**THE LOCAL GOVERNMENT PENSION SCHEME
REGULATION 31 – OTHER EARLY LEAVERS: DEFERRED RETIREMENT
BENEFITS AND ELECTIONS FOR EARLY PAYMENT
REGULATION 35 – REQUIREMENTS AS TO TIME OF PAYMENT**

Guidance in force from 1 October 2006

Introduction

1. The Government Actuary is required, under Regulation 31(4) and 35(1B) of the LGPS, to provide guidance on the appropriate amounts by which a member's retirement pension and grant should be reduced in respect of early payment. Statutory Instrument 2006/966 (Local Government Pension Scheme (Amendment) Regulations 2006) as amended by Statutory Instrument 2006/2008 (Local Government Pension Scheme (Amendment) (No 2) Regulations 2006) amends the Local Government Pension Scheme Regulations 1997 ("the LGPS Regulations") with effect from October 1st 2006, so a revised guidance note is necessary at this time. The purpose of this guidance note is to provide the guidance referred to in Regulation 31(4) and 35(1B) to the Department for Communities and Local Government (DCLG), for onward transmission to the administering authorities. This note applies for all retirements on or after October 1st 2006. From that date this note replaces the two existing guidance notes issued on 21st January 1998 and 4th March 1999.

2. This guidance is based upon GAD's understanding of the relevant regulations and DCLG's policy intentions.

Transitional Provisions and Savings

3. SI 2006/966 included a Schedule ("the Transitional Schedule") to the LGPS Regulations which impacts on the way in which the reductions under Regulation 31(4) should be applied – depending on the details of the member involved. For the purposes of this guidance note, members have been grouped into a number of categories for ease of reference:

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- Group 1: A member who was an active member prior to 1st October 2006, and born on 31 March 1956 or earlier;

- Group 2: A member who was an active member prior to 1st October 2006, and born between 1 April 1956 and 31 March 1960 inclusive and who would reach their Critical Retirement Age by 31st March 2020;

- Group 3: A member who was an active member prior to 1st October 2006 who is not a Group 1 or Group 2 member;

- Group 4: A member who was not a member prior to 1st October 2006.

4. The age of the member at the earliest of:

  - the member's pre 1st October 2006 Normal Retirement Date (under Regulation 25, prior to being amended by SI 2006/966);

  - the earliest date at which the member would have satisfied the 85 year rule had the member remained in service (calculated in accordance with paragraph 3 of the Transitional Schedule) and

  - age 65

  is referred to as that member's Critical Retirement Age (CRA).

5. A member's total membership should be divided into the following periods:

- Part A: Membership up to 31st March 2008

- Part B: Membership from 1st April 2008 to 31st March 2016

- Part C: Membership from 1 April 2016 to 31st March 2020

- Part D: Membership from 1st April 2020

6. Membership credited under Regulation 122 in respect of Group 1, 2 or 3 members should be treated as Part A Membership if it was credited before 1st April 2008. Other Membership under Regulation 122 should be treated as Part D Membership.

7. Membership credited under Regulation 66(8) should be treated as Part A Membership.

8. Membership credited under Regulation 55 should be treated as Part A Membership if the contract commenced before 1st October 2006. Other Membership under Regulation 55 should be treated as Part D Membership.

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9. Membership credited under Regulation 52 in respect of Group 1, 2 or 3 members should be treated as Part A Membership if it was credited before 1st April 2008. Other Membership under Regulation 52 should be treated as Part D Membership.

10. If a member has a CRA of 65, then it is correct, and usually administratively simpler, to treat that member's entire period of membership as one block, and to refer to the table in Appendix I only once. This applies to all Group 4 members. Part B, C and D membership can be aggregated for Group 3 members while Part A and B membership can be aggregated for Group 1 members, although the CRA for this membership will not necessarily be 65.

