Firefighters' Pension Scheme
Circular

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Action:	For Information and Action		
Title:	*Firefighters' Pension Scheme: New Provisions For Cash Equivalent Transfer Values*		
Issued by:	Martin Hill Local Government and Firefighters' Pensions Division		

Summary:	
	This circular provides guidance on the new arrangements for determining how cash equivalent transfer values (CETVs) may be calculated. It also includes a recommendation that CETVs should not be calculated or paid during the period 1st October 2008 to 12th October 2008 inclusive.

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NEW PROVISIONS FOR CASH EQUIVALENT TRANSFER VALUES

1.   Background

1.1   Changes are being made to the arrangements for determining how cash equivalent transfer values (CETV) may be calculated and the Government is taking over responsibility from the actuarial profession for setting the framework for their calculation. Regulations setting the framework have been made by the Department for Work and Pensions (DWP) and will come into force on 1st October 2008. One consequence is that the scheme trustees or managers (not the actuary) will be responsible for deciding how CETVs should be calculated. However, the trustees or managers must obtain the advice of the actuary in determining this and the advice should be documented. CLG are currently in discussion with the Government Actuary (GAD). <u>For the avoidance of doubt, this circular relates only to non-Club transfers out of the Firefighters' Pension Schemes.</u>

2.   New CETV Regulations

2.1   The new regulations are 'The Occupational Pension Schemes (Transfer Values) Amendment Regulations' (SI 2008/1050). They amend the existing regulations (The Occupational Pension Schemes (Transfer Values) 1996 (SI 1996 No.1847)) and prescribe some key principles for deciding how CETVs should be calculated.

2.2   Unfunded public service pension schemes such as the Firefighters' Pension Schemes will also be affected by further DWP regulations - the Occupational and Personal Pension Schemes (Transfer Values) (Amendment) Regulations 2008 (SI 2008/2450) - that will come into force on 13 October and give effect to Treasury guidance (at http://www.hm-treasury.gov.uk/documents/taxation_work_and_welfare/public_service_pensions/tax_pensions_guidance.cfm).

2.3   Unfortunately, because of the interval between the dates the two sets of regulations come into force (i.e. the period from 1 October to 12 October inclusive) the full formal legislative framework for determining CETVs payable by public service schemes will not be in place. Consequently, there could be significant risks in calculating a CETV with a relevant date in that period.

2.4   <u>The Government Actuary's Department has advised that CETVs should not be calculated or paid during this period.</u> There is usually a considerable time period allowed for the calculation of CETVs and scheme administrators may wish to consider whether they can complete any very urgent calculations before the end of September and manage other cases so that formal offers are not issued until 13 October or later.

3. Club Transfers and Incoming non-Club transfers

3.1 The new regulations do not determine service credits in respect of incoming non-Club transfers or Public Sector Transfer Club transfers (neither of which is covered by the regulations). Club transfers should be calculated using the new Club Transfer factors, which were issued by the Government Actuary's Department **[and are attached at Annex A]**.

Martin Hill