted-out Employment by reference to the RMPP on or before the Cut-Off Date.

(7) A female Member who before the end of the Cut-Off Date made an election under General Rule 26 (Election for Widower's pension in respect of service prior to 1 December 1971) of the RMPP Rules and who had no husband through her service under the RMPP or whose last marriage ended before the election was made, may elect to receive on her retirement, or on her death there may be paid to her personal representative, a refund of the additional annual contributions paid to the Fund under that General Rule 26 of the RMPP Rules, with Interest.

(8) A refund of contributions under the RMSPS shall be reduced by an amount equal to the tax which the Secretary of State becomes liable to pay to HMRC.

(9) Where a Contributions Equivalent Premium has been paid to the Secretary of State in respect of a period of Contracted-out Employment by reference to the RMPP relating to a Member, the Secretary of State shall have the power to deduct from any payment due to the Member from the RMSPS that is calculated by reference to contributions paid by the Member to the Fund (excluding any paid under General Rule 19 (Added Years) of the RMPP Rules) an amount equal to the certified amount (as defined in Section 55(2) of the Pension Schemes Act 1993⁽¹⁾), or to not make any such payment if such amount would be less than the certified amount.

(1) 1993 c.48.

(10) For the purposes of this Rule, Contracted-out Employment and Contributions Equivalent Premium have the meanings given under the contracting-out laws of the Pension Schemes Act 1993, as they applied to the RMPP at the end of the Cut-Off Date.

Payment of benefits

4.—(1) All pensions and other benefits shall be payable in such manner and at such places as the Secretary of State decides, and shall be subject to such proof of title and evidence of survival as the Secretary of State requires. Subject to Part IX (Overriding Finance Act Provisions) of this Schedule, no part repayment is necessary on the Pensioner's death (except where a payment is made in error due to late notification of the death).

(2) The Secretary of State may, subject to Part IX (Overriding Finance Act Provisions) of this Schedule and in addition to the provisions of the Rules, pay any of the following benefits to Members—

- (a) a trivial commutation lump sum or other commutation payment on grounds of triviality under the Finance Act 2004⁽²⁾;
- (b) a serious ill-health commutation lump sum;
- (c) a winding-up lump sum;
- (d) a refund of excess contributions lump sum;
- (e) a lifetime allowance excess lump sum;
- (f) a contributions refund lump sum; and
- (g) any other lump sum the payment of which would be an authorised payment under the Finance Act 2004,

where the terms “trivial commutation lump sum”, “serious ill-health lump sum”, “winding-up lump sum”, “refund of excess contributions lump sum” and “lifetime allowance excess lump sum” have the meanings given to them under the Finance Act 2004 and the term “contributions refund lump sum” has the meaning given to it in the Finance Act 2009⁽³⁾. The Secretary of State may reduce the amount of the payment by that of any tax or charge for which they may be accountable.

(3) If the Secretary of State is satisfied that a beneficiary is unable by reason of minority, mental incapacity or other cause to manage his or her own affairs the Secretary of State may at its discretion pay any benefits to which the beneficiary is entitled to any other person for the benefit of that beneficiary, and payment to such other person shall be a complete discharge of the Secretary of State who shall not be under any obligation or liability to see to the application of any sums so paid. The Secretary of State may also make for the beneficiary any choice which he has under the RMSPS but shall be under no obligation to do so. In neither event shall the Secretary of State incur any consequential liability to the beneficiary or to anyone else.

(4) Where the Secretary of State is due to pay, or has exercised his discretion under General Rule 6(2)(a) (Member's power to place benefits within the Secretary of State's discretion) or Rule 10 (Discretionary trusts) of the Section C Rules to pay, any amount to the personal representatives of a Member, and no grant of representation to the Member's estate is produced to the Secretary of State, the Secretary of State may if in his discretion he thinks fit pay any such amount to any person showing himself or herself to the Secretary of State's satisfaction to be entitled, otherwise than as a creditor, to take out such a grant or to any person appearing to the Secretary of State's satisfaction to be entitled otherwise than as a creditor to share in the estate of the deceased. The Secretary of State may also at his discretion deduct the cost of funeral expenses from the lump sum death benefits and pay it to the person who incurred the funeral expenses.

(2) 2004 c.12.

