

SCHEDULE

Cambridge University Assistants' Contributory Pension Scheme

- 1 The following amendments to the Rules of the Cambridge University Assistants' Contributory Pension Scheme (as adopted by Grace 2 of 24 November 1999) are made by the University with the approval of at least two-thirds of the Managing Committee pursuant to Rule 5 of the Rules of the Scheme.
- 2 Defined terms used herein have the same meanings as in the Rules save where the context otherwise requires.
- 3 The amendments set out below were adopted by the University by Grace on [] 2012 but the amendments have effect on and from 1 January 2013 or as otherwise specified below.

4 **Definitions**

- 4.1 The following definitions are added to Rule 1.1:

“**2008 Act**” means the Pensions Act 2008.

“**Annual CRB Pension**” means, in relation to each Scheme Year in which the relevant Member is in Pensionable Service as a CRB Active Member:

- (a) in respect of a Pre-2013 Member, an amount equal to:
 - (i) in relation to each Scheme Year ending on or before 31 July 2017, 1/95th of the Pensionable Salary received by the Member whilst in Pensionable Service in the relevant Scheme Year;
 - (ii) in relation to the Scheme Year ending on 31 July 2018:
 - (A) in relation to the part of that Scheme Year which falls prior to 1 January 2018, 1/95th of the Pensionable Salary received by the Member whilst in Pensionable Service in that part of that Scheme Year; and
 - (B) in relation to the part of that Scheme Year which falls on or after 1 January 2018, 1/100th of the Pensionable Salary received by the Member whilst in Pensionable Service in that part of that Scheme Year; and
 - (iii) in relation to each Scheme Year after the Scheme Year referenced in (ii) above, 1/100th of the Pensionable Salary received by the Member whilst in Pensionable Service in the relevant Scheme Year; and
- (b) in respect of a Post-2013 Member, an amount equal to 1/150th of the Pensionable Salary received by the Member whilst in Pensionable Service in the relevant Scheme Year

provided that:

- (c) in relation to the Scheme Year ending on 31 July 2013, no account shall be taken of Pensionable Salary received by the Member on or before 31 December 2012; and
- (d) in relation to any period prior to the Crystallisation Date during which the Member is deemed to have been in Pensionable Service (including, without limitation, pursuant to Rule 47 {Absence}, Rule 68 {Parental Leave}, Rule 69 {Paternity Leave} or Rule 70 {Adoption Leave}) the Member shall be treated as having received Pensionable Salary during that period at the rate at which he was receiving Pensionable Salary immediately prior to the start of that period.

“CRB Active Member” means, on or after 1 January 2013, a Member who is in Pensionable Service.

“CRB Revaluation Percentage” means:

- (a) in respect of CRB Active Members who are Pre-2013 Members the lesser of 5% per annum and the annual rate of the increase in the Retail Prices Index (if any) in the 12 months to the previous May in respect of the relevant Scheme Year; and
- (b) in respect of CRB Active Members who are Post-2013 Members the lesser of 5% per annum and the annual rate of the increase in the Consumer Prices Index (if any) in the 12 months to the previous May in respect of the relevant Scheme Year,

provided that the Trustee may at its discretion and with prior written consent of the University award a higher percentage increase in respect of any one or more Scheme Years.

“Consumer Prices Index” means the Consumer Prices Index published by the Office for National Statistics or any other suitable index adopted by agreement between the Trustee and the University for the purposes of the Scheme.

“Crystallisation Date” means the date on which the Member ceases to be in Pensionable Service.

“Post-2013 Member” means a Member who joined the Scheme on or after 1 January 2013.

“Pre-2013 Member” means a Member who joined the Scheme on or before 31 December 2012.

“Retail Prices Index” means the index of retail prices for all items published by the Office for National Statistics or any other suitable index adopted by the Trustee for the purposes of the Scheme.

“Revalued Annual CRB Pension” means, in relation to each Scheme Year in which the relevant Member is in Pensionable Service:

- (a) the Annual CRB Pension relating to that Scheme Year;
- (b) increases on such Annual CRB Pension in respect of each

subsequent complete Scheme Year. Each increase must:

- (i) be awarded on the first day of the Scheme Year immediately following the Scheme Year to which the increase relates; and
 - (ii) be equal to the CRB Revaluation Percentage of the total of the Annual CRB Pension referred in paragraph (a) and previous increases awarded in respect of that Annual CRB Pension in accordance with this paragraph (b); and
- (c) an increase on such Annual CRB Pension in respect of the Scheme Year in which the Crystallisation Date occurs. Such increase must:
- (i) be awarded on the Crystallisation Date; and
 - (ii) be calculated in accordance with sub-paragraph (b)(ii) provided that for these purposes each of paragraphs (a) and (b) of the definition of "CRB Revaluation Percentage" shall be read as if:
 - (A) the words "5% per annum and the annual rate of the increase" were replaced with "n/12ths multiplied by 5% (where "n" is the number of months, rounded up, between the first day of the Scheme Year in which the Crystallisation Date occurs and the Crystallisation Date) and the rate of the increase".
 - (B) the words "in the 12 months to the previous May in respect of the relevant Scheme Year" were replaced with "between (i) May in the complete Scheme Year prior to the Crystallisation Date; and (ii) the month which is two months prior to the month in which the Crystallisation Date occurs or, if the Crystallisation Date is on the first day of the month, the month which is three months prior to the month in which the Crystallisation Date occurs."

provided that the Annual CRB Pension relating to the Scheme Year in which the Crystallisation Date occurs shall not be increased under this paragraph (c). For the avoidance of doubt it is intended that, where the Crystallisation Date occurs on the first day of a Scheme Year, there shall be no increase under paragraph (c).