11. In general terms, this note aims to provide guidance on the appropriate determination of P_{65}, LS_{65}, P_{CRA}, $LS_{CRA,}$ P_{taper} and LS_{taper}, where:

   - P_{65} is the appropriate reduction to that part of the member's pension which is calculated by reference to a retirement age of 65;

   - LS_{65} is the appropriate reduction to that part of the member's lump sum which is calculated by reference to a retirement age of 65;

   - correspondingly for P_{CRA} and LS_{CRA} – to that part of the member's pension and lump sum respectively which is calculated by reference to the critical retirement age (where this falls below age 65); and

   - correspondingly for P_{taper} and LS_{taper} to that part of a Group 2 member's pension and lump sum respectively subject to tapered protection.

12. Regulation 93(2)(a) of the LGPS provides that the first period for which any retirement pension under Regulation 31(1) is payable begins on the day the election is made. Regulation 31(1) implies that elections for early retirement pensions are only made after the member has left employment. Regulation 31(2) refers to the 'employing authority or former employing authority', which might indicate that elections under Regulation 31(1) can be made by an active member. For the purposes of this note, practitioners should treat an active member's election under Regulation 31(1) as being made on the first day after the member's employment ends (the "effective date" of an election under Regulation 31(1) This convention will also ensure consistency with Regulation 93(1). There is no equivalent regulation for elections under Regulation 35(1A) but a similar principle should be applied.

13. DCLG has confirmed that the pension paid to a dependent following the death of a member after election for early payment should be calculated as if no reduction for early payment had been applied to the member's pension.

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Applicability to Early Leavers

14. This guidance note only deals with those cases where a reduction in the level of accrued benefits is appropriate under Regulation 31 or Regulation 35, and is not relevant for members who are entitled to unreduced benefits because of retirement on ill-health grounds, or for reasons of redundancy. In accordance with Regulation 31(2), if a member is aged less than 60 at the effective date of an election under Regulation 31(1) then the member is not entitled to immediate payment of retirement benefits, unless the employing authority or former employing authority gives consent to the early payment. If such consent is granted to Group 1, 2 or 3 members, then administering authorities are reminded that the period for which the reductions are to be applied (to that portion of the pension and lump sum benefits calculated with reference to a CRA) under Regulation 31(4) is the period from the effective date of the election under Regulation 31(1) to the member's CRA. This may be *shorter* than the period from the date of the election for early retirement to the member's 60th birthday. A similar argument applies to benefits subject to a tapered reduction factor. This may be an issue to be considered before a decision is made to grant consent to a request under Regulation 31(1) from such a member, or in determining if additional payments are required from the employing authority under Regulation 80(5).

Flexible Retirement

15. Under Regulation 35(1A) a member is entitled to make an election for early payment of pension while remaining in employment if the scheme employer consents. If such consent is granted to Group 1, 2 or 3 members, then administering authorities are reminded that the period for which the reductions are to be applied (to that portion of the pension and lump sum benefits calculated with reference to a CRA) under Regulation 35(3) is the period from the effective date of the election under Regulation 35(1A) to the member's CRA. This may be *shorter* than the period from the date of the election for early retirement to the member's 60th birthday. A similar argument applies to benefits subject to a tapered reduction factor. This may be an issue to be considered before a decision is made to grant consent to a request under Regulation 35(1A), or in determining if additional payments are required from the employing authority under Regulation 80(5). Employers may waive all or part of the reduction applied to the pension on flexible retirement subject to payment of the cost of the waiver as calculated by the Fund's actuary.

Applying the figures from the table in Appendix I

16. The table in Appendix I has separate columns for the reductions to be applied to the pensions to male and female members – and a third column for the reductions to be applied to retirement lump sums. The period(s) in years, to be used to look up P_{65} and LS_{65} and P_{CRA} and LS_{CRA} from the table in Appendix I, are obtained by subtracting the member's age (at the effective date of the election under Regulation 31(1)) from 65 or CRA as appropriate. The factors should be interpolated for part years, when the number of "years early" is not an exact integer.

