

SCHEDULE 3

Modifying provisions and amendments

PART 2

Modification of early leaver and other provisions

Cash transfers and contribution refunds

11.—(1) Chapter 5 of Part 4 of the PSA 1993⁽¹⁾ (protection for early leavers: cash transfers and contribution refunds) is modified as follows.

(2) In the application of that Chapter to P as a member of the old scheme—

- (a) in section 101AA(1)(a) and (b) (scope of Chapter 5), a reference to termination of P’s pensionable service is to be taken as a reference to termination of P’s pensionable service under this scheme;
- (b) in section 101AA(2), a reference in the opening words and in paragraph (a) to P’s pensionable service under the scheme is to be taken as a reference to P’s pensionable service either under the old scheme or under the old scheme and this scheme taken together; and
- (c) in section 101AB(1) and (3) (right to cash transfer sum and contribution refund), 101AC(1) and (2)(a) (notification of right to cash transfer sum or contribution refund) and 101AI(7) (rights under section 101AB: definition of “reply date”), a reference to termination of P’s pensionable service is to be taken as a reference to termination of P’s pensionable service under this scheme.
- (d) In the application of that Chapter to P as a member of this scheme, in section 101AA(2) a reference in the opening words and in paragraph (a) to P’s pensionable service under the scheme is to be taken as a reference to P’s pensionable service either under this scheme or under the old scheme and this scheme taken together.

(3) In the application of that Chapter to P as a member of this scheme, in section 101AA(2) a reference in the opening words and in paragraph (a) to P’s pensionable service under the scheme is to be taken as a reference to P’s pensionable service either under this scheme or under the old scheme and this scheme taken together.

(1) Chapter 5 was inserted by section 264 of the Pensions Act 2004 (c.35).