"Scheme Year" means a period of 12 months ending on 31 July in each year or such other period as the University and the Trustee may agree. If a different period is agreed pursuant to this definition, benefits referable to the relevant Scheme Year shall be increased/decreased in proportion to the length of the relevant period to the extent necessary to ensure that they are of equal value.

"Total Revalued Annual CRB Pension" means the sum of the Revalued Annual CRB Pension for each Scheme Year or part thereof in which the relevant Member was (or is treated as having been) in Pensionable Service.

4.2 The following definitions in Rule 1.1 are deleted and replaced:

“Actuary” means a Fellow of the Institute and Faculty of Actuaries (or a firm making available the services of such a person) appointed under Rule 15 {advisers}.

“Deferred Pensioner” means a Former Member who:

- (a) has ceased Membership;
- (b) is not in receipt of a pension under the Scheme; and
- (c) is entitled to a pension under the Scheme

(or who is treated as such a Former Member by reason of a transfer payment received under Rule 29 {transfers to the scheme}).

“Final Pensionable Salary” means the highest of the values set out in paragraph (a), but subject to paragraphs (c) and (d) below:

- (a)
 - (i) a Member’s Pensionable Salary during the 12 months immediately preceding the date referred to in paragraph (b) of this definition;
 - (ii) a Member’s Pensionable Salary in any period of 12 consecutive months during the 3 years immediately preceding the date referred to in paragraph (b) of this definition increased in line with the Retail Prices Index in respect of the period between the end of the 12 month period and the said date;
 - (iii) the highest average of a Member’s Pensionable Salaries for any consecutive period of 3 years ending not earlier than 10 years before the date referred to in paragraph (b) of this definition where such Pensionable Salaries have each been increased in line with the Retail Prices Index in respect of the period between the end of each 12 month period to which the Pensionable Salaries relate and the date referred to in paragraph (b) of this definition;
 - (iv) a Member’s Pensionable Salary in the 12 months ending 3 years before the date referred to in paragraph (b) of this definition (but without any increase in line with the Retail Prices Index); and
 - (v) a Member’s Pensionable Salary in the 12 months ending 4 years before the date referred to in paragraph (b) of this definition (but without any increase in line with the Retail Prices Index).
- (b) the date referred to in this paragraph is the earliest of the date of attainment of the Member’s Normal Pension Age and the dates of his retirement, termination of Pensionable Service and death;
- (c) in any instance where the Member has not been in Pensionable Service for a consecutive period of 3 years as required by paragraph

(a)(iii) the said average amount shall be calculated over the actual period of his Pensionable Service ending on the date referred to in paragraph (b);

- (d) in the case of a Member to whom paragraph 20 of schedule 6 to the Finance Act 1989 applies the value calculated under paragraph (a) shall not exceed the permitted maximum (as defined in section 590C, 1988 Act) from time to time except to the extent permitted by regulations made under either of those Acts or by the Revenue.

“Salary Sacrifice Arrangement” means an arrangement whereby a Member’s contract of employment with his Employer is varied so as to reduce the cash remuneration which the Member would otherwise be entitled to in respect of Service after the date of the variation and whereby the Employer either provides the Member with non-cash benefits which are specified on a list of applicable non-cash benefits maintained by the University, and/or the Member is relieved of the duty to pay Member’s contributions under Rule 45 but his benefits from the Scheme are calculated as though his cash remuneration had not been reduced. As at 21 August 2012 the list of non-cash benefits includes the use of the University’s nursery, the provision of childcare vouchers and the University’s Cycle to Work and car schemes. An arrangement can include one or more of the elements referred to above.

4.3 The definition of “Index” in Rule 1.1 is deleted.

5 **Rule 2 - Interpretation and Overriding Provisions**

5.1 Rule 2.2(e) is deleted and replaced as follows:

“(e) the Contracting-out Requirements in relation to benefits accrued before 1 January 2013.”

6 **Rule 26 - Additional Voluntary Contributions**

6.1 Rule 26.1 is deleted and replaced as follows:

“26.1 Subject to Rule 26.5, a Member may pay Additional Voluntary Contributions to secure additional benefits under either Rule 26.2 or Rule 26.3.”

6.2 Rule 26.4 is amended by: (i) adding the word "and" at the end of paragraph (b); (ii) deleting "; and" at the end of paragraph (c) and replacing it with "."; and (iii) deleting paragraph (d).

6.3 Rule 26.5 is deleted and replaced as follows:

“26.5 No Member may commence to pay contributions under this Rule 26 on or after 1 January 2013. A Member who was paying contributions under this Rule 26 on 31 December 2012 may continue to do so but the rate of such contributions may not be increased after that date and such Members may not vary the sub-Rule of this Rule under which the contributions are paid. A Member may reduce the rate of contributions paid by him under Rule 26.2 but may not reduce his contributions under Rule 26.3 (except where the member is permanently ceasing such contributions).”

7 **Rule 30 - Transfers from the Scheme**

7.1 Rule 30.7 is deleted and replaced as follows:

“30.7 The amount of any Cash Equivalent payable out of the Fund shall be calculated using the methods and assumptions:

- (a) prescribed by the Occupational Pension Schemes (Transfer Values) Regulations 1996; and
- (b) as they apply to the Beneficiary in question

provided that with the consent of the University other methods and assumptions may be used on the advice of the Actuary from time to time.”