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17. The tapered reduction factors for Part B and C membership of Group 2 members are calculated according to the taper period which is the number of years between 31 March 2016 and the date on which the member would first satisfy the rule of 85 and would also be aged 60 or over. Part-years should be taken into account in this calculation the result of which should be between 0 and 4 years. The interpolation factor (F_I) is then equal to the taper period divided by 4 years. Then the tapered reduction factors are interpolated from the CRA and age 65 factors as follows:

$$P_{Taper} = F_I \times P_{65} + (1 - F_I) \times P_{CRA}$$

$$LS_{Taper} = F_I \times LS_{65} + (1 - F_I) \times LS_{CRA}$$

18. The appropriate reduction factors to be applied to each part of service are based upon either the critical retirement age (where this is before age 65), age 65 or the taper; as follows:

	Group 1	Group 2	Group 3	Group 4
Part A	CRA	CRA	CRA	65
Part B	CRA	Taper	65	65
Part C	65	Taper	65	65
Part D	65	65	65	65

19. If there is a gap between a member leaving service and electing for early payment, the appropriate pension increase factor should be applied to the deferred pension as usual.

Members under age 55

20. It should be noted that the ability to retire before age 55 is restricted by HMRC legislation.

21. Members form a special class where they make an election for early retirement benefits under Regulation 31(1) if:

   - they are not aged 55 or more at the effective date of the election; *and*
   - there is a gap between their last day of service and the effective date of the member's election.

Particular considerations then apply, to allow for the fact that increases to an early retirement pension in payment are deferred until age 55. The benefits of such members as relate to CRA, age 65 and tapered reductions should first be apportioned separately to take account of the Transitional Schedule as per the table in paragraph 18 above.

22. The reduction in pension increases already accrued for which payment has to be deferred to age 55 depends mainly on the period (if any) between the 55th birthday and the date after the 55th birthday on which the member would be entitled to unreduced benefits (assuming the employer consents). The reduction in basic benefits, on the other hand, depends mainly on the longer period between the date of election and the date on which the member would be entitled to unreduced benefits. In order to be able to apply the pensions increase

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multiplier to the reduced pension in payment and the lump sum already paid once the member reaches age 55, it is appropriate to derive a single percentage reduction for early payment of benefit which is a combination of the reduction for early payment at the date of election and that for early payment at age 55.

23. In order to maintain consistency with the early retirement factors applicable where there is no gap between date of leaving and date of election, it is appropriate to adopt the percentage reductions used in those circumstances (which are shown in Appendix I) as the basis for producing "combined" reduction factors for members below age 55. The relevant reduction factors are as follows:

BPR   is the Pension Reduction according to the total number of years early;

PIR   is the Pension Reduction according to the number of years between the 55th birthday and the date on which the member would be entitled to unreduced benefits (or 0, if the 55th birthday is the later of the two dates);

BLSR   is the Lump Sum Reduction according to the total number of years early;

The formulae for deriving the combined reductions are

(a) Combined Pension Reduction (%) is 100 times the complement of:

$$\frac{(1 - BPR/100) + (P - 1) \times (1 - PIR/100) \times A}{1 + (P - 1) \times A}$$

(b) Combined Lump Sum Reduction (%) is 100 times the complement of:

$$\frac{P \times (1 - BLSR/100)}{1 + (P - 1) \times B}$$

where P is the pensions increase multiplier, and
A and B are the factors shown in Appendix II

Transfer Credits

24. In cases where a member's service includes a transfer credit acquired under Protected Regulations 66(1)(d) and 66(5), the retirement pension in respect of this transfer credit may require further reduction in accordance with Protected Regulation 66(7) – but usually only where CRA is less than 60. Practitioners should consult the Government Actuary's guidance under Protected Regulation 66(7).

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Regulation 36 of the LGPS

25. Because the LGPS is contracted out of the State Second Pension, it must satisfy the various requirements of the preservation and revaluation legislation applying to occupational pension schemes. One of these requirements is that the pension payable to a member from GMP age (GMPA – 65 for men and 60 for women, even after 2010) should not be less than the "Guaranteed Minimum Pension" (GMP) in relation to service before 6th April 1997. Where a member retires before GMPA (with, or even without, a reduced pension entitlement), it is possible that the reduction in pension might result in the pension payable from GMPA falling short of the minimum legislative requirements. In considering whether to give consent to a request for an immediate payment of reduced benefits from a member under age 60, the employing authority may wish to take into account whether there is a risk that the pension will have to be increased at GMPA. For male members retiring after 60, but before 65, the administering authority must ensure that the pension from 65 meets the requirements of the contracting-out legislation, and Regulation 36(1). These requirements apply equally to retirements under regulation 35(1A) as to those under Regulation 31(1).