(3) 2009 c.10.

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Non-assignability of benefits and forfeiture

5.—(1) Benefits under the RMSPS cannot be assigned or charged; subject to General Rules 4(3) and (4), they will not be paid to anyone except the person entitled under these Rules. Subject to the Surrender and Forfeiture Laws as applied to the RMSPS under Clause 19 (Surrender and Forfeiture Laws) a benefit will cease to be payable if—

- (a) the person entitled to the benefit under these Rules tries to assign or charge it or becomes bankrupt; or
- (b) any other event occurs by which all or part of the benefits would become payable to some other person.

(2) If a benefit ceases to be payable under sub-paragraph (1) above, the Secretary of State shall be at liberty in his absolute discretion to pay an equivalent benefit to, or for the benefit of, one or more of—

- (a) the person who was entitled to the original benefit; and
- (b) that person's spouse and dependants.

If the Secretary of State decides to pay the benefit to more than one person, he will pay it in such shares as he decides.

(3) Sub-paragraphs (1) and (2) above do not apply to GMPs since, by law, they cannot be assigned; any attempt to assign GMPs is void and will be ignored. Nor do these Rules apply to any lump sum or instalment of pension that falls due for payment before the benefit otherwise ceases to be payable.

(4) The Secretary of State may, in accordance with Section 92(5)(b) of the Pensions Act 1995 as applied to the RMSPS under Clause 19 (Surrender and Forfeiture Laws), forfeit a claim for pension or other benefits under the RMSPS where such pension or benefits are not claimed by the Member or beneficiary within 6 years of the pension or benefit becoming due. The Secretary of State shall have full powers to determine the circumstances in which he shall exercise this power.

(5) A Member's benefits may also be set-off in accordance with Clause 16 (Set-off for crime, fraud or negligence).

Member's power to place benefits within the Secretary of State's discretion

6.—(1) In this Rule the expression the "designated sum" shall mean any death benefit and/or any lump sum retirement benefit and/or any arrears of pension benefits which may be payable under the Section A or Section B Rules and which in the absence of any direction by a Member under this Rule would be payable to the personal representatives of the Member.

(2) Subject to sub-paragraph (5) below, a Member may at any time by notice in writing to the Secretary of State in such form as the Secretary of State shall approve direct that—

- (a) the designated sum shall be payable to that Member's personal representatives only at the discretion of the Secretary of State; or
- (b) the designated sum shall be paid to such responsible persons (not being less than two nor more than four) as shall be appointed for such purpose by the Secretary of State to be held by the Secretary of State upon the trusts and with and subject to the powers and provisions set out in Part VII (Trusts, Powers and Provisions) of this Schedule hereto at the date of such direction.

(3) Any direction given in accordance with this Rule shall be effective and if a direction is given under sub-paragraph (2)(b) above the designated sum shall accordingly be paid to such responsible persons and shall be held by them upon the trusts and with and subject to the powers and provisions set out in Part VII (Trusts, Powers and Provisions) of this Schedule hereto at the date of such direction.

(4) The trusts powers and provisions set out in Part VII (Trusts, Powers and Provisions) of this Schedule hereto may from time to time be varied by the Secretary of State but so that the trusts powers and provisions as so varied shall only apply in relation to directions given to the Secretary of State after the making of such variations.

(5) Any direction given by the Member to the RMPP Trustees on or before the Cut-Off Date under General Rule 16 (Member's or Pensioner's power to place benefits within the Trustees' discretion) of the RMPP Rules will bind the Secretary of State for the purposes of the RMSPS. No further direction can be given by the Member to the Secretary of State under this Rule.

(6) Any direction given by a Member to the Secretary of State under this Rule, or given to the RMPP Trustees on or before the Cut-Off Date under the RMPP Rules, shall be irrevocable and binding on such Member and that Member's estate and all persons interested therein.

Application of Sections A and B – election for Section B benefits

7.—(1) Any Section A Active may elect by notice in writing given to the Secretary of State in the form from time to time prescribed and received by him before the relevant date mentioned in sub-paragraph (2) below to be subject to the Section B Rules (in place of the Section A Rules), although remaining a Member of Section A. A Section A Active who, having been enabled at the time by the General Rules then in force to do so, has revoked an election under this sub-paragraph, shall be entitled again to make such an election provided that the provisions of this sub-paragraph can be and are complied with.