8 **Rule 42 - Taxation**

8.1 Rule 42.2, 42.3 and 42.4 are added as follows:

“42.2 If a Member incurs an annual allowance charge under section 227 of the Finance Act 2004 and the Trustee becomes jointly liable to pay the charge (either following receipt of a notice under section 237B(3) of that Act or otherwise), the Trustee must:

- (a) pay the annual allowance charge by the due date advised by Her Majesty’s Customs & Excise (“**HMRC**”) in accordance with arrangements prescribed by HMRC; and
- (b) make a corresponding adjustment to the Member’s benefits under the Scheme.

42.3 In adjusting a Member’s benefits in the Scheme under Rule 42.2 to reflect the annual allowance charge paid on his behalf the Trustee may take such steps as it considers appropriate after consulting the University and the Member, including (without limitation) capping the Member’s Pensionable Salary or adjusting the Member’s accrual rate or otherwise, provided that the adjustment is just and reasonable having regard to normal actuarial practice as determined by the Actuary.

42.4 In discharging the powers contained in sub-Rules 42.2 and 42.3, the Trustee and the University may rely on any information provided by the Member (or his personal representatives). If the Member becomes liable to pay any charge or penalty in connection with an annual allowance charge for which he has become jointly liable under this sub-Rule (including an unauthorised payments charge), neither the Trustee nor the University shall be liable to pay any such charge or penalty if either had relied in good faith on information provided by the Member.”

9 **Rule 43 - Eligibility and Admission**

9.1 Rules 43.1(a) and (e) are deleted and replaced as follows:

- “(a) he is at least 16 years old;
- (e) [deleted by Grace 1 of 4 February 2009]”

9.2 Rule 43.4 is deleted and replaced as follows:

“43.4 The dates of admission of Employees to Membership are either:

- (a) the first day of the Employee's employment by his Employer;
- (b) the Employee's 16th birthday (if later than the date in (a) above); or
- (c) such date as is notified to the Trustee by an Employer for the purposes of the admission to Membership of any Employee (including in fulfilment of an Employer's duties in respect of an Employee under Part 1 of the 2008 Act)

provided that if because of an administrative oversight or otherwise a Member has not paid Member Contributions in respect of a period since the date of his automatic admission the Trustee may waive the payment of such contributions in whole or in part if it would cause financial hardship to the Member to pay such contributions either as a lump sum or over a period.”

10 **Rule 45 - Member Contributions**

10.1 Rule 45.1(a) is deleted and replaced as follows:

- “45.1 (a) Subject to Rule 45.2, Rule 45.3 and Rule 57A {salary sacrifice} and with effect from 1 January 2013 each Pre-2013 Member shall pay contributions of 5% of Pensionable Salary and each Post-2013 Member shall pay contributions of 3% of Pensionable Salary.”

10.2 Rules 45.6 and 45.7 are added:

“45.6 Subject to Rule 57A {salary sacrifice} a Member who joined the Scheme before 1 December 2009 may elect by giving written notice to the Trustee on or before 31 March 2013 to pay contributions under this Rule 45.6 at the rate of 3½% of Pensionable Salary in addition to his contributions under Rule 45.1(a) with effect from 1 January 2013 (see Rule 54 {early retirement}). If the election is made after contributions in respect of the period after 1 January 2013 have already been paid, the Member must pay additional backdated contributions at the rate of 3½% of Pensionable Salary in respect of the relevant period and the additional contributions shall be deemed to have been paid in respect of that period. An election under this sub-Rule may be revoked by not less than one month's notice to the Trustee but no further election may be made thereafter.

45.7 A Member who elects to pay contributions under Rule 45.6 shall cease to do so at age 60.”

10.3 The new Rule 45.6 has effect from the effective date of the Grace by which these amendments are made to enable Members to make the election contained therein before 1 January 2013.

11 **Rule 46 - Termination of Membership**

11.1 Rules 46.1(a) and (d) are deleted and replaced as follows:

“(a) becomes a Pensioner; or

(d) [deleted by Grace 1 of 4 February 2009]”

11.2 Rule 46.3 is added:

“46.3 Notwithstanding any other provision of these Rules, where a Member exercises a right to opt out under section 8 of the 2008 Act, he is to be treated for all purposes as never having become a Member of the Scheme on that occasion and Rule 51.1 shall apply.”

12 **Rule 48 - Resumption of Membership**

12.1 Rule 48.4 and 48.5 are deleted and replaced and Rule 48.8 is added as follows:

“48.4 If a Deferred Pensioner who is entitled to a deferred pension under Rule 50 {calculation of short service benefit} re-enters Service and within 12 months (or such longer period as the Trustee may in exceptional circumstances allow) from the date when his previous period of Service ended his Membership re-commences he shall cease to be entitled to his deferred pension under Rule 50 and his previous period of Pensionable Service shall be treated as continuous with his current period of Pensionable Service. If the Deferred Pensioner had been a Member before 1 December 2009 and would, but for this Rule 48.4, recommence Membership on the basis that he would be entitled to a pension under Rule 52.5 {80th accrual rate} he shall nonetheless be treated as entitled to benefits on the basis which applied before 1 December 2009 and likewise if the Deferred Pensioner had been a Member before 1 January 2013 and would, but for this Rule 48.4, recommence Membership on the basis which applies to Post-2013 Members he shall nonetheless be treated as a Pre-2013 Member.

