

**DRAFT PUBLIC EMPLOYEES (CONTRIBUTORY  
RETIREMENT SCHEME) (NEW MEMBERS)  
(AMENDMENT No. 6) (JERSEY) REGULATIONS 199**

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**Lodged au Greffe on 2nd June 1998  
by the Establishment Committee**

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**STATES OF JERSEY**

**STATES GREFFE**

### **Explanatory Note**

These Regulations, which would amend the Public Employees (Contributory Retirement Scheme) (New Members) (Jersey) Regulations 1989, have the following effect:

- (a) Under the principal Regulations, part-time employees who work 18 or more hours each week may join the scheme, and must do so once they reach the age of thirty.

The amending Regulations will also enable part-time employees who work each week, but for fewer than 18 hours, to opt to do so. (An option, once made, will however be irrevocable.)

These provisions, which are contained in Regulations 1(2) and 2 of the amending Regulations, will be effective from 1st January, 1996.

- (b) New provisions are introduced to enable routine payments (other than basic salary and wages, overtime and other payments of a temporary nature and payments in respect of untaken leave) to be declared to be pensionable allowances for the purpose of calculating pensions. In declaring such an allowance to be pensionable, an employer may also declare that it will entitle the employee to be credited with added years of pensionable service.

These provisions, which are contained in Regulations 1(1), 3, 4, 5, 6, 7, 8, 9 and 10 of the amending Regulations, will have effect from 1st January 1996.

- (c) Under the principal Regulations, a pension may be paid in respect of a child who is over 16 but under 23 if he is receiving full time education.

The amendments enable the pension to be paid between those ages even though he is not for the time being receiving full time education, if the Committee of Management is satisfied

that it is still appropriate to treat him as a child (for example, if in the course of his studies he takes a “gap” year.)

They also enable the Committee to temporarily suspend payment of his pension benefit (again, for example, during a “gap” year).

These provisions are contained in Regulations 1(2) and 5 of the amending Regulations and will come into force on 1st July 1998.

**Public Employees (Retirement) (Jersey) Law 1967**

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PUBLIC EMPLOYEES (CONTRIBUTORY RETIREMENT SCHEME)  
(NEW MEMBERS) (AMENDMENT No. 6) (JERSEY)  
REGULATIONS 1998

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*(Promulgated on the      day of      199 )*

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**STATES OF JERSEY**

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The      day of      199

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**THE STATES**, in pursuance of Article 2 of the<sup>1</sup> Public Employees (Retirement) (Jersey) Law 1967,<sup>1</sup> as amended,<sup>2</sup> have made the following Regulations -

**1.-(1)** In paragraph (1) of Regulation 1 of the Public Employees (Contributory Retirement Scheme) (New Members) (Jersey) Regulations 1989,<sup>3</sup> as amended<sup>4</sup> (hereinafter referred to as “the principal Regulations”) -

- (a) in the definition “added years” -
  - (i) the word “and” shall be deleted from sub-paragraph (c);
  - (ii) after the semi-colon in sub-paragraph (d) there shall be inserted the word “and”;
  - (iii) after sub-paragraph (d) there shall be inserted the following sub-paragraph -

<sup>1</sup> Recueil des Lois, Volume 1966-1967, page 528.

<sup>2</sup> Recueil des Lois, Volume 1988-1989, page 25 and Volume 1994-1995, pages 121 and 427.

<sup>3</sup> No. 7955.

<sup>4</sup> Nos. 8082, 8445, 8595, 8807 and 8885.

“(e) any pensionable allowance;”;

- (b) for the definition “average salary” there shall be substituted the following definition -

“ ‘average salary’ means final pensionable salary, calculated without reference to any pensionable allowance giving rise to added years of pensionable service under Regulation 16B;”;

- (c) after the definition “1989 Existing Members Regulations” there shall be inserted the following definition -

“ ‘final pensionable salary’ means, subject to Regulation 18, the salary received by a member during the best successive 365 days in the three years immediately preceding the day on which he ceases to be an employee:

Provided that -

- (a) if the member has received salary for less than 365 days in the last three years, final pensionable salary shall be the total salary received in the last three years divided by the numbers of days for which the member received salary in those years multiplied by 365;
- (b) a member whose salary has, to the satisfaction of the Committee, been reduced or discontinued owing to ill-health or injury shall be deemed for the purposes of this definition to have received the salary which he would otherwise have received (but for the reduction or discontinuance) as certified by the employer;
- (c) if, during the three years immediately preceding the day on which he ceases to be an

employee, the member was absent from duty under Regulation 2(10), and contributions were paid in respect of his absence on the basis of the salary he would have received (as determined by the employer), such salary shall be taken into account for the purpose of determining final pensionable salary;

(d) if, during the three years immediately preceding the day on which he ceases to be an employee, the member was absent from duty under Regulation 2(10), and contributions were not paid in respect of his absence, the period of absence shall be disregarded in accordance with sub-paragraph (e) for the purpose of determining final pensionable salary;

(e) if the period of absence is disregarded under sub-paragraph (d), the three years immediately preceding the day on which he ceases to be an employee shall mean -

(i) the period from the day he returned from absence to the day he ceases to be an employee, plus

(ii) the period immediately preceding the day on which his absence commenced which, when added to the period in clause (i), equals three years,

and the two periods in clauses (i) and (ii) shall be treated as if they were continuous;”;

(d) after the definition “part-time employee” there shall be inserted the following definition -

“ ‘pensionable allowance’ means a payment or allowance which is for the time being declared under Regulation 16A to be a pensionable allowance;”;

- (e) for the definition “salary” there shall be substituted the following definition -

“ ‘salary’ means the basic salary or wage of a member (disregarding overtime payments, other emoluments of a temporary nature and payments in respect of untaken leave) together with his pensionable allowances (if any);”.

- (2) In paragraph (1) of Regulation 1 of the principal Regulations -

- (a) for clause (ii) of the proviso to the definition “child” there shall be substituted the following clause -

“(ii) a person who has attained the age of 16 years may be treated as a child for the purposes of these Regulations if he has not attained the age of 23 years, and either he is receiving full-time education in an educational establishment approved by the Committee, or he is not receiving full-time education but the Committee is satisfied that it remains appropriate to treat him as a child for the purposes of these Regulations;”;

- (b) after the definition “the Law” there shall be inserted the following definition -

“ ‘low-hours employee’ means any person who works regularly each week, but does not work for 18 or more hours per week or, if he is a medical consultant, for six or more sessions per week;”;

- (c) for the definition “part-time employee” there shall be substituted the following definition -

“ ‘part-time employee’ means -

- (a) any person who regularly works for 18 or more hours per week but fewer than full-time hours or, if he is a medical consultant, who regularly works for six or more sessions per week but fewer than the sessions worked by a full-time medical consultant; or
- (b) a low-hours employee;”;
- (d) after sub-paragraph (d) of the definition “qualifying service” there shall be inserted the following sub-paragraph -

“(da)in the case of a person to whom Regulation 2(8)(e), 2(8)(f) or 2(11)(b) applies, such additional service as he would have been able to complete as a member before 1st January 1996 if a low-hours employee were then eligible to be a member; and”;

- (e) after the definition “service” there shall be inserted the following definition -

“ ‘session’ means a working period of not less than three and one-half hours;”.

2.-(1) In paragraph (8) of Regulation 2 of the principal Regulations -

- (a) for the words “and (c)” in sub-paragraph (a) there shall be substituted the words “, (c), (e) and (f)”;
- (b) for the words “if an employee not already a member of the scheme or the Former Hospital Scheme” in sub-paragraph (b) there shall be substituted the words “if an employee (other than a low-hours employee) is not already a member of the scheme or the Former Hospital Scheme and”;



(c) for the full stop in sub-paragraph (d) there shall be substituted the words “; and”;

(d) after sub-paragraph (d) there shall be inserted the following sub-paragraphs -

“(e) a low-hours employee shall only become a member if he opts on or after 1st July 1998 to join (on a form to be supplied by the Establishment Committee) but, once made, such an option shall be irrevocable;

(f) a low-hours employee who -

(i) has been an employee continuously since a date before 1st July 1998;

(ii) makes an option under sub-paragraph (e) or under paragraph (11) before 31st December 1998; and

(iii) in making his option, notifies the Establishment Committee (on a form to be supplied by that Committee) that he wishes to do so,

shall become a member with effect from 1st January 1996, the date on which he became an employee to whom clause (i) refers or the date of attaining 20 years, or (if applicable) the day after his previous membership of the scheme ceased, whichever is later.”.

(2) After paragraph (9) of Regulation 2 of the principal Regulations there shall be inserted the following paragraphs -

“(9A) A member who is not a low-hours employee shall not, by reason only of the fact that he becomes a low-hours employee on or after 1st July 1998 (that is to say, without a break in service), cease to be a member.

(9B) A member who -

- (a) was admitted or re-admitted to the scheme under these Regulations before 1st July 1998; and
- (b) immediately before he was admitted or re-admitted would have been eligible for membership but for the fact that he was a low-hours employee,

may, if he notifies the Establishment Committee by 31st December 1998 (on a form to be supplied by that Committee) that he wishes to do so, opt to be admitted or re-admitted under these Regulations with effect from 1st January 1996, the date of commencement of his last continuous period as a low-hours employee or the date of attaining 20 years, whichever is later.”

(3) In paragraph (11) of Regulation 2 of the principal Regulations -

- (a) for the word “A” there shall be substituted the words “(a) Subject to sub-paragraph (b), a”;
- (b) after the word “ceased” there shall be inserted the words “(either because he became a low-hours employee before 1st July 1998 or for any other reason)”;
- (c) after sub-paragraph (a), there shall be inserted the following sub-paragraph -

“(b) In the case of a low-hours employee, he will be re-admitted or admitted to the scheme under these Regulations in accordance with paragraph (12) only if he opts to do so (on a form to be supplied by the Establishment Committee) on or after 1st July 1998 but, once made, such an option shall be irrevocable.”

**3.-(1)** In paragraph (a) of Regulation 5 of the principal Regulations -

- (a) for the words “not exceeding 35 years;” in clause (i) there shall be substituted the word “; and”;
- (b) the words “and, if his pensionable service which counts under clause (i) is less than 35 years,” shall be deleted from clause (ii);
- (c) for the words “average salary” in paragraph (A) of the proviso there shall be substituted the words “final pensionable salary”.

**(2)** In paragraph (b) of Regulation 5 of the principal Regulations -

- (a) for the words “, not exceeding 45 years;” in clause (i) there shall be substituted the word “; and”;
- (b) the words “and, if his pensionable service which counts under clause (i) is less than 45 years,” shall be deleted from clause (ii);
- (c) for the words “average salary” in sub-clause (A) of the proviso there shall be substituted the words “final pensionable salary”.

**4.** In Regulation 7 of the principal Regulations -

- (a) for the words “paragraphs (b) to (e)” in sub-paragraph (a) of the proviso to paragraph (2) there shall be inserted the words “sub-paragraphs (b) to (e) of this proviso and to Regulation 16B(2),”;
- (b) after the words “Regulation 3” in the Table to sub-paragraph (a) of the proviso to paragraph (2) there shall be inserted the words “or 16B”;

- (c) before the words “the additional period”, where they first occur in sub-paragraph (b) of the proviso to paragraph (2) there shall be inserted the words “subject to Regulation 16B(3),”;
- (d) for the words “and any special contributions paid under arrangements made whilst a member of the Former Hospital Scheme” in clause (iii) of sub-paragraph (e) of the proviso to paragraph (2) there shall be substituted the words “, any special contributions paid under arrangements made while a member of the Former Hospital Scheme and any pensionable allowance giving rise to added years of service under Regulation 16B”;
- (e) before the words “for the purpose” in sub-clause (A) of clause (v) of sub-paragraph (e) of the proviso to paragraph (2) there shall be inserted the words “subject to Regulation 16B(3),”.

5.-(1) In paragraph (3) of Regulation 9 of the principal Regulations -

- (a) for the word “IF” there shall be substituted the words “Subject to Regulation 16B(3), if”;
- (b) for the words “subject to clause (ii) of the proviso to the definition of ‘average salary’ ” in sub-paragraph (b) of the proviso there shall be substituted the words “subject to sub-paragraph (b) of the definition of ‘final pensionable salary’ ”.

(2) After the words “ceases to receive pension” in sub-paragraph (i) of the proviso to paragraph (5) of Regulation 9 of the principal Regulations there shall be inserted the words “, or has his pension temporarily suspended under paragraph (5A),”.

(3) After paragraph (5) of Regulation 9 of the principal Regulations there shall be inserted the following paragraph -

“(5A) For the purposes of paragraph (5) -

- (a) if the child is not for the time being receiving full-time education but the Committee, having considered such evidence as is provided by or on behalf of the child, is satisfied that he is expected to resume or receive full-time education in the future, the Committee may suspend payment of his pension temporarily;
- (b) a decision made under sub-paragraph (a) may be varied in the light of further evidence;
- (c) if the Committee temporarily suspends payment under sub-paragraph (a), then on resumption of payment the pension shall be subject to any increases which would have applied had it not been suspended, and the amount payable to any other child shall be decreased accordingly; and
- (d) the Committee may from time to time request in respect of a child who has attained the age of 16 years further evidence regarding his full-time education, and if such evidence is not supplied or is not in the opinion of the Committee satisfactory, the child's pension may be withheld."

(4) In paragraph (7) of Regulation 9 of the principal Regulations -

- (a) for the word "In" there shall be substituted the words "Subject to paragraph (9), in";
- (b) for the words "average salary" there shall be substituted the words "final pensionable salary".

(5) In paragraph (8) of Regulation 9 of the principal Regulations -

- (a) for the word "In" there shall be substituted the words "Subject to paragraph (9), in";

(b) for the words “average salary” there shall be substituted the words “final pensionable salary”.

(6) After paragraph (8) of Regulation 9 of the principal Regulations there shall be inserted the following paragraphs -

“(9) Subject to paragraph (10), if in the period of 12 months immediately preceding his death the member received a pensionable allowance giving rise to added years under Regulation 16B, annual salary for the purpose of paragraphs (7) and (8) shall mean the sum of -

- (a) his annual salary excluding that pensionable allowance; and
- (b) the actual amount of that pensionable allowance which he received in the period of 12 months immediately preceding his death.

(10) For the purposes of paragraph (9) -

- (a) a member whose annual salary or pensionable allowance has, to the satisfaction of the Committee, been reduced or discontinued owing to ill-health or injury shall be deemed, for the purpose of this Regulation, to have received the salary or allowance which he would otherwise have received (but for the reduction or discontinuance) as certified by the employer; and
- (b) if the member was admitted to the scheme within 12 months of his death, the amount of pensionable allowance shall be calculated as the annual equivalent of the actual amount of pensionable allowance which he received between the date he was admitted and the date of his death.”.

6.-(1) For the words “average salary” in paragraph (2) of Regulation 10 of the principal Regulations there shall be substituted the words “final pensionable salary”.

(2) For the word “A” in paragraph (5) of Regulation 10 of the principal Regulations there shall be substituted the words “Subject to paragraph (6), a”.

(3) After paragraph (5) of Regulation 10 of the principal Regulations there shall be substituted the following paragraphs -

“(6) Subject to paragraph (7), if in the period of 12 months immediately preceding his death the member received a pensionable allowance giving rise to added years under Regulation 16B, annual salary for the purpose of paragraph (5) shall mean the sum of -

- (a) his annual salary excluding that pensionable allowance; and
- (b) the actual amount of that pensionable allowance which he received in the period of 12 months immediately preceding his death.

(7) For the purposes of paragraph (6), a member whose annual salary or pensionable allowance has, to the satisfaction of the Committee, been reduced or discontinued owing to ill-health or injury shall be deemed, for the purpose of this Regulation, to have received the salary or allowance which he would otherwise have received (but for the reduction or discontinuance) as certified by the employer.”.

7. In sub-paragraph (b) of paragraph (2) of Regulation 11 of the principal Regulations -

- (a) before the words “in respect of” there shall be inserted the words “subject to Regulation 16B(3),”;
- (b) for the words “average salary” there shall be substituted the words “final pensionable salary”.

8. In Regulation 16 of the principal Regulations -

- (a) for the full stop in sub-paragraph (f) of the proviso to paragraph (1) there shall be substituted the words “; and”;
- (b) after sub-paragraph (f) of the proviso to paragraph (1) there shall be inserted the following sub-paragraph -

“(g) the employer may also request an augmentation in respect of a former employee, which shall be awarded by the Committee only if it is satisfied that -

- (i) the request is the result of an agreement between the employer and his employees; and
- (ii) the agreement applies retrospectively, and applies to some or all of the employer’s former employees.”.

9. After Regulation 16 of the principal Regulations there shall be inserted the following Regulations -

“PENSIONABLE ALLOWANCES

**16A.**-(1) Subject to this Regulation, the employer may from time to time declare to be a pensionable allowance any payment or allowance which is routinely paid to a member in addition to his basic salary or wage, but is not -

- (a) an overtime payment or other emolument of a temporary nature; or
- (b) a payment in respect of untaken leave.

(2) A declaration may only be made with the consent of the Committee and the Establishment Committee, after the Establishment Committee has consulted the Actuary.



- (3) A declaration shall -
  - (a) define the payment or allowance which is being declared pensionable;
  - (b) specify the date from which it is to be effective;
  - (c) specify whether or not the payment or allowance gives rise to added years of pensionable service under Regulation 16B;
  - (d) subject to paragraph (4), specify whether or not any such payment or allowance, received by a member or former member before the effective date of the declaration, shall count towards the computation of benefits payable under these Regulations; and
  - (e) subject to paragraph (5), specify whether or not by virtue of the declaration a former member shall be entitled to additional payments in respect of benefits paid before the effective date of the declaration.

(4) If in accordance with paragraph (3)(d) the employer's declaration specifies that the pensionable allowance received by a member or former member before the effective date of the declaration shall count towards the computation of benefits payable under these Regulations -

- (a) the Actuary shall determine and advise the Committee and the Establishment Committee of the sum total for all members and former members of the value of the additional benefits arising from the pensionable allowance paid before the effective date of the declaration, including the value of any additional payments under paragraph (3)(e) in respect of benefits;
- (b) additional employers' contributions shall be payable, and additional contributions shall also be payable by

those members or former members who receive improved benefits as a result of the declaration, in such proportions as the Establishment Committee, after consulting the employer and the Committee, and having regard to the advice of the Actuary, shall decide;

- (c) the value of the additional contributions under subparagraph (b) shall be equal to the value of the additional benefits arising as determined under subparagraph (a);
  - (d) the additional contributions payable under subparagraph (b) may consist of -
    - (i) a single cash payment to the scheme;
    - (ii) a series of cash payments to the scheme over a period determined by the Establishment Committee, on the advice of the Actuary, having regard to the additional benefits arising; or
    - (iii) any combination of payments described in clauses (i) and (ii) as the Establishment Committee may determine in consultation with the employer and the Committee; and
  - (e) the additional contributions payable under subparagraph (b) shall be made without the need for an amendment to the Regulations.
- (5) Where by virtue of the declaration -
- (a) a former member is entitled to additional payments under paragraph (3)(e) in respect of benefits;
  - (b) one or more of the additional payments are delayed by more than one month after the dates on which they are due; and

(c) the delay is not the fault of the former member,

each additional payment which is so delayed shall be increased with interest at the Midland Bank Base Rate from the effective date of the declaration (or from the date on which it was due to be paid, if that date is later) up to and including the actual date of payment.

(6) Contributions payable by a member under Regulation 3(1) -

(a) where they are due before the effective date of the declaration of a pensionable allowance, shall be based on his salary excluding that pensionable allowance; and

(b) where they are due on or after the effective date of the declaration of a pensionable allowance, shall be based on his salary including that pensionable allowance.

(7) Subject to paragraph (8), contributions payable by employers under Regulation 4 -

(a) where they are due before the effective date of the declaration of a pensionable allowance, shall be based on members' salaries excluding that pensionable allowance; and

(b) where they are due on or after the effective date of the declaration of a pensionable allowance, shall be based on members' salaries including that pensionable allowance.

(8) At the first review of the Scheme carried out in accordance with Regulation 6 of the General Regulations on or after the effective date of the declaration, the Actuary shall calculate the adjustment (if any) to the employers' contribution rate that may be required from the date of the review as a result

of the additional benefits arising from the pensionable allowances received by members or former members on or after the effective date of the declaration, and -

- (a) any proposals which the Establishment Committee submits to the States for disposing of the surplus, or as the case may be, for making good the deficiency, shall take into account the adjustment to the employers' contribution rate; and
- (b) if the Committee and the Establishment Committee have not agreed on proposals, or neither a surplus nor a deficiency is disclosed, the adjustment to the employers' contribution rate shall, after the further period of three months to which sub-paragraphs (c) and (e) of Regulation 6(3) of the General Regulations refer has elapsed, be applied retrospectively from the date of the review without the need for amendments to the Regulations.

(9) Subject to paragraphs (10), (11), (12) and (13), the employer may revoke a declaration of a pensionable allowance, on giving the Committee and the Establishment Committee at least six months notice of the intention to do so.

(10) Where the Committee receives notice of the intention to revoke a pensionable allowance under paragraph (9) it shall determine, in consultation with the employer and the Establishment Committee, and having regard also to the advice of the Actuary, a method of dealing equitably with members' past service entitlements in respect of such pensionable allowance received before the proposed date of revocation.

(11) If the pensionable allowance gives rise to added years of pensionable service under Regulation 16B, the method to which paragraph (10) of this Regulation refers may involve *inter alia* the cancellation of part or all of the added years of pensionable service credited under Regulation 16B.

(12) If the pensionable allowance does not give rise to added years of pensionable service under Regulation 16B, the method to which paragraph (10) of this Regulation refers may involve *inter alia* the provision of an appropriate number of added years of pensionable service, which shall be deemed to be added years credited under Regulation 16B for the purposes of these Regulations.

(13) The effective date of revocation of a declaration of a pensionable allowance shall be nine months after the employer gives notice, or three months after the Committee has determined the method of dealing with members' past service entitlements (whichever is later).

#### ADDED YEARS IN RESPECT OF A PENSIONABLE ALLOWANCE

**16B.**-(1) In the case of a member or former member who has received a pensionable allowance giving rise to added years of pensionable service under this Regulation, the number of the added years to be credited to him shall be determined as follows -

- (a) if the employer has declared that the pensionable allowance received by the individual concerned before the effective date of the declaration shall count towards the computation of benefits, the number of added years of pensionable service in respect of the period before the effective date shall be determined by the employer, with the consent of the Establishment Committee after that Committee has consulted the Committee and the Actuary;
- (b) in respect of each calendar year during which the individual concerned is a member (excluding the calendar years before the effective date of the declaration and, if it has been revoked, excluding the calendar years after the effective date of revocation of the declaration), the number of added years of

pensionable service shall be determined in accordance with the formula  $\frac{A \times B}{C}$ , where -

- (i) 'A' is the number of days during the year when the individual was a member (excluding any days before the effective date of the declaration and, if it has been revoked, after the effective date of its revocation);
  - (ii) 'B' is the total pensionable allowance giving rise to added years which was received by the member during the year (excluding the pensionable allowance received before the effective date of the declaration and, if it has been revoked, after the effective date of its revocation); and
  - (iii) 'C' is the total salary received by the member during the year (excluding B and excluding any salary received before the effective date of the declaration and, if it has been revoked, after the effective date of its revocation); and
- (c) at the time he ceases to be a member of the scheme, the total number of added years of pensionable service to be credited to the individual shall be the sum of the added years determined under subparagraph (a) and the added years determined in respect of each calendar year under subparagraph (b),

but in the case of a member who was a part-time employee at any time during the year, C shall be subject to an adjustment, determined by the Actuary after consulting the employer, having regard *inter alia* to the proportion of full-time hours worked by the member.

- (2) Where -

- (a) pensionable service is to be enhanced under sub-paragraph (a) of the proviso to Regulation 7(2); and
- (b) the individual received, in the year immediately preceding the date on which he ceased to be a member of the scheme, a pensionable allowance giving rise to added years of pensionable service under this Regulation,

a further period of added years shall be calculated in accordance with the formula  $A \times B$ , where -

- (i) 'A' is the number of added years of pensionable service credited under this Regulation in respect of the year immediately before the date the individual ceased to be a member of the scheme; and
- (ii) 'B' is the relevant additional period in the Table in sub-paragraph (a) of the proviso to Regulation 7(2),

and, for the individual concerned, the period so calculated shall be added to the relevant additional period in that Table for the purpose of determining the enhancement of pensionable service.

(3) Where -

- (a) there is to be calculated under sub-paragraph (b) of the proviso to Regulation 7(2), Regulation 9(3) or Regulation 11(2) a pension or period of pensionable service which would have applied to an individual if he had continued in service until normal retiring age; and
- (b) the individual had received, in the year immediately preceding the date he ceased to be a member of the scheme, a pensionable allowance giving rise to added years of pensionable service under this Regulation,

it shall be assumed, for the purpose of the calculation, that the number of added years of pensionable service credited under this Regulation in respect of the year immediately preceding the date on which the individual ceased to be a member of the scheme would also have been credited in respect of each year after he ceased to be a member, up to and including the date of his normal retiring age, with the credit in respect of a part year counting proportionately.

(4) A member whose pensionable allowance or salary has, to the satisfaction of the Committee, been reduced or discontinued because of ill-health or injury shall be deemed for the purpose of calculating added years under this Regulation to have received the allowance or salary which he would otherwise have received (but for the reduction or discontinuance) as certified by the employer.”.

**10.** After the words “has at any time been a part-time employee,” in Regulation 18 of the principal Regulations there shall be inserted the words “final pensionable salary,”.

**11.**-(1) These Regulations may be cited as the Public Employees (Contributory Retirement Scheme) (New Members) (Amendment No. 6) (Jersey) Regulations 1998.

(2) Paragraph (1) of Regulation (1), Regulations 3 and 4, paragraphs (1), (4), (5) and (6) of Regulations 5 and Regulations 6, 7, 8, 9 and 10 of these Regulations shall be deemed to have come into force on the first day of January 1996.

(3) Except as provided in paragraph (2), these Regulations shall come into force on the first day of July 1998.