(2) The relevant date is three months before a Section A Active's benefits commence or, if earlier, the date six months after the Section A Active's RMPP Exit Date.

(3) The Secretary of State may extend the period during which an election may be made to such later date as he may specify.

(4) An election under sub-paragraph (1) of this Rule shall be irrevocable and shall have effect on the date on which it is received by the Secretary of State or on the date on which the Member retired, whichever is the earlier.

(5) If a Section A Active entitled to make an election under sub-paragraph (1) dies without making such election and within the prescribed period for making an election under that sub-paragraph, the Secretary of State shall pay the benefits (either under the Section A Rules or under the Section B Rules) which in his opinion are the more favourable and his decision shall be final, but the Secretary of State shall be entitled to change his decision where he is of the opinion that such change would enable him to pay benefits which are more favourable.

(6) If the Secretary of State is satisfied that a Section A Active entitled to make an election under sub-paragraph (1) is by reason of mental incapacity unable to do so within the prescribed period for doing so, the Secretary of State shall pay the benefits (either under the Section A Rules or under the Section B Rules) which in his opinion are the more favourable, and his decision shall be final whether or not the Section A Active recovers his or her capacity to manage his or her own affairs but the Secretary of State shall be entitled to change his decision where he is of the opinion that such change would enable him to pay benefits which are more favourable.

(7) Where a Section A Active who has received benefits on retirement under the Section A Rules elects to be subject to the Section B Rules, any lump sum to which that Section A Active may be entitled under the Section B Rules shall be reduced by the amount of any lump sum received by that Section A Active under the Section A Rules.

(8) For the purpose of this Rule a person who has received such benefits or return of contributions as may have been due to that person on retirement shall be deemed to have retired notwithstanding that the person is re-employed by an Employer.

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(9) This Rule applies despite anything in Rule 4 (Payment of RMSPS benefits) of the Section A Rules and Rule 4 (Payment of RMSPS benefits, retirement options and flexible retirement) of the Section B Rules.

Delay in payment

8. If either—

- (a) before the Commencement Date, the RMPP Trustees have deferred payment of any benefit from the RMPP for a period exceeding three months from the due date of the whole or any part of the lump sum or pension due to any person under the contributory part of the RMPP on the ground that they were not satisfied that they could obtain a discharge for such a payment, and the payment remains deferred on the Commencement Date; or
- (b) the Secretary of State defers payment of any benefit from the RMSPS (or continues under the RMSPS any deferral of payment under the RMPP that was commenced by the RMPP Trustees before the Commencement Date) for a period exceeding three months from the due date of the whole or any part of the lump sum or pension due to any person under the RMSPS on the ground that the Secretary of State is not satisfied that he can obtain a discharge for such a payment,

the Secretary of State shall on ultimate payment of the amount so deferred pay Interest for the period from the expiration of the said three months to the date of such payment.

Added Years

9.—(1) Up to and including 1 April 2008, with the consent of the RMPP Trustees a Member who was subject to Section A or Section B of the RMPP Rules could elect to purchase a number of added years by making additional annual contributions to the Fund at rates then specified in the RMPP Rules or determined by the RMPP actuary. The RMSPS Reckonable Service of such Members shall include the added years they purchased under that Rule before the end of the Cut-Off Date.

(2) A number of Members who had made such elections had not completed purchasing such added years as at the Cut-Off Date, such that if such Members had continued in RMPP Reckonable Service after the Cut-Off Date they would have continued to purchase added years by making the required additional contributions after the Cut-Off Date. In the case of each such Member, the number of added years included in RMSPS Reckonable Service shall be calculated according to the amount of contributions paid up to the end of the Cut-Off Date in accordance with the method and assumptions agreed before the Cut-Off Date between the RMPP Trustees and the Principal Employer. Any added years purchased with contributions paid to the “Fund” (as this term is defined for the purposes of the RMPP) after the Cut-Off Date shall not be included in RMSPS Reckonable Service.

(3) The maximum number of added years which will be included in Members’ RMSPS Reckonable Service under this Rule can in no case exceed—

- (a) the limits set out in Part IX (Overriding Finance Act Provisions) of this Schedule;
- (b) the number of additional years that would enable the Member to complete 45 years’ RMSPS Reckonable Service.