26. The administering authority should conduct a final check on the level of early retirement benefits to ensure that they are adequate to meet the requirements of Regulations 36(5) and 36(6) – and uplift the pensions if necessary.

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27 September 2006

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Example (1A) – Group 1 member retiring with pre-2016 service only

27. The first example is a female member who elects while in active service:

- Date of Birth: 2nd October 1953
- Date of commencement of service: 1st April 1992
- Last day of employment 1st October 2011
- Effective date of election under Regulation 31(1) 2nd October 2011
- Age at election 58

28. The member falls into Group 1, since paragraph 2 of the Transitional Schedule applies to her and she was born before 31st March 1956. The next step is to calculate the *relevant date* for this member (under paragraph 5 of the Transitional Schedule). On 31st March 2016 she will be aged 62 years – so her relevant date is 2nd October 2011 (the day after she leaves local government employment), and all her service is subject to her CRA.

29. We proceed to calculate CRA. At her early retirement date, she is aged 58 years exactly, and has 19y 184d of membership. She does not satisfy the rule of 85 at that date, but, had she remained in service, she would first satisfy the rule of 85 on her 62nd birthday – so this is her CRA. The term for which the early retirement reductions should be applied is then 4.000 years (62 years less 58 years). (If the member had commenced service, for example, on April 1st 1982 no reductions would be applied if her employing authority consented to her election for early retirement under Regulation 31(2) – but the administering authority might consider that additional payments would be required from the employing authority under Regulation 80(5).) If her employing authority did not consent to early retirement, the election for early retirement benefits would not be effective – the administering authority could not, for example, pay an early retirement pension with reductions applied for 2 years from age 60 to age 58.

30. The appropriate factors can be read from the table in Appendix I:

- P_{CRA} 19%
- LS_{CRA} 9%

Assuming that the member has Final Pay of £18,000, her early retirement pension and lump sum are calculated as follows:

$$ERPension....\frac{\left(19+\frac{184}{365}\right)}{80}\times£18,000\times(1-0.19)=£3,554.62 \text{ p.a.}$$

$$ERCash........\frac{3\times\left(19+\frac{184}{365}\right)}{80}\times£18,000\times(1-0.09)=£11,980.40$$

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31. If the above election was made under Regulation 35(1A) ("flexible retirement") instead of 31(1) then the calculation of reduced benefits would be the same. 1st October 2011 would not be the last day of employment, but would instead be the last day of reckonable service for calculating benefits. Employer consent would be required and a payment may be required by the administering authority under regulation 80(5). The employer may waive all or part of the reduction, and in this case the fund's actuary would advise on the payment required as a result of the waiver.

32. In practice, the administering or employing authority might also consider whether a further test to ensure that the benefits will meet the Guaranteed Minimum Pension at State Pension Age should be applied.

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Example (1B) – Group 1 member retiring after 31st March 2016

33. The second example is the same member as 1A, but retiring later:

   - Date of Birth: 2nd October 1953
   - Date of commencement of service: 1st April 1992
   - Last day of employment   1st October 2016
   - Effective date of election under Regulation 31(1)   2nd October 2016
   - Age at election   63

34. The member falls into Group 1, since paragraph 2 of the Transitional Schedule applies to her and she was born before 31st March 1956. The next step is to calculate the *relevant date* for this member (under paragraph 5 of the Transitional Schedule). On 31st March 2016 she will be aged 62 years – so her relevant date is 1st April 2016 and all her service is either Part A, Part B or Part C Membership.

35. At her early retirement date, she is aged 63 years exactly, and has 24y 184d of membership. She satisfied the rule of 85 on her 62nd birthday. There is therefore no reduction to be applied to Part A or B service. The term to her 65th birthday is 2 years, and the reduction applied to her Part C service is based on this period.

36. The appropriate factors can be read from the table in Appendix I:

   - P_{CRA} 0%
   - LS_{CRA} 0%
   - P_{65} 10%
   - LS_{65} 5%

   Assuming that the member has Final Pay of £18,000, her early retirement pension and lump sum are calculated as follows:

$$ERPension....£18,000\times\frac{1}{80}\times\left(24\times(1-0.00)+\frac{184}{365}\times(1-0.1)\right)=£5,502.08 \text{ p.a.}$$

$$ERCash........£18,000\times\frac{3}{80}\times\left(24\times(1-0.00)+\frac{184}{365}\times(1-0.05)\right)=£16,523.26$$

37. If the above election was made under Regulation 35(1A) ("flexible retirement") instead of 31(1) then the calculation of reduced benefits would be the same. 1st October 2016 would not be the last day of employment, but would instead be the last day of reckonable service for calculating benefits. Employer consent would be required and a payment may be required by the administering authority under regulation 80(5). The employer may waive all or part of the reduction, and in this case the fund's actuary would advise on the payment required as a result of the waiver.

38. In practice, the administering or employing authority might also consider whether a further test to ensure that the benefits will meet the Guaranteed Minimum Pension at State Pension Age should be applied. .

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Example (2) – Group 3 member with CRA below 65 retiring after CRA but before 65

39. The second example relates to a male employee:

- Date of Birth: 1st October 1979
- Date of commencement of service: 1st April 2000
- Last day of employment: 30th September 2034
- Effective date of election under Regulation 31(1) 1st October 2034
- Age at election 55

40. The member falls into Group 3, since he was born after 31st March 1960 but joined before 1st October 2006. Assuming the member remains in service until the date of his election for early retirement his combined Part B, C and D Membership will be 26 years 183 days. After his 53rd birthday (1st October 2032) the member would satisfy the rule of 85. Therefore, at any time on or after that date the member can retire and suffer no reduction on his benefits earned by Part A Membership of 8y 0d. As the member is retiring before his 60th birthday, employer consent is required in accordance with Regulation 31(2) and a payment may be required by the administering authority under regulation 80(5). The term for which the reductions apply to Part B Membership is 10.000 years (65 years less 55 years). The appropriate factors can be read from the table in Appendix I:

- P_{CRA} 0%
- LS_{CRA} 0%
- P_{65} 41%
- LS_{65} 22%

Assuming that the member has Final Pay of £23,000, his early retirement pension and lump sum are calculated as follows:

$$ERPension....£23,000 \times \frac{1}{80} \times \left(8 \times (1-0.00) + \left(26 + \frac{183}{365}\right) \times (1-0.41)\right) = £6,795.29 \text{ p.a.}$$

$$ERCash........£23,000 \times \frac{3}{80} \times \left(8 \times (1-0.00) + \left(26 + \frac{183}{365}\right) \times (1-0.22)\right) = £24,728.80$$

41. If the above election was made under Regulation 35(1A) instead of 31(1) then the calculation of reduced benefits would be the same. The 30th September 2034 would not be the last day of employment, but would instead be the last day of reckonable service for calculating benefits. Employer consent would be required and a payment may be required by the administering authority under regulation 80(5). The employer may waive all or part of the reduction, and in this case the fund's actuary would advise on the payment required as a result of the waiver.

42. In practice, the administering or employing authority might also consider whether a further test to ensure that the benefits will meet the Guaranteed Minimum Pension at State Pension Age should be applied.

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Example (3) – Group 3 member with CRA below 65 retiring before CRA

43. The third example also relates to a male employee:

- Date of Birth: 1st October 1961
- Date of commencement of service: 1st April 2000
- Last day of employment: 30th September 2021
- Effective date of election under Regulation 31(1) 1st October 2021
- Age at election 60

44. The member falls into Group 3, since he was born after 31st March 1960 but joined before 1st October 2006. After his 62nd birthday (1st October 2023) the member would satisfy the rule of 85. He can retire before that date, as long as he is 50 years or more – but he will suffer reduction on his benefits earned by Part A Membership (8y 0d) in respect of the period from the effective date of his election under Regulation 31(1) to his 62nd birthday (although consent is required for retirement before his 60th birthday, in any event). Assuming the member remains in service as outlined above, his combined Part B, C and D Membership will be 13 years 183 days. In this case, the term for which the reductions apply to Part A Membership is 2.000 years (62 years less 60 years). The term for which the reductions apply to Part B Membership is 5.000 years (65 years less 60 years). The appropriate factors can be read from the table in Appendix I:

