

SCHEDULE 2

Rule 10

SURRENDER OF PART OF SUPERANNUATION BENEFIT

1. For the purpose of the exercise by a person of the right conferred by rule 10 to surrender part of a benefit, the Local Government Superannuation (Surrender of Superannuation Allowance) Rules 1954(1) shall apply, subject to the modifications made by this schedule and any other necessary modifications.

2. Rules 3(1) and (2) and 4(1) and (2) of the said rules shall not apply.

3. A person to whom paragraph (2) of rule 6 applies shall, for the purpose of the rules applied by paragraph 1 of this schedule, be deemed to cease to hold his employment at the date when he attains the greater age mentioned in that paragraph.

4.—(1) A person who may become entitled to exercise and may desire to exercise as a retiring employee within the meaning of the said rules such right as is mentioned in paragraph 1 of this schedule may give 6 months' notice in writing to the first fund authority of the date, or probable date, on which the benefit will become payable, and that he may desire to exercise such right and shall inform them of any alteration in any date so notified.

(2) Where a person to whom this schedule applies has not given a notice under sub-paragraph (1) of this paragraph but has become entitled to exercise and may desire to exercise such right as aforesaid, he shall within 1 month after ceasing to hold his overseas employment notify the first fund authority in writing that he may desire to exercise such right as aforesaid, and of the date on which he ceased to hold that employment.

(3) A person who may become entitled to exercise and may desire to exercise as an eligible employee within the meaning of the said rules such right as is mentioned in paragraph 1 of this schedule may give 6 months' notice in writing to the first fund authority of the date on which he expects to become so entitled and that he may desire to exercise such right and shall inform them of any alteration in any date so notified.

(4) Upon receipt of the notice from a person under any of the preceding subparagraphs of this paragraph, the first fund authority shall treat the notice as if it were an application made under rule 3 of the said rules and shall accordingly furnish the person with the documents referred to in the said rule 3, the provisional estimate referred to in that rule being calculated in the case of an eligible employee as at the date on which he is expected to become an eligible employee.

(5) Not more than 1 month after receipt of the documents mentioned in the last preceding subparagraph (or in the case of an eligible employee at any time allowed by the said rules) the person may notify his desire to surrender a part of the benefit which is or may become payable to him by completing the form provided for the purpose and sending it to the first fund authority.

(6) Where the first fund authority are satisfied that owing to circumstances beyond the control of the person it has not been reasonably practicable for him to notify his desire to surrender a part of a benefit within the time limit imposed by this paragraph, they may at their discretion extend that limit to a date not more than 6 months after the date on which he ceases to hold his overseas employment.

(1) (1954 II, p. 1701)