(4) In respect of Members subject to the Section B Rules, any added years which have been purchased under the RMPP and which count as RMSPS Reckonable Service in accordance with (2) above will be counted as RMSPS NRA60 Benefits (as that term is used for the purposes of the Section B Rules) notwithstanding the fact that such added years may have been purchased by contributions paid by the Members to the RMPP on and after 1 April 2010.

Provisions relating to application of General Rules 11 to 16

10.—(1) General Rules 11 (Widows' pensions: Members' choices), 12 (Members' choice of methods of payment of contributions), 13 (Plan M), 14 (Plan U), 15 (Plan L) and 16 (Election for Widower's pension in respect of service prior to 1 December 1971) shall only apply to those Members who are subject to the Section A or Section B Rules.

(2) In the Rules referred to in sub-paragraph (1) above, except where the context otherwise requires the expression "widow" and "his widow" shall respectively include "dependent widower" and "her dependent widower".

Widows' pensions: Members' choices

11.—(1) A male Member who was excluded from Part III of the Superannuation Act 1965⁽⁴⁾ by such an election as is referred to in Section 58 of that Act (repealed with savings by the Superannuation Act 1972⁽⁵⁾, Schedule 7, paragraph 2), or a male Member whose "Reckonable Service" in the Civil Service began on or before the 14 July 1949, and who, being on that date unmarried or otherwise ineligible has not elected that the said Part III should not apply to him, may have chosen under the RMPP (in accordance with General Rule 20(2) (Widows' Pensions: Members' Choices) of the RMPP Rules) that his widow would receive—

- (a) no annual pension in respect of his RMPP Reckonable Service before he joined the contributory part of the RMPP; or
- (b) an annual pension of $\frac{1}{3}$ of the Member's pension in respect of his RMPP Reckonable Service before he joined the contributory part of the RMPP or 1 June 1972, whichever is the earlier, and an annual pension of $\frac{1}{2}$ of the Member's pension in respect of his service (if any) from 1 June 1972 and before he joined the contributory part of the RMPP; or
- (c) an annual pension of $\frac{1}{2}$ the Member's pension in respect of his RMPP Reckonable Service before he joined the contributory part of the RMPP.

If such a Member had made no choice by such date as was notified to the Member by an Employer under the RMPP Rules, he was deemed to have chosen that his widow should receive no annual pension in respect of his RMPP Reckonable Service before he joined the contributory part of the RMPP.

(2) A Member who after 14 July 1949 gave notice under Section 10(5) of the Superannuation Act 1949⁽⁶⁾ cancelling his election under Section 10 of that Act that Part 1 of that Act should not apply and should be deemed never to have applied to him, or notice under Section 58(5) of the Superannuation Act 1965 (repealed with savings by the Superannuation Act 1972⁽⁷⁾, Schedule 7, paragraph 2) cancelling his election under Section 58 of that Act that Part III of that Act should not apply and should be deemed never to have applied to him, may have chosen under the RMPP (in accordance with General Rule 20(3) (Widows' Pensions: Members' Choices) of the RMPP Rules) that his widow shall receive either—

- (a) an annual pension of $\frac{1}{3}$ of the Member's pension; or
- (b) an annual pension of $\frac{1}{2}$ of the Member's pension in respect of his RMPP Reckonable Service before he joined the contributory part of the RMPP or 1 June 1972, whichever is the earlier.

(4) 1965 c.74.

(5) 1972 c.11.

(6) 1949 c.44.

(7) 1972 c.11.

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If such a Member made no choice by such date as was notified to the Member by an Employer under the RMPP Rules, he was deemed to have chosen that his widow should receive an annual pension of $\frac{1}{3}$ of the Member's pension in respect of such service.

(3) A female Member who has a dependent husband may have chosen under the RMPP (in accordance with General Rule 20(4) (Widows' Pensions: Members' Choices) of the RMPP Rules) before the end of the Cut-Off Date that her dependent widower should receive either—

- (a) an annual pension of $\frac{1}{3}$ of the Member's pension; or
- (b) an annual pension of $\frac{1}{2}$ of the Member's pension in respect of her RMPP Reckonable Service before she joined the contributory part of the RMPP or 1 June 1972, whichever is the earlier.

