

Appendix B

2014 Regulations	Proposed Policy
<p><b><u>Regulation 16(2)(e) &amp; 16(4)(d)</u></b>  <b>Funding of Additional Pension</b></p> <p>An employer may fund wholly, or in part, a member’s additional pension contract (APC). The payment can be made by regular contributions or a lump sum.</p> <p>The cost of this would fall on the employer. Please note that where an APC is used to cover a period of unpaid leave, employers have to automatically pay 2/3 of the cost with the member paying the balance.</p>	<p><b>The Authority’s policy on this discretion is to treat each case on its merits.</b></p>
<p><b><u>Schedule 2 Para 2</u></b>  <b>To apply the 85 Year Rule before age 60</b></p> <p>Whether, in respect of benefits from pre 1/4/2014 membership to “switch on” the 85 year rule for a member voluntary drawing benefits on an after age 55 and before age 60.</p> <p>Whether to waive on compassionate ground, the actuarial reduction applied to benefits from pre 1/4/2014 membership where the employer has “switched on” the 85 year rule for a member voluntary drawing benefits on or after the age 55 and before age 60.</p>	<p>To consider each application on its merits subject to the financial implications for the employer</p>
<p><b><u>Regulation 30(6)</u></b>  <b>Flexible Retirement</b></p> <p>Employers may give consent for a member, aged 55 or more, who reduces their grade or hours of work (or both) to receive all or part of their LGPS benefits immediately, even though they haven't left their employment.</p> <p>Any cost for the early payment would fall on the employer.</p>	<p>To consider each application on its merits subject to the financial implications for the employer.</p>

<p><b><u>Regulation 30(8)</u></b>  <b>Waiving of Actuarial Reduction</b>          If the benefits payable on retirement before normal pension age would normally be reduced for early payment, an employer may agree to waive all or part of the reduction.</p> <p>The cost of doing so would fall on the employer.</p>	<p>To consider each application on its merits subject to the financial implications for the employer.</p>
<p><b><u>Regulation 31</u></b>  <b>Awarding Additional Pension</b>          Employers may increase a member's benefits by awarding additional pension up to a maximum of £6,500 p.a. from April 2014.</p> <p>The cost of this would fall on the employer.</p>	<p>To consider each application on its merits subject to the financial implications for the employer.</p>
<p><b>NON-COMPULSORY EMPLOYER DISCRETIONS</b></p>	
<p><b><u>Regulation 9(3)</u></b>  <b>Members Contribution Rates</b>          Employers have to allocate members into the appropriate contribution band for 2014/15 and every financial year thereafter.</p> <p>If a member's pay moves into a different band during a financial year, the employer has discretion to implement the new band immediately but may prefer to wait until the next annual review.</p> <p>It is important to ensure the members banding is based on actual earnings. contributions as well as the member. The cost of doing so would fall on the employer.</p>	<p>To make changes to employee contribution rates throughout the year from the effective date of any change in employment or material change to the rate of pensionable pay received</p>
<p><b><u>Regulation 17(1)</u></b>  <b>Shared Cost Additional Voluntary Contributions</b>          An employer may contribute towards a</p>	<p>To consider using this discretion where a sufficient benefit to the employer can be justified</p>

<p>Shared Cost AVC Scheme, i.e. an AVC Scheme into which the employer pays contributions as well as the member. The cost of doing so would fall on the employer.</p>	
<p><b><u>Regulation 22(8)(b)</u></b>  <b>Membership Aggregation</b>  To allow a member who has not elected within 12 months of rejoining to keep their deferred record separate from their active account.</p>	<p>Each case will be examined at the appropriate time</p>
<p><b><u>Regulation 74(1)</u></b>  <b>Appointment of a Nominated Person for Member Disagreements</b>  There is a three-stage dispute procedure made by their employer. The first stage is handled by the employer. You may appoint internally or externally. Employers must appoint a Nominated Person.</p> <p>In every notification of any decision made under the Regulations the employer must inform the person concerned of the job title and address of the person appointed under regulation 74 (1) to whom any application may be made for appeal.</p>	<p>The nominated person for MFRA is:-  <a href="#">Kieran Timmins</a>  <a href="#">Deputy Chief Executive</a>  <a href="#">Merseyside Fire and Rescue Authority</a>  <a href="#">Fire Service HQ</a>  <a href="#">Bridle Road</a>  <a href="#">Bootle</a>  <a href="#">L30 4YD</a></p> <p>Tel: 0151 296 4202  Fax: 0151 296 4224</p> <p><a href="mailto:kierantimmins@merseyfire.gov.uk">kierantimmins@merseyfire.gov.uk</a></p>
<p><b><u>Regulations 91, 92 and 93</u></b>  <b>Forfeiture of Pension Rights</b>  If a member leaves as a result of a conviction for an offence in connection with their LGPS employment or as a result of their own criminal, negligent or fraudulent act in connection with that employment, the employer has the discretion to direct all or part of their LGPS pension rights to mitigate the loss incurred as a result.</p>	<p>Each case will be examined at the appropriate time</p>
<p><b><u>Regulation 100(6)</u></b></p>	<p>Each case will be examined at the appropriate time.</p>

**Transfer of Pension Rights**

A member who has previous pension rights in a different pension scheme may transfer them into the LGPS provided they opt to do so within twelve months of joining.

Employers have discretion to extend the twelve months' time limit. This does not include rights in the LGPS, which are dealt with under Membership Aggregation, see Regulation 22(8).

To consider each application on its own merits based on the financial implications for the employer