48.5 If a Deferred Pensioner who had withdrawn from the Scheme under Rule 46.1(c) {termination of membership} is re-admitted under this Rule within 12 months of such withdrawal (or within such longer period as the Trustee may in exceptional circumstances allow) he shall cease to be entitled to his deferred pension under Rule 50 {calculation of short service benefit} and his previous period of Pensionable Service shall be treated as continuous with his current period of Pensionable Service. If the Deferred Pensioner had been a Member before 1 December 2009 and would, but for this Rule 48.5, recommence Membership on the basis that he would be entitled to a pension under Rule 52.5 {80th accrual rate} he shall nonetheless be treated as

entitled to benefits on the basis which applied before 1 December 2009 and likewise if the Deferred Pensioner had been a Member before 1 January 2013 and would, but for this Rule 48.5, recommence Membership on the basis which applies to Post-2013 Members he shall nonetheless be treated as a Pre-2013 Member.

48.8 A Deferred Pensioner who is readmitted to the Scheme after a break of 12 months or more will, subject to Rules 48.4 and 48.5, rejoin the Scheme on the basis which applies to new Members on the date on which he rejoins.”

13 **Rule 50 - Calculation of Short Service Benefit**

13.1 Rules 50.1, 50.2, 50.4, 50.8 and 50.9 are deleted and replaced as follows:

“50.1 Unless a Member is entitled to an immediate pension under Rule 54 {early retirement} or Rule 55 {late retirement} or elects to transfer his Cash Equivalent under Rule 30 {transfers from the scheme} a deferred pension will be payable from his Normal Pension Age. The amount will be calculated under Rule 52 {normal retirement pension} but by reference to his Final Pensionable Salary and Pensionable Service and/or Total Revalued Annual CRB Pension at the date his Membership ends, or shall be, if greater, of such amount as the Actuary shall advise (having regard, inter alia, to the contingent benefits attaching to such pension) as arising from the Member Contributions paid by the Member.

50.2 Subject to Rule 50.3 a deferred pension calculated under Rule 50.1 will be revalued during the period between the date Membership ends and when the deferred pension begins to be paid:

- (a) The Guaranteed Minimum Pension calculated as at the date Membership ends and any deferred pension in excess of the guaranteed minimum in respect of Pensionable Service before 1 January 2013 will be revalued in respect of each completed period of 12 months since the date Membership ended by 12% or, if less, the proportionate increase in the Retail Prices Index over the most recent period of twelve months in respect of which such information has been published at that date; and
- (b) the deferred pension in respect of Pensionable Service on and after 1 January 2013 will be revalued as follows:
 - (i) in respect of the Scheme Year in which Membership ends, the part of the deferred pension (if any) which relates to Pensionable Service in that Scheme Year shall not be revalued, but in respect of the rest of the deferred pension revaluation shall be calculated in the same way as Annual CRB Pension is increased pursuant to paragraph (b) of the definition of Revalued Annual CRB Pension but less the increase (if any) awarded pursuant to paragraph (c) of the definition of Revalued Annual CRB Pension on the Crystallisation Date.

- (ii) in respect of each subsequent complete Scheme Year prior to the Scheme Year in which the pension begins to be paid, revaluation shall be calculated in the same way as Annual CRB Pension is increased pursuant to paragraph (b) of the definition of Revalued Annual CRB Pension; and
- (iii) in respect of the Scheme Year in which the pension begins to be paid, revaluation shall be calculated in the same way as Annual CRB Pension is increased pursuant to paragraph (c) of the definition of Revalued Annual CRB Pension

provided that:

- (iv) if the pension begins to be paid in the same Scheme Year in which Membership ended, neither paragraph (i) nor paragraph (iii) shall apply but in respect of that Scheme Year, the part of the deferred pension (if any) which relates to Pensionable Service in that Scheme Year shall not be revalued, but in respect of the rest of the deferred pension revaluation shall be calculated in the same way as Annual CRB Pension is increased pursuant to paragraph (c) of the definition of Revalued Annual CRB Pension provided that for this purpose references to "the Crystallisation Date" shall be read as "the date on which the pension begins to be paid" but less the increase (if any) awarded pursuant to paragraph (c) of the definition of Revalued Annual CRB Pension on the Crystallisation Date; and
- (v) any exercise of the discretion in the definition of CRB Revaluation Percentage shall not be taken into account for these purposes unless otherwise determined by the University and notified to the Trustee (and see also Rule 50.4).

Subject to Rule 50.3 a deferred pension falling within paragraph (a) above shall not be revalued in respect of any period of less than 12 months since Membership ended nor in respect of any period of less than 12 months since the most recent anniversary of that date.

- 50.4 The Managing Committee may in its discretion disapply the limit of 12% per annum in Rule 50.2(a) in respect of any revaluation period and the University may in its discretion disapply the limits of 5% in paragraphs (a) and (b) of the definition of CRB Revaluation Percentage in relation to revaluation under paragraph (b) of Rule 50.2 in respect of any revaluation period.
- 50.8 A Member to whom 57.7 applies and whose Pensionable Service is terminated shall be entitled to a retirement lump sum calculated under Rule 57.7 unless he is entitled to an immediate pension under Rule 52 {normal retirement pension}, or Rule 54 {early retirement} or Rule 55 {late retirement} or elects to transfer his Cash Equivalent under Rule 30 {transfers from the Scheme}. The amount will be calculated under

Rule 57.7 {retirement lump sum} by reference to his Final Pensionable Salary and Pensionable Service and/or Total Revalued Annual CRB Pension at the date his Membership ends.

- 50.9 A deferred retirement lump sum calculated under Rule 50.8 will be revalued during the period between the date Membership ends and when his deferred pension begins to be paid. The retirement lump sum will be revalued in the same way as the pension to which it relates, as described in Rule 50.2.”

14 **Rule 51 - Members with less than 2 years' Qualifying Service**

14.1 Rule 51.7 is added:

“51.7 Where, pursuant to Rule 46.3, Rule 51.1 applies, any contributions paid to the Fund by the Member shall not be refunded to the Member but shall instead be refunded to that Member's Employer in accordance with the requirements of Part 1 of the 2008 Act.”

15 **Rule 52 - Normal Retirement Pension**

15.1 Rules 52.1, 52.3, 52.4 and 52.5 are deleted and replaced as follows:

“52.1 Subject to Rules 52.5 and 52.6 a Member who retires from Service on or after his 60th birthday but no later than his 65th birthday shall be entitled to receive an annual pension commencing immediately at the rate specified in Rule 52.2.

52.3 If a Member's Pensionable Service prior to 1 January 2013 consists of Pensionable Service the whole of which comprises either Part-time service or Full-time Service his pension under Rule 52.1 which relates to Pensionable Service prior to 1 January 2013 shall be calculated as set out therein without adjustment.

52.4 If a Member's Pensionable Service prior to 1 January 2013 comprises both Part-time Service and Full-time Service his pension under Rule 52.1 which relates to Pensionable Service prior to 1 January 2013 shall be calculated as follows:

- (a) if his Full-time Service follows his Part-time Service his pension will be calculated using his Final Pensionable Salary in respect of his Full-time Service provided that the Part-time Service is converted into its full-time equivalent using the formula:

years of Part-time Service x part-time working hours

full-time working hours; and

- (b) if his Part-time Service follows his Full-time Service his pension will be calculated by converting his Part-time Service to its full-time equivalent in accordance with the formula set out in Rule 52.4(a) and his Final Pensionable Salary (earned in respect of Part-time Service) shall likewise be converted to its full-time equivalent and any restriction to the permitted

maximum (as defined in section 590C, 1988 Act) required by Revenue practice or by regulations shall apply to the Final Pensionable Salary after conversion; and

- (c) if a Member's Pensionable Service shall change more than once from full-time to part-time or vice versa his Pensionable Service and his Final Pensionable Salary shall be converted to their full-time equivalents as necessary to ensure that the Member receives a proper value in respect of each period of his Pensionable Service as the Trustee decides.

52.5 A Member who joins the Scheme on or after 1 December 2009 but before 1 January 2013 shall be entitled to a pension under the foregoing provisions of this Rule in respect of his Pensionable Service on and after 1 December 2009 but before 1 January 2013 as though the words "his 60th birthday but no later than" were omitted from Rule 52.1 and as though the accrual rate set out in Rule 52.2 were 1/80th of the Member's Final Pensionable Salary in place of 1/60th of Final Pensionable Salary."

15.2 Rules 52.6, 52.7 and 52.8 are added:

"52.6 A Member who retires from Service on or after 1 January 2013 shall be entitled to a pension under the foregoing provisions of this Rule in respect of his Pensionable Service on and after that date as though:

- (a) the rate set out in Rule 52.2 were replaced by a pension equal to the Member's Total Revalued Annual CRB Pension; and
- (b) the words "his 60th birthday" in Rule 52.1:
 - (i) in relation to a Member who joined the Scheme prior to 1 December 2009, were replaced with "his 63rd birthday" except in respect of any period of Pensionable Service of a Pre-2013 Member in relation to which additional contributions have been paid by the Member under Rule 45.6 {members' contributions} (and see Rule 55.3 in relation to retirement after age 60 where such additional contributions have been paid); and
 - (ii) in relation to a Member who joined the Scheme on or after 1 December 2009, were omitted.

In addition, a retirement lump sum shall be payable under Rule 57.7.

52.7 Final Pensionable Salary in respect of a Member with Pensionable Service preceding 1 January 2013 shall be calculated by reference to the earliest of the dates of his retirement, termination of Pensionable Service and death.

52.8 A Member who retires from Service after his 65th birthday and who does not elect to defer the payment of his pension shall be entitled to receive an annual pension commencing immediately in accordance with the foregoing provisions of this Rule 52."

16 **Rule 53 - Incapacity and Ill-Health Pension**

16.1 Rule 53.9 is added:

“53.9 For the purpose of calculating benefits under Rules 53.2, 53.3 and/or 53.8:

- (a) the Member shall be treated as entitled to the Annual CRB Pension(s) to which he would have been entitled if he had remained in Pensionable Service for any relevant period of prospective or notional Pensionable Service and had continued to receive Pensionable Salary during that period at the rate at which he was receiving Pensionable Salary immediately prior to the start of that period;
- (b) benefits relating to any period of actual Pensionable Service during which the Member paid additional contributions under Rule 45.6 {members' contributions} shall be treated as coming into payment at the age which the Member would be at the end of the period of prospective or notional Pensionable Service and, if that age is after age 60, will be subject to an increase in accordance with Rule 55.3; and
- (c) benefits relating to any period of prospective or notional Pensionable Service shall be calculated on the assumption that the Member did not pay additional contributions under Rule 45.6 {members' contributions} during that period.”

17 **Rule 54 - Early Retirement**

17.1 Rule 54 is deleted and replaced as follows:

- “54.1 (a) A Member who joined the Scheme before 1 December 2009 may with the consent of his Employer and the Trustee retire from Service on immediate pension and retirement lump sum at any time after he reaches age 55 and before he reaches age 60.
- (b) A Deferred Pensioner who joined the Scheme before 1 December 2009 may with the consent of the Trustee elect to start receiving his pension and retirement lump sum at any time after he reaches age 55 and before he reaches age 60 and such a Deferred Pensioner may start to receive his pension and any retirement lump sum at any time after age 60 without consent.
- 54.2 (a) A Member who joined the Scheme on or after 1 December 2009 may with the consent of his Employer and the Trustee retire from Service on immediate pension and retirement lump sum at any time after he reaches age 55 and before he reaches Normal Pension Age.
- (b) A Deferred Pensioner who joined the Scheme on or after 1 December 2009 may with the consent of the Trustee elect to

start receiving his pension and any retirement lump sum at any time after age 55 and before he reaches Normal Pension Age.

- 54.3 Subject to Rules 54.4 and 54.5 the annual rate of the pension and the amount of the retirement lump sum mentioned in Rules 54.1 and 54.2 shall be calculated under Rule 52 {normal retirement pension} and 57.7 {retirement lump sum} but by reference to Final Pensionable Salary or Total Revalued Annual CRB Pension (as appropriate) at the termination of the Member's Pensionable Service and including revaluation under Rule 50 {calculation of short service benefit} in relation to the benefits paid to a Deferred Pensioner.
- 54.4 The pensions and retirement lump sums referred to in Rule 54.1 (payable to Members and Deferred Pensioners who joined the Scheme before 1 December 2009) will be reduced as advised by the Actuary as follows:
- (a) benefits which relate to Pensionable Service before 1 January 2013 will be reduced by reference to the period (if any) between the date of the early retirement and the Member's or Deferred Pensioner's 60th birthday and no such reduction will apply if the date of the early retirement is on or after a Deferred Pensioner's 60th birthday; and
 - (b) benefits which relate to Pensionable Service on and after 1 January 2013 will be reduced by reference to the period (if any) between the date of the early retirement and the Member's or Deferred Pensioner's 63rd birthday and no such reduction will apply if the date of the early retirement is on or after a Deferred Pensioner's 63rd birthday

Provided that

- (c) the actuarial reduction applying to any benefits falling within paragraph (b) shall be by reference to the period (if any) between the date of the early retirement and the Member's or Deferred Pensioner's 60th birthday in respect of any period of Pensionable Service in relation to which additional contributions have been paid by the Member or Deferred Pensioner under Rule 45.6 {members' contributions};
 - (d) where benefits falling within paragraph (b) start to be paid after the Deferred Pensioner's 60th birthday they will be increased as set out in Rule 55.3 to the extent applicable; and
 - (e) any Member or Deferred Pensioner must draw his benefits under Rule 54.1 in respect of all periods of Pensionable Service at the same time.
- 54.5 The pension and retirement lump sums referred to in Rule 54.2 (payable to Members and Deferred Pensioners who joined the Scheme on or after 1 December 2009) will be reduced as advised by the Actuary by reference to the period between the date of the early retirement and Normal Pension Age.

54.6 The University may at its discretion and with the prior written consent of the Trustee direct the early payment of benefits under this Rule 54 without actuarial reduction under Rule 54.4 or Rule 54.5.”

18 **Rule 55 - Late Retirement**

18.1 Rule 55.2 is deleted and replaced as follows:

“55.2 Subject to Rule 55.3, where a Postponed Pensioner or Deferred Pensioner starts to draw his pension after Normal Pension Age it shall be increased (if at all) in respect of the period between: (i) Normal Pension Age or, if later, the date on which the Deferred Pensioner or Postponed Pensioner ceased to be a Member; and (ii) its commencement by such amount as the Trustee shall decide after consulting the Actuary. For the avoidance of doubt this Rule 55.2 shall not apply to a Member who retires from Service and takes an immediate pension under Rule 52.8.”

18.2 Rule 55.3 is added

“55.3 Where a Pre-2013 Member, Postponed Pensioner or Deferred Pensioner who, in each case, has paid additional contributions under Rule 45.6 {members' contributions} starts to draw his pension after age 60 the part of his pension which relates to Pensionable Service in respect of which such additional contributions were paid shall be increased in respect of the period between age 60 and its commencement by such amount as the Trustee shall determine. If the pension commences after Normal Pension Age, the balance of the pension shall be increased in accordance with Rule 55.2.”

19 **Rule 57 - Lump sum on retirement**

19.1 Rules 57.1 and 57.7 are deleted and replaced as follows:

“57.1 Subject to Rule 57.7, a Member, Postponed Pensioner or Deferred Pensioner may elect, by giving the Trustee notice in writing before his pension starts to be paid, to be paid a lump sum in place of part of his pension of up to 3/80^{ths} of his Final Pensionable Salary for each year of Pensionable Service provided that the Trustee may permit the Member to exchange such greater amount of his pension for a lump sum as will not prejudice Approval and that if required to safeguard Approval such election shall not apply to the pension attributable to Pensionable Service purchased under Rule 26.3 {additional voluntary contributions}.

57.7 This Rule provides for the payment of retirement lump sums as follows:

- (a) a Member who joined the Scheme on or after 1 December 2009 but before 1 January 2013 shall receive a lump sum in respect of any Pensionable Service relating to the period before 1 January 2013 in addition to his pension when his pension starts to be paid under Rule 52 {normal retirement pension}, Rule 54 {early retirement} or Rule 55 {late retirement}. The lump sum shall be equal to 3/80^{ths} of his Final

Pensionable Salary in respect of each completed year of his Pensionable Service on and after 1 December 2009 and before 1 January 2013 (and so in proportion for any additional completed days of Pensionable Service);

- (b) a Member who retires from Service on or after 1 January 2013 shall receive a lump sum in respect of his Pensionable Service on and after that date in addition to his pension when his pension starts to be paid under Rule 52 {normal retirement pension}, Rule 54 {early retirement} or Rule 55 {late retirement}. The lump sum shall be equal to three times the Member's Total Revalued Annual CRB Pension.

Any retirement lump sum payable under this Rule 57.7 shall be adjusted by such amount as the Trustee shall decide after consulting the Actuary if the Member, Deferred Pensioner or Postponed Pensioner receives his lump sum on any date other than the date on which he attains his Normal Pension Age.

20 **Rule 57A - Salary Sacrifice**

20.1 Rule 57A.3(d) is deleted and replaced as follows:

- “(d) a certificate from the University as to the amount of Pensionable Salary in respect of any period or of his Salary at any time shall be final and binding on the Member and the Trustee.”

21 **Rule 60 - Method and Increases**

21.1 Rules 60.3, 60.4 and 60.5 are deleted and replaced as follows:

“60.3 The rates are:

- (a) for that part of the Guaranteed Minimum Pension which is attributable to Pensionable Service between 6th April 1988 and 5th April 1997 the higher of:
 - (i) 3% per annum or, if less, the annual rate of increase required (if any) pursuant to section 109, 1993 Act; and
 - (ii) 12% per annum or, if less, the annual rate of increase in the Retail Prices Index (if any) in the 12 months to the previous May; and
- (b) for the balance of the pension:
 - (i) for the part attributable to Pensionable Service before 1 January 2013 12% per annum or, if less, the annual rate of increase in the Retail Prices Index (if any) in the 12 months to the previous May; and
 - (ii) for the part attributable to Pensionable Service on and after 1 January 2013:

- (A) for a Pre-2013 Member, the annual rate of the increase in the Retail Prices Index (if any) in the 12 months to the previous May subject to a maximum of 5% per annum or such higher rate as the University shall in its absolute discretion decide; and
- (B) for a Post-2013 Member, the annual rate of the increase in the Consumer Prices Index (if any) in the 12 months to the previous May subject to a maximum of 5% per annum or such higher rate as the University shall in its absolute discretion decide.

Provided as follows:

- (c) that if the rate of increase applying under paragraph (a) or (b)(i) above is lower than the fixed rate permitted by the Revenue from time to time the Trustee may in its discretion apply such higher fixed rate of increase;
 - (d) that the Trustee may in its discretion increase the elements of pensions identified in both paragraphs (a) and (b)(i) by a rate in excess of 12% per annum but not exceeding the annual rate of the increase in the Retail Prices Index (if any) in the 12 months to the previous May;
 - (e) the University shall consider at least once in each Scheme Year whether and, if so, how to exercise its discretion under paragraphs (b)(ii)(A) and (B) above
- 60.4 The first increases (if any) shall take effect on 1st August immediately following the commencement of the pension and shall be at a reduced rate in proportion to the number of complete months (if fewer than 12) since the pension commenced. Thereafter such increases (if any) will apply to the annual amount of the relevant part of the pension (including any previous increases) in payment on the date preceding the increase.
- 60.5 A pension payable to a Spouse and any Child's Allowance which starts to be paid following the death of a Pensioner or the death or remarriage of a Spouse shall qualify for an increase under Rule 60.4 on the 1st August coincident with or falling next after such pension or allowance started to be paid and shall be at a reduced rate in proportion to the number of complete months (if fewer than 12) since the due date for payment of the first instalment of the pension due to the Pensioner from whose Membership the pension or allowance derived."

22 **Rule 61 - Death of Member**

22.1 Rules 61.2(d) and (e) are deleted and replaced as follows:

- "(d) In relation to a Member who joined the Scheme on or after 1st December 2009 and before 1st January 2013, "3 times" shall be

substituted for “4 times” in Rule 61.2(a)(i) and Rule 61.2(a)(ii) shall be deemed to be deleted.

- (e) In relation to a Post-2013 Member, “5 times” shall be substituted for “4 times” in Rule 61.2(a)(i) and Rule 61.2(a)(ii) shall be deemed to be deleted.”

22.2 Rule 61.3(a) is deleted and replaced as follows and Rule 61.3(d) is deleted:

“61.3 (a) If the Member leaves a Spouse, the Spouse will be paid a pension for life (adjusted if appropriate under Rule 64 {reduction of spouse's pension}). The amount of the pension will depend on when the Member joined the Scheme as follows:

(i) if the Member joined the Scheme before 1st December 2009 the amount will be:

(A) two-thirds of the Member's pension as it would have been at the date of his death in respect of his Pensionable Service before 1st January 2013 less any amount payable under Rule 61.3(b); plus

(B) three-fourths of the Member's pension as it would have been at the date of his death in respect of his Pensionable Service and on and after 1st January 2013 and ending on the day before his death; plus

(C) three-fourths of the pension which would have been payable to the Member in respect of the period from the date of his death until his Normal Pension Age if he had remained in Pensionable Service during that period on the basis obtaining at the date of his death (either full-time or part-time) with such pension being calculated by reference to the annual rate of his Pensionable Salary on the day before his death

in each case assuming no reduction for early payment under Rule 54 {Early Retirement} and disregarding any reduction under Rule 56 {surrender to provide survivors' benefits} and Rule 57 {retirement lump sum}; and

(ii) if the Member joined the Scheme on or after 1st December 2009 the amount will be:

(A) half of the Member's pension as it would have been on the date of his death in respect of his Pensionable Service up to that date; plus

(B) half of the pension which would have been payable to the Member in respect of the period

from the date of his death until his Normal Pension Age if he had remained in Pensionable Service during that period on the basis obtaining on the date of his death (either full-time or part-time) with such pension being calculated by reference to the annual rate of his Pensionable Salary on the date of his death

in each case assuming no reduction for early payment under Rule 54 {early retirement} and disregarding any reduction under Rule 56 {surrender to provide survivors' benefits} and Rule 57 {retirement lump sum}."

22.3 Rule 61.5 is deleted and replaced as follows:

"61.5 A Member who is entitled to benefits under this Rule 61 pursuant to Rule 47.8 {maternity absence} shall be so entitled by reference to her salary, Pensionable Salary, Final Pensionable Salary and/or Total Revalued Annual CRB Pension (as applicable) in force immediately before her absence started."

22.4 Rule 61.7 is added:

"61.7 For the purpose of calculating benefits under Rule 61.3:

- (a) the Member shall be treated as entitled to the Annual CRB Pension(s) to which he would have been entitled if he had remained in Pensionable Service for any relevant period of prospective Pensionable Service and had continued to receive Pensionable Salary during that period at the rate at which he was receiving Pensionable Salary immediately prior to the start of that period;
- (b) benefits relating to any period of actual Pensionable Service during which the Member paid additional contributions under Rule 45.6 {members' contributions} shall be treated as coming into payment at Normal Pension Age and will therefore be subject to an increase in accordance with Rule 55.3; and
- (c) benefits relating to any period of prospective Pensionable Service shall be calculated on the assumption that the Member did not pay additional contributions under Rule 45.6 {Members' Contributions} during that period."

23 **Rule 62 - Death of Pensioner or Postponed Pensioner**

23.1 Rule 62.4(a) is deleted and amended as follows and Rule 62.4(d) is deleted:

- "62.4 (a) If the Pensioner leaves a Spouse, the Spouse will be paid a pension for life (adjusted if appropriate under Rule 64 {reduction of spouse's pension}). The amount of the pension shall be the amount of pension which would have been payable at the date of his death if the pension had not been reduced under Rule 56 {surrender to provide survivors'}

benefits} or Rule 57 {lump sum on retirement} and further adjusted as follows:

- (i) if the Pensioner joined the Scheme before 1 December 2009:
 - (A) the amount in respect of his Pensionable Service before 1 January 2013 shall be multiplied by two thirds but less any amount payable under Rule 62.4(b);
 - (B) the amount in respect of his Pensionable Service on and after 1 January 2013 (if any) shall be multiplied by three fourths; and
- (ii) if the Pensioner joined the Scheme on or after 1 December 2009 the amount shall be multiplied by one half."

24 **Rule 63 - Death of Deferred Pensioner**

24.1 Rule 63.3(a) is deleted and replaced as follows:

"63.3(a) If the Deferred Pensioner leaves a Spouse, the Spouse will be paid a pension for life (adjusted if appropriate under Rule 64 {reduction of spouse's pension}). The amount of the pension shall be the Deferred Pensioner's deferred pension calculated at the date of his death disregarding any reduction under Rule 56 {surrender to provide survivors' benefits} and further adjusted as follows:

- (i) if the Deferred Pensioner joined the Scheme before 1 December 2009:
 - (A) the amount in respect of his Pensionable Service before 1 January 2013 will be multiplied by two thirds but less any amount payable under 63.3(b);
 - (B) the amount in respect of his Pensionable Service on and after 1 January 2013 shall be multiplied by three quarters; and
- (ii) if the Deferred Pensioner joined the Scheme on or after 1 December 2009 the amount shall be multiplied by one half."

24.2 Rules 63.3(d) is amended as follows:

"(d) In relation to a Deferred Pensioner who joined the Scheme on or after 1 December 2009 Rule 63.2(a)(i) is deemed to be deleted and a retirement lump sum is not payable."

25 **Rule 67- Pension Sharing on Divorce**

25.1 The second paragraph of Rule 67.3(d) is deleted and replaced as follows:

“The amount of pension payable to a Dependant is limited to a maximum of $\frac{2}{3}$ rds of the initial annual pension which was paid to the Ex-Spouse Participant as increased by any rise in the Retail Prices Index since the commencement of the Ex-Spouse Participant’s pension. Where more than one pension is to be paid the total of all the pensions cannot exceed the amount of the initial annual pension which was paid to the Ex-Spouse Participant, as increased by any rise in the Retail Prices Index since the commencement of the Ex-Spouse Participant’s pension. For these purposes initial annual pension should be calculated on the same basis as for Rule 67.3(b).”

26 **Rule 71 - All elements of pension to be drawn at the same time**

26.1 Rule 71 is added:

“71 All elements of pension to be drawn at the same time

71.1 A Member, a Deferred Pensioner or a Postponed Pensioner who draws a pension under the Scheme under Rule 52 {normal retirement}, Rule 53 {incapacity}, Rule 54 {early retirement} or Rule 55 {late retirement} must draw all elements of his pension at the same time and the Trustee will make such adjustments to the pension and any retirement lump sum which are appropriate (if any) on account of different early retirement pivot ages applying to different periods of Pensionable Service.”

27 **Schedule 1 - Inland Revenue Limits**

27.1 All references in Schedule 1 to the “Index” are replaced by references to “Retail Prices Index” and paragraph 18 (“INDEX” definition) is deleted and replaced by paragraph 26 reading:

“26. **“RETAIL PRICES INDEX”** shall mean the Government's Index of Retail Prices.”

The paragraphs in Schedule 1 which were previously numbered 19-26 (inclusive) are renumbered accordingly.