If such a Member made no such choice before the end of the Cut-Off Date, her dependent widower shall receive no annual pension from the RMSPS in respect of such service.

(4) Any other Member may have chosen under the RMPP (in accordance with General Rule 20(5) of the RMPP Rules) that his widow shall receive either—

- (a) an annual pension of $\frac{1}{3}$ of the Member's pension; or
- (b) an annual pension of $\frac{1}{2}$ of the Member's pension in respect of his RMPP Reckonable Service before he joined the contributory part of the RMPP or 1 June 1972, whichever is the earlier.

If such a Member made no choice by such date as was notified to the Member by an Employer under the RMPP Rules, he was deemed to have chosen that his widow should receive an annual pension of $\frac{1}{3}$ of the Member's pension in respect of such service.

(5) A Member's choice under any of the provisions of the RMPP Rules referred to in subparagraphs (1), (2), (3) or (4) of this Rule shall be final unless the Secretary of State agrees otherwise.

Members' choice of methods of payment of contributions

12. A Member was required to pay contributions due to the RMPP for the widow's pension that Member had chosen in respect of that Member's RMPP Reckonable Service before that Member joined the contributory part of the RMPP (and contributions which were payable to the RMPP under General Rule 21(2)(a) (Contributions for widow's pensions) of the RMPP Rules) and must have paid those contributions by any one of the three methods (designated Plan M, Plan U or Plan L) set out in General Rules 23 (Plan M), 24 (Plan U) and 25 (Plan L) of the RMPP Rules. If no choice had been made by such date as shall be notified to the Member by an Employer under the RMPP Rules, the Member would have been deemed to have chosen Plan L. Once a Member had started to make payments by the method of that Member's choice, such payments continued under the RMPP until the earlier of the end of the Cut-Off Date (subject to the Member's ability to meet the obligation to pay contributions under Plan L under the RMSPS by using the methods set out in General Rule 25 (Plan L) of the RMPP Rules) or the Member's outstanding liability to the Fund was discharged.

Plan M

13.—(1) A Member who was in post on both 30 November 1971 and 1 December 1971 and not having retired at or after age 60 on or before 30 November 1971 may have elected to pay to the Fund the contributions due in respect of that Member's RMPP Reckonable Service before that Member joined the contributory part of the RMPP in accordance with "Plan M" under General Rule 23 (Plan M) of the RMPP Rules. Such contributions were required to be paid to the Fund either (a) in full in one amount, or (b) payment were required to have been made over a minimum of 5 years, or until age 60 if this is earlier, with a maximum of 25 years for such payment, and subject

to the limits on contributions in paragraph 7(c) of Schedule 13 (Overriding Finance Act Provisions) to the RMPP Rules.

(2) The amounts due to the Fund were required to be paid in full by age 60 unless the limits on contributions in paragraph 7(c) of Schedule 13 (Overriding Finance Act Provisions) to the RMPP Rules precluded this. The lump sum or death benefit (as the case may be) under the RMSPS of a Member who had not paid in full by the end of the Cut-Off Date will be reduced by the amount (if any) which the Secretary of State calculates to be outstanding.

(3) If a Member ceased to have a spouse before he or she joined the contributory part of the RMPP and that Member did not remarry, the amount due to the RMPP would have been recalculated by the RMPP Trustees to the date when that Member last had a spouse before joining the contributory part of the RMPP. The difference (if any) between the amount paid to the Fund by the Member and the amount due on such recalculation will be refunded to the Member with Interest on that Member's retirement under the RMSPS, provided that if the Member was serving in the designated category of service similar to service in Civil Service in an unestablished capacity on the date that Member joined the contributory part of the RMPP or the 1 June 1972, whichever is the earlier, and that Member ceased to have a spouse before that date and that Member did not remarry before retirement, no contributions would have been payable and any amount paid to the Fund by the Member shall be refunded to that Member with Interest on that Member's retirement under the RMSPS.

(4) A Member who never had a spouse before joining the contributory part of the RMPP and who did not marry before the end of the Cut-Off Date will be entitled to a refund of contributions with Interest on that Member's retirement under the RMSPS.

Plan U

14.—(1) A Member may have elected to pay the contributions due in respect of that Member's RMPP Reckonable Service before joining the contributory part of the RMPP in accordance with "Plan U" under General Rule 24 (Plan U) of the RMPP Rules, in units of 1 1/2% of that Member's salary subject to the limits on contributions in paragraph 7(c) of Schedule 13 (Overriding Finance Act Provisions) to the RMPP Rules.

(2) A Member who never had a spouse before joining the contributory part of the RMPP and who did not marry before the end of the Cut-Off Date will be entitled to a refund of contributions with Interest on that Member's retirement under the RMSPS.

(3) If a Member ceased to have a spouse before joining the contributory part of the RMPP and that Member did not re-marry before the end of the Cut-Off Date, the amount previously due to the RMPP shall be recalculated to the date when that Member last had a spouse before joining the contributory part of the RMPP, and the difference (if any) between the amount paid to the Fund by the Member and the amount due on such recalculation shall be refunded to the Member with Interest on that Member's retirement under the RMSPS; provided that if the Member was serving in the designated category of service similar to service in the Civil Service in an unestablished capacity on the date that Member joined the contributory part of the RMPP or 1 June 1972, whichever is the earlier, and that Member ceased to have a spouse before that date and that Member did not remarry before the end of the Cut-Off Date, no contributions would have been payable at that time, and any amount paid to the Fund by the Member will be refunded to that Member with Interest on that Member's retirement under the RMSPS.

Plan L

15.—(1) Where a Member (being a Plan L Member) elected under the RMPP to pay the contributions due in respect of that Member's RMPP Reckonable Service before that Member joined the contributory part of the RMPP by reduction of that Member's lump sum or that Member's death benefit and/or by the application of that Member's additional voluntary contributions made to the

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RMPP under General Rule 19A (Additional Voluntary Contributions) of the RMPP Rules, then that Member will have accrued an obligation to pay the amount of contributions due to the RMPP under the RMPP Rules. The amount of that obligation, as had accrued as at the end of the Cut-Off Date and then revalued under the RMSPS as if it were a benefit payable to that Member under the RMSPS, is an Accrued Plan L Amount.

(2) The Plan L Member will be treated as owing an obligation to the RMSPS in respect of the Accrued Plan L Amount, to be discharged by one or both of the methods set out in Paragraphs (a) and (b) below. Where both methods are available, the Member will choose the proportion of the amount that will be met by each method, unless the Member has died, in which case the Secretary of State will use the method set out in Paragraph (a) below—

- (a) Under the method set out in this Paragraph, as at the beginning of the Commencement Date (before any revaluation is applied) any lump sum benefits payable in respect of the Member from the RMSPS (including any lump sum payable on that Member's death) will be treated as if reduced by the Accrued Plan L Amount or (if the Member also chose to use the method set out in Paragraph (b) below) the appropriate share of the Accrued Plan L Amount under the RMSPS.
- (b) Under the method set out in this Paragraph, the Member's Transferred AVC Fund will, as provided for in Clause 10 (Additional voluntary contributions transferred from the RMPP), be applied for the purpose of meeting some or (if the Member also chose to use the method set out in Paragraph (a) above) the appropriate share of the Accrued Plan L Amount.

Election for Widower's pension in respect of service prior to 1 December 1971

16.—(1) With the consent of the RMPP Trustees a female Member could, at any time before the end of the Cut-Off Date whilst she was an active Member of the RMPP have elected that the spouse to whom she was married at the time of her retirement at or before normal retirement age or when she otherwise left Employer employment or on her death in service with an Employer, and who did not have a dependent widower's entitlement would be eligible for benefit under Section B Rule 12 (Spouse's pension for Relevant Members) in respect of any part of her RMPP Reckonable Service before becoming a Member of the contributory part of the RMPP. Such election would also entitle her children to benefit under Section B Rule 14(1) (Children's pensions) in respect of the same period of service.

(2) Where the election referred to in sub-paragraph (1) of this Rule was made under the RMPP, the Member was required to pay additional annual contributions to the Fund up to Normal Retiring Age in accordance with the RMPP Rules. The additional benefit payable under the RMSPS shall be calculated according to the actual amount of additional annual contributions paid to the Fund before the end of the Cut-Off Date.