

## SCHEDULES

### SCHEDULE 6

#### PENSION COMPENSATION PROVISIONS

##### *Department's powers to vary percentage paid as compensation*

**30.**—(1) The Department may, on the recommendation of the Board, by order provide that any of the provisions mentioned in sub-paragraph (2) is to have effect as if a different percentage were substituted for the percentage specified in the provision on the making of this Order (“the original percentage”).

(2) The provisions are paragraphs 3(4)(a) and (b), 5(3), 7(2), 8(3), 10(2), 11(3), 14(3), 15(3), 19(3), 20(3) and 22(3) (percentage used to calculate periodic or lump sum compensation entitlement).

(3) Subject to sub-paragraph (4), an order under sub-paragraph (1) has effect only in respect of any period for which the Board has, under paragraph 29—

- (a) reduced the maximum revaluation rate for the purposes of paragraphs 12(4) and 17(4) to nil, and
- (b) reduced the appropriate percentage for the purposes of paragraph 28 to nil in all cases.

(4) Sub-paragraph (3) does not prevent an order under sub-paragraph (1) having effect to the extent that it provides for paragraph 3(4)(a), 11(3), 14(3), 15(3), 19(3) or 20(3) (provisions where the original percentage is 90%) to have effect as if for the original percentage there were substituted a higher percentage.

(5) Before making a recommendation for the purposes of sub-paragraph (1) the Board must—

- (a) consult such persons as it considers appropriate, and
- (b) publish details of the proposed recommendation in such manner as it considers appropriate and consider any representations made in respect of it.

(6) Subject to sub-paragraph (3), an order under this paragraph may have effect—

- (a) for a limited period specified in the order;
- (b) in relation—
  - (i) to all payments of compensation which fall to be made after such date as may be specified in the order (whether the entitlement to the periodic compensation first arose before or after that date), or
  - (ii) only to payments of compensation to which a person first becomes entitled after such a date.

(7) The date specified under sub-paragraph (6)(b)(i) or (ii) must not be earlier than the date of the order.