- P_{CRA} 11%
- LS_{CRA} 5%
- P_{65} 24%
- LS_{65} 12%

Assuming that the member has Final Pay of £20,000, his early retirement pension and lump sum are calculated as follows:

$$ERPension....£20,000 \times \frac{1}{80} \times \left(8 \times (1-0.11) + \left(13 + \frac{183}{365}\right) \times (1-0.24)\right) = £4,345.26 \text{ p.a.}$$

$$ERCash.........£20,000 \times \frac{3}{80} \times \left(8 \times (1-0.05) + \left(13 + \frac{183}{365}\right) \times (1-0.12)\right) = £14,610.90$$

45. If the above election was made under Regulation 35(1A) instead of 31(1) then the calculation of reduced benefits would be the same. The 30th September 2021 would not be the last day of employment, but would instead be the last day of reckonable service for calculating the benefits. Employer consent would be required and a payment may be required by the administering authority under regulation 80(5). The employer may waive all or part of the reduction, and in this case the fund's actuary would advise on the payment required as a result of the waiver.

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Example (4A) – Group 2 member retiring after 31 March 2016 but before 31 March 2020

46. This example relates to a female employee:

- Date of Birth: 1st April 1957
- Date of commencement of service: 1st April 1978
- Last day of employment: 31st March 2017
- Effective date of election under Regulation 31(1)   1st April 2017
- Age at election   60

47. The member falls into Group 2. She does satisfy the 85 year rule at the date of her election for immediate retirement benefits. Therefore, she should suffer no reduction on her benefits earned by Part A Membership (30 years) but should suffer at tapered reduction in respect of her Part B Membership (8 years) and Part C Membership (1 year). In this case, the term for which the reductions apply to pre-2008 membership is 0.000 years. The term for which the reductions apply to the Part B and Part C Membership to age 65 is 5.000 years (65 years less 60 years). The appropriate factors can be read from the table in Appendix I:

- P_{CRA} 0%
- LS_{CRA} 0%
- P_{65} 23%
- LS_{65} 12%

The member will first satisfy the rule of 85 and be aged 60 or over on 1st April 2017. The date of election is 1st April 2017. Both dates are the same, so her taper period is 1 year (i.e. the period between 1st April 2016 and 31st March 2017), and the taper interpolation factor is 1 year divided by 4 years = 0.250. Thus the tapered reduction factors are:
- P_{taper} = 0.25 x P_{65} + 0.75 x P_{CRA} = 5.75%
- LS_{taper} = 0.25 x LS_{65} + 0.75 x LS_{CRA} = 3%

Assuming that the member has Final Pay of £35,000, her early retirement pension and lump sum are calculated as follows:

$$ERPension....£35,000\times\frac{1}{80}\times\left(30\times(1-0.00)+(8+1)\times(1-0.0575)\right)=£16,836.09 \text{ p.a.}$$

$$ERCash.........£35,000\times\frac{3}{80}\times\left(30\times(1-0.00)+(8+1)\times(1-0.03)\right)=£50,833.13$$

48. If above the election was made under Regulation 35(1A) instead of 31(1) then the calculation of reduced benefits would be the same. The 31st March 2017 would not be the last day of employment, but would instead be the last day of reckonable service for calculating benefits. Employer consent would be required and a payment may be required by the administering authority under regulation 80(5). The employer may waive all or part of the reduction, and in this case the fund's actuary would advise on the payment required as a result of the waiver.

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Example (4B) – Group 2 member retiring after 31 March 2020

49. This example relates to the same individual as example 4A, but retiring later:

- Date of Birth: 1st April 1957
- Date of commencement of service: 1st April 1978
- Last day of employment: 31st March 2021
- Effective date of election under Regulation 31(1)   1st April 2021
- Age at election   64

50. The member falls into Group 2. She does satisfy the 85 year rule at the date of her election for immediate retirement benefits. Therefore, she should suffer no reduction on her benefits earned by Part A Membership (30 years) but should suffer at tapered reduction in respect of her Part B Membership (8 years), Part C Membership (4 years) and a full reduction in respect of her Part D Membership (1 year). In this case, the term for which the reductions apply to pre-2008 membership is 0.000 years. The term to age 65 is 1.000 year (65 years less 64 years). The appropriate factors can be read from the table in Appendix I:

- P_{CRA} 0%
- LS_{CRA} 0%
- P_{65} 5%
- LS_{65} 2%

The member will first satisfy the rule of 85 and be aged 60 or over on 1st April 2017 so her taper period is 1 year (i.e. the period between 1st April 2016 and 31st March 2017), and the taper interpolation factor is 1 year divided by 4 years = 0.25. Thus the tapered reduction factors are:
- P_{taper} = 0.25 x P_{65} + 0.75 x P_{CRA} = 1.25%
- LS_{taper} = 0.25 x LS_{65} + 0.75 x LS_{CRA} = 0.5%

Assuming that the member has Final Pay of £35,000, her early retirement pension and lump sum are calculated as follows:

ERPension

$$£35,000 \times \frac{1}{80} \times \left(30 \times (1-0.00) + 8 \times (1-0.0125) + 4 \times (1-0.0125) + 1 \times (1-0.05)\right)$$
$$= £18,725 \text{ p.a.}$$

ERCash

$$£35,000 \times \frac{3}{80} \times \left(30 \times (1-0.00) + 8 \times (1-0.005) + 4 \times (1-0.005) + 1 \times (1-0.02)\right)$$
$$= £56,332.50$$

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51. If above the election was made under Regulation 35(1A) instead of 31(1) then the calculation of reduced benefits would be the same. The 31st March 2021 would not be the last day of employment, but would instead be the last day of reckonable service for calculating benefits. Employer consent would be required and a payment may be required by the administering authority under regulation 80(5). The employer may waive all or part of the reduction, and in this case the fund's actuary would advise on the payment required as a result of the waiver.

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Example (5) – Group 2 member electing under age 55 with pre-2016 service only

52. The final example relates to a male employee retiring on his 50th birthday:

- Date of Birth: 1st October 1956
- Date of commencement of service: 1st October 1983
- Last day of employment: 30th September 1996
- Effective date of election under Regulation 31(1) 1st October 2006
- Age at election 50
- Preserved pension at exit £1,500 p.a.
- Preserved lump sum at exit £4,500

53. The former employer's consent for the election is required as he is under 60. The earliest age at which he could satisfy the rule of 85 requirement would be his 56th birthday (when his age, plus his membership, plus the period since he left service, would equal 85). Thus the number of years between the date of election and the date of entitlement to unreduced benefits is 6 years (the difference between age 56 and age 50). The number of years between the 55th birthday and the date of entitlement to unreduced benefits is 1 year. Since he will only have Part A Membership, there is only one set of reduction factors required, based on the member's CRA.

The calculation

54. The pensions increase multiplier on 1st October 2006 for a member who left service on 30th September 1996 is 1.2703 From Appendix I, the percentage reductions to be combined are:

	%
Basic Pension Reduction (BPR)	28
Pensions Increase Reduction (PIR)	6
Basic Lump Sum Reduction (BLSR)	14

The values of the variables in the formulae for combining these reductions, based on the number of years to the member's 55th birthday, which is 5, are as follows, from Appendix 2:

$$A \quad = \quad 0.795$$
$$B \quad = \quad 0.765$$

(If the time interval to age 55 were not an exact number of years, interpolation would be required to obtain factors A and B.)

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55. The reduced pension entitlement is:

$$\frac{(1 - 28/100) + (1.2703 - 1) \times (1 - 6/100) \times 0.795}{1 + (1.2703 - 1) \times 0.795}$$

$$= \frac{0.72 + (0.2703 \times 0.94 \times 0.795)}{1 + (0.2703 \times 0.795)} = 0.7589$$

giving a Combined Pension Reduction of 24.11% (i.e. 100 x (1 - 0.7589)

56. The reduced lump sum entitlement is:

$$\frac{1.2703 \times (1 - 14/100)}{1 + (1.2703 - 1) \times 0.765}$$

$$= \frac{1.2703 \times 0.86}{1 + (0.2703 \times 0.765)} = 0.9053$$

giving a Combined Lump Sum Reduction of 9.47% (i.e. 100 x (1 - 0.9053))

Benefits before age 55

57. The basic preserved pension of £1,500 would be reduced by 24.11% to £1,138.35. The pension would be paid at this rate until age 55 or the prior death of the member. The basic preserved lump sum of £4,500 would be reduced by 9.47% to £4,073.85 for payment at the date of election for early retirement (i.e. age 50 in this case).

Benefits at age 55

58. The pension from age 55 would be the amount obtained by applying the pensions increase multiplier on 1 October 2011 (for someone who left service on 30th September 1996) to the reduced basic pension of £1,138.35. If, for example, RPI were at the rate of 2.5% p.a. from September 2005 to September 2010, the pension at age 55 would be:

$$£1,138.35 \times 1.2703 \times (1.025)^5 = £1,636.07$$

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59. Also due for payment at age 55 is the pension increase element on the lump sum already accrued up to date of election (age 50 in this case). This should be calculated by multiplying the reduced basic lump sum (£4,073.85) by the factor (P - 1), where P is the pension increase multiplier at date of election and <u>not</u> at age 55. This gives a lump sum of £1,101.16, which is derived from the calculation (1.2703 - 1) x £4,073.85. Also, the pension increase for the period from 6th April 2006 to 1st October 2006 when the main lump sum was taken, would be due for payment on 1st October 2011; this would be £64.69 (= 1.2703 x £4,073.85 x .0125), assuming RPI of 2.5% p.a. No interest should be added for the period 1st October 2006 to 1st October 2011 to either of these amounts.

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Appendix I
Percentage Reduction in Accrued Retirement Benefits
(To be used in the calculation of reduced benefits)

Years Early	*Pension Reduction (%)*		*Lump Sum Reduction All Members %*
	Males	*Females*	
0	0	0	0
1	6	5	2
2	11	10	5
3	16	15	7
4	20	19	9
5	24	23	12
6	28	27	14
7	32	30	16
8	35	33	18
9	38	36	20
10	41	39	22
11	44	42	24
12	47	45	26
13	50	47	27
14	52	49	29
15	54	51	31

Notes:
(1)   The number of *Years Early* is the period between the dates (i) and (ii) below, where:
   (i)   is the effective date of the member's election under Regulation 31(1) or Regulation 35(1A) of the LGPS; and
   (ii)   is the date (or dates) on which the member would be entitled to unreduced benefits (assuming, where relevant, that the employer would consent to an election for the early payment of benefits if the member is under age 60 or remains in employment), as outlined in paragraph 4 of this guidance note.

(2)   Practitioners may need to refer to this table twice (with different values of *Years Early*) when preparing calculations for Group 1, 2 or 3 members. If tapered factors are required they are derived from these two sets of factors.

(3)   If the date in (1)(i) is later than the date in (1)(ii), then it should be clear that no reductions are to be applied (to the relevant part of the membership under consideration, if applicable).

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(4) Where the number of *Years Early* is not an integer number, the reduction factors from the table should be interpolated for part years.

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Appendix II

Values of variables in the formulae to be used in the calculation of the reductions for members under age 55 at the date of the election

The values of the variables in the formulae shown in paragraph 23 of the Guidance Note are as follows.

No. of years to 55th birthday	*A* *(Pension)*		*B* *(Lump Sum)*
	Males	*Females*	*Males and Females*
0	1.000	1.000	1.000
1	0.951	0.954	0.948
2	0.907	0.912	0.898
3	0.867	0.873	0.852
4	0.829	0.837	0.807
5	0.795	0.804	0.765

Note:

Where the number of years between the effective date of the election for early payment of benefits and the 55th birthday is not an exact number of years, values of A and B should be obtained by interpolation.