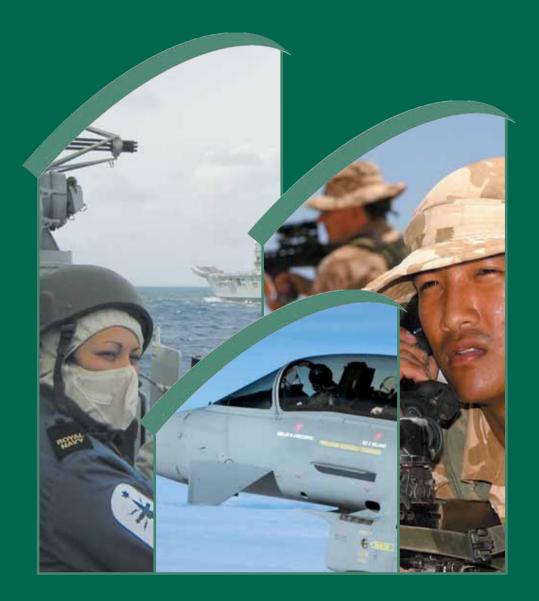






Transferring Benefits



There are three pension schemes for members of the Armed Forces. The first was introduced in 1975 and was closed to new entrants from 6 April 2005. This is known as AFPS 75. On 6 April 2005 two new schemes were introduced. From that date those joining the Regular Armed Forces were eligible to become members of the Armed Forces Pension Scheme 2005 (AFPS 05) and those joining the Full Time Reserve Service (FTRS) were eligible for membership of the Reserve Forces Pension Scheme (RFPS). Members of AFPS 75 were given the opportunity to transfer to AFPS 05 from 6 April 2006. Members of AFPS 75 – FTRS (part of AFPS 75) were also given the opportunity to transfer to RFPS from this date.

This booklet explains how you can transfer pension rights into and out of AFPS 75, AFPS 05 or RFPS following a change of employment.

There are some special terms that you need to know: you can find them on pages 2-6 and refer to them as you go along. They appear in **bold italics**.

IMPORTANT: This booklet provides only a summary of some of the rules about transferring your pension rights, more details relating to AFPS 75 are contained in the Order in Council made under the Naval and Marine Pay and Pensions Act, the Army Pensions Warrant, and the Queens Regulations for the Royal Air Force. More details relating to AFPS 05 and RFPS can be found in Joint Service Publication 764. This booklet does not give a full explanation of the rules and are not the legal basis for any entitlement under the schemes. If there are any differences between the rules and an explanation in this booklet, the rules will be followed.

In addition, this booklet does not give you financial or legal advice. If you want financial or legal advice you should seek independent advice. Unit administrative or personnel staffs can offer information and an explanation of benefits, but will not take responsibility for your pensions decisions. They will be able to let you have a list of Services Insurance and Investment Advisory Panel (SIIAP) approved independent financial advisers, although you are free to use any independent financial adviser that you wish.

FINDING YOUR WAY ABOUT THIS BOOKLET

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TERMS YOU NEED TO UNDERSTAND

Here is a list which explains the meaning of some special terms used in this booklet.

Accrual Rate

The rate at which pension benefits build up.

Accrued Benefits

The pension benefits or rights a member has built up at a particular date.

AFPAA – Armed Forces Personnel Administration Agency

They are the pensions schemes' administrators.

AFPS 75 – Armed Forces Pension Scheme 1975

AFPS 75 is the pension scheme for Service personnel which was introduced in 1975 and was closed to new entrants from 6 April 2005. Personnel who were serving before 6 April 2005 and still serving on 6 April 2006, who were in AFPS 75, were given the opportunity to transfer to AFPS 05.

AFPS 75 – FTRS – Armed Forces Pension Scheme 1975 – Full Time Reserve Service

AFPS 75-FTRS was incorporated into AFPS 75 in 1997 to cater for pensions in respect of FTRS personnel. Personnel who were serving before 6 April 2005 and still serving on 6 April 2006, who were members of AFPS 75-FTRS were given the opportunity to transfer to RFPS.

AFPS 05 – Armed Forces Pension Scheme 2005

This is the pension scheme for Regular Service personnel. It is effective for new entrants from 6 April 2005 and from 6 April 2006 for Service personnel who were in service on that date and who elected to transfer from AFPS 75.

Attributable

The term used to describe where:

- an injury or illness was caused, or significantly aggravated by service in the Armed Forces; or
- a death was caused, or significantly hastened, by service in the Armed Forces.

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Civil Partner

An individual who has formed a legally recognised partnership with another person of the same sex under the procedure provided by the Civil Partnership Act (CPA) 2004. If the civil partnership is legally dissolved, the former civil partner is not entitled to benefits.

Civil Partnership

An arrangement under which same sex couples can enter into a legally recognised partnership under the procedure set out in the CPA 2004. This provides certain benefits, including the right to pensions based on service from April 1988.

Defined Benefits Scheme

A scheme where benefits are based on a proportion of the member's final pensionable pay at retirement for each year of pensionable service. AFPS 75, AFPS 75 – FTRS, AFPS 05 and RFPS are defined benefits schemes.

Defined Contributions Scheme

A pension scheme which provides benefits whose level cannot be predicted in advance, as they depend on the amount of contributions made by the member and the employer, the performance of the fund(s) in which they are investing, and the amount of pension that can be bought with the resulting fund.

Dependants

For AFPS 75 and AFPS 75 – FTRS members – a member's spouse, civil partner or eligible children and, for attributable benefits only, an eligible partner.

For AFPS 05 and RFPS members – a member's spouse, civil partner, eligible partner or eligible children.

Eligible Partner

Someone with whom a member is cohabiting, in an exclusive (ie neither partner is married or a civil partner to someone else) and substantial relationship with financial and wider inter-dependence (this is not the same as a civil partnership).

Final Pensionable Pay

The greatest amount of pensionable earnings (excluding allowances and any form of specialist pay) received for 365 consecutive days over the last three years of service.

FTRS - Full Time Reserve Service

This includes those serving on Additional Duties Commitment (ADC) terms.

GMP – Guaranteed Minimum Pension

The minimum pension that a scheme like AFPS 75, AFPS 05 and RFPS are obliged to provide to members as a result of contracting out of the former State Earnings Related Pension Scheme – SERPS.

Immediate Pension Point

For AFPS 75 members only – a taxable pension paid immediately on leaving the Armed Forces after 16 years' reckonable service as an officer or 22 years' reckonable service as an other rank.

Index-linking

Annual increase in pension value in line with movements in the Retail Prices Index (RPI). Changes are

made in April, using the previous September's annual headline rate of inflation. All ill-health pensions, pensions and dependants' pensions are index-linked from the date of payment. Preserved pensions are index-linked using prices since the date of leaving the Armed Forces.

For AFPS 75 and AFPS 75 – FTