

**WILTSHIRE PENSION FUND  
ADMINISTERING AUTHORITY DISCRETIONS**

Approved by Wiltshire Pension Fund Committee – 28 February 2007

<b>REGULATION</b>	<b>POLICY ON INDIVIDUAL DISCRETIONS</b>
<b>5(1) and 5A(1): admission agreements</b>	The Administering Authority will make admission agreements, to allow non-local government employers to participate in the Fund within the terms of the “Policy for the Admission of New Employer Bodies” agreed by the Wiltshire Pension Fund Committee on 20 February 2006.
<b>12(5): intervals at which employees’ contributions will be deducted</b>	The Administering Authority has determined that contributions will be deducted from member’s pay on the date of payment in respect of each pay period.
<b>22(7): election for a year other than the final year to calculate benefits for a deceased member</b>	The Administering Authority will exercise discretion when electing to use a different final pay period, in the manner that is most advantageous to the member and dependants.
<b>23(9): certificate of protection where deceased member has suffered reduction in pay</b>	The Administering Authority will exercise discretion by requesting a Certificate of Protection from the employing authority in respect of a deceased member so that it is most advantageous for the dependants.
<b>38 and 155: payment of death grants</b>	The Administering Authority has determined that death benefits will normally be paid to the person(s) nominated by the deceased. Where there is no nomination, payment will be made to the legal spouse or civil partner without the need for letters of administration / Grant of Probate. Otherwise, payment will be made to the estate. If necessary, cases will be brought to the Pension Fund Committee for a decision.
<b>44(3): breaks in full-time education</b>	The Administering Authority has determined when paying a child’s pension that breaks of up to 1 year will be ignored. The Wiltshire Pension Fund Committee will consider other cases on their merits.
<b>47: apportioning and payment of children’s pensions</b>	The Administering Authority has determined that it will equally apportion children’s pensions amongst all the eligible children. The child’s pension is normally paid to the widow/widower. The Administering Authority will determine to whom the child’s pension is payable in all other cases.

<b>49 and 156: commutation of trivial pensions</b>	The Administering Authority will pay a lump sum in lieu of a pension which falls within the limit in the Finance Act 2004.
<b>50 and 157: commutation for serious ill-health</b>	The Administering Authority will commute pension rights where a person retires with less than 12 months' life expectancy in consultation with the employer.
<b>55(4): medical examination to purchase added membership</b>	The Administering Authority has determined that any election to purchase added years must be subject to the employee passing a medical examination carried out by a medical practitioner approved by the Pension Fund. The cost of the medical examination is to be borne by the employee.
<b>60(5): minimum level of AVCs</b>	The administering authority has determined that the minimum AVC contribution will be agreed in consultation with the AVC provider. <i>(Required in Policy Statement)</i>
<b>75: establishment of a separate admission bodies fund</b>	The Administering Authority has not established a separate fund.
<b>121(9)</b>	
<b>78(2A) &amp; (2B): revised rates and adjustment certificates in respect of outgoing admission bodies</b>	The Administering Authority will request revised certificate from the Fund's Actuary.
<b>78(3)(a): payment of increased employer's contributions when membership is augmented</b>	Not used. The Administering Authority will instead require a capital payment under regulation 80(1).
<b>80(5): payment of strain on fund costs</b>	The Administering Authority will require a capital payment to the fund for additional liabilities arising from early payment of benefits on redundancy, etc.
<b>81(1): payments by employing authorities to administering authorities</b>	The Administering Authority has determined that large employers will pay employees & employers contributions to the fund on or before the 19 <sup>th</sup> of the month following deduction. The Administering Authority has determined that smaller employers will pay employees & employers contributions to the fund at mutually agreed intervals. The Administering Authority has determined that all other sums due to the Fund shall be paid within 30 days of invoice or notification date.

<b>81(5): statements accompanying payments</b>	The Administering Authority has determined that the intervals of the annual/monthly contribution returns must match the payment dates and that standard forms are used.
<b>82: interest on late payments by employers</b>	The Administering Authority reserves the right to charge interest at 1% above the base rate for all employer contributions and on any combined benefit quarterly payments remaining unpaid one month after the due date.
<b>83(5): extension of period to capitalise added years purchase</b>	The Administering Authority has determined that a member retiring on the grounds of redundancy/efficiency with an added years contract may have up to 3 months from the date the necessary information is given to the employee to opt to capitalise a whole cost contract.
<b>86: recovery from member of cost of calculations of AVC transfers into Fund</b>	The Administering Authority will not deduct a cost to calculate the service credit, that would be purchased by the "in house" AVC or Shared Cost AVC accumulated fund, from the AVC fund if the member fails to proceed with the conversion. This policy may be reviewed in light of experience gained.
<b>89: deduction and recovery of members' contributions</b>	The Administering Authority will recover any outstanding contributions not deducted from pay by deduction from benefits.
<b>91(6): pensions increase</b>	The Administering Authority has determined that those employers, who have no current contributors, but simply pensioners, may pay the pension increase due to the fund half yearly upon billing.
<b>95: small payments on death</b>	Where the payment due does not exceed the amount specified in the Administration of Estates (Small Payments) Act 1965 (currently £5,000) the administering authority will make payment to the personal representatives without requiring grant of probate.
<b>97(10): approval of employers' medical practitioner</b>	The Administering Authority must give approval to an employing authority as to their choice of medical practitioner.
<b>109: abatement of pension on re-employment</b>	The Administering Authority has determined that pensioners who retired with an enhancement on ill-health/redundancy and are re-employed in local government shall have the pension abated so the sum of pension and new earnings doesn't exceed the amount they would have earned in pre-retirement employment. The amount of abatement is restricted to that part of the pension derived from the enhancement. <i>(Required in Policy Statement)</i>
<b>118(3): contracting out requirements affecting transfers</b>	The Administering Authority has determined that in all transfer-out cases, the GMP will be discharged either to the receiving scheme or to the Inland Revenue. The Fund will not retain the GMP to pay a small pension at SPA.

<b>119: bulk transfers</b>	The Administering Authority will agree with employing authorities and new scheme trustees or managers that a bulk payment be made that represents a fair value to the Fund.
<b>121 and 122A(2)(c): inward transfers</b>	The Administering Authority has determined to accept transfer values into the LGPS, however, where appropriate, actuarial advice will be sought prior to the acceptance of a CETV. The administering authority will accept a transfer after the 12 month limit where the Employing Authority has agreed an extension of the period for an election.
<b>Schedule 1 (Interpretation) “reserve forces service leave”</b>	The Administering Authority will accept an election not to count such service after the 12 month limit.
<b>1995 Regulations F7: suspension of spouse’s pension during a period of remarriage or cohabitation</b>	The Administering Authority will not suspend pension where the marriage or cohabitation commenced after 31 March 1998 and will reinstate a pension that was suspended prior to 1 April 1998 on cessation of the remarriage or cohabitation.

**Abbreviations**

<b>LGPS</b>	Local Government Pension Scheme
<b>AVC</b>	Additional Voluntary Contributions
<b>GMP</b>	Guaranteed Minimum Pension
<b>SPA</b>	State Pension Age
<b>CETV</b>	Cash Equivalent Transfer Value