
STATUTORY INSTRUMENTS

2014 No. 2336

The Armed Forces Pension Regulations 2014

PART 5

Retirement benefits

CHAPTER 1

Retired member benefits

Retirement on or after reaching normal pension age – active members

43.—(1) A member is entitled to the immediate payment for life of a retirement pension under this scheme if—

- (a) the member ceases to be in pensionable service under this scheme at or after reaching normal pension age; and
- (b) the member has not made a claim for a pension under regulation 44 (retirement before reaching normal pension age – deferred members) in respect of that service.

(2) But a member is not so entitled unless—

- (a) the member has claimed payment of the pension; and
- (b) (i) the member has at least 2 years' qualifying service; or
(ii) a transfer value payment otherwise than from another occupational pension scheme has been accepted in relation to the member under Part 8 (Transfers).

(3) A member, who is entitled to a retirement earned pension under this regulation, is entitled to immediate payment for life of—

- (a) a retirement added pension, if the retirement account specifies an amount of retirement added pension; and
- (b) a retirement club transfer earned pension, if the retirement account specifies an amount of club transfer earned pension.

(4) The claim for payment of a pension under this regulation must be made by notice in writing to the scheme administrator in such form as the scheme manager requires.

(5) In the event that the member delays making a claim under this regulation after reaching the normal pension age the in-service late payment supplement or the late payment supplement (as applicable) will apply to the account of the member.

Retirement before reaching normal pension age – deferred members

44.—(1) A member, who is not entitled to immediate payment of a pension under regulation 43 (retirement on or after reaching normal pension age – active members), is entitled to the immediate payment for life of a retirement earned pension under this scheme if the member—

- (a) has reached the age of 55;

- (b) has ceased to be in pensionable service under this scheme; and
 - (c) has claimed payment of pension.
- (2) But a member is not so entitled unless—
- (a) the member has at least 2 years' qualifying service; or
 - (b) a transfer value payment otherwise than from another occupational pension scheme has been accepted in relation to the member under Part 8 (Transfers).
- (3) A member, who is entitled to a retirement earned pension under this regulation, is entitled to immediate payment for life of—
- (a) a retirement added pension, if the deferred member's account specifies a provisional amount of deferred added pension; and
 - (b) a retirement club transfer earned pension, if the retirement account specifies a provisional amount of deferred club transfer earned pension.
- (4) The claim for payment of a pension under this regulation must be made by notice in writing to the scheme administrator in such form as the scheme manager requires.
- (5) The early payment reduction is to apply to the pension amount of the member in the event that the pension is to come into payment before the member's deferred pension age.
- (6) The late payment supplement is to apply to the pension amount of the member in the event that the pension is to come into payment after the member's deferred pension age.

Annual rate of pension payable to active member who becomes pensioner member

45.—(1) This regulation applies when an active member becomes entitled under regulation 43 (retirement on or after reaching normal pension age – active members) to the immediate payment of a retirement earned pension.

(2) The annual rate of the retirement earned pension payable to the retired member is determined by—

- (a) taking the amount of retirement earned pension specified in the retirement account;
- (b) adding the in-service late payment supplement (if any) specified in that account in relation to that amount;
- (c) adding the late payment supplement (if any) specified in that account in relation to that amount;
- (d) subtracting the commutation amount (if any) specified in that account in relation to that amount; and
- (e) subtracting the allocation amount (if any) specified in that account in relation to that amount.

(3) If a retirement added pension (member and dependants) is payable to the member, the annual rate of that pension is determined by—

- (a) taking the amount of retirement added pension (member and dependants) specified in the retirement account;
- (b) adding the late payment supplement (if any) specified in that account in relation to that amount;
- (c) subtracting the commutation amount (if any) specified in that account in relation to that amount; and
- (d) subtracting the allocation amount (if any) specified in that account in relation to that amount.

(4) If a retirement added pension (member) is payable to the member, the annual rate of that pension is determined by—

- (a) taking the amount of retirement added pension (member) specified in the retirement account;
- (b) adding the late payment supplement (if any) specified in that account in relation to that amount;
- (c) subtracting the commutation amount (if any) specified in that account in relation to that amount.

(5) If a retirement club transfer earned pension is payable to the member, the annual rate of the pension is determined by—

- (a) taking the amount of club transfer earned pension specified in the retirement account; and
- (b) applying the provisions of regulation 45(2)(b) to (e) to that amount.

Annual rate of pension payable to deferred member who becomes pensioner member

46.—(1) This regulation applies when a deferred member becomes entitled under regulation 44 (retirement before reaching normal pension age – deferred members) to the immediate payment of a retirement pension.

(2) The annual rate of the retirement earned pension payable to the member is determined by—

- (a) taking the provisional amount of the member’s deferred earned pension specified in the deferred member’s account;
- (b) adding the late payment supplement(if any) specified in that account in relation to that amount;
- (c) subtracting the early payment reduction (if any) specified in that account in relation to that amount;
- (d) subtracting the commutation amount (if any) specified in that account in relation to that amount; and
- (e) subtracting the allocation amount (if any) specified in that account in relation to that amount.

(3) If a retirement added pension (member and dependants) is payable to the member, the annual rate of this pension is determined by—

- (a) taking the provisional amount of the member’s deferred added pension (member and dependants) specified in the deferred member’s account;
- (b) adding the late payment supplement (if any) specified in that account in relation to that amount;
- (c) subtracting the early payment reduction (if any) specified in that account in relation to that amount;
- (d) subtracting the commutation amount (if any) specified in that account in relation to that amount; and
- (e) subtracting the allocation amount (if any) specified in that account in relation to that amount.

(4) If a retirement added pension (member) is payable to the member, the annual rate of that pension is determined by—

- (a) taking the provisional amount of the member’s deferred added pension (member) specified in the deferred member’s account;

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

- (b) adding the late payment supplement (if any) specified in that account in relation to that amount;
 - (c) subtracting the early payment reduction (if any) specified in that account in relation to that amount;
 - (d) subtracting the commutation amount (if any) specified in that account in relation to that amount.
- (5) If a retirement club transfer pension is payable to the member the annual rate of that pension is determined by—
- (a) taking the provisional amount of the member's deferred club transfer earned pension specified in the deferred member's account; and
 - (b) applying the provisions of regulation 46(2)(b) to (e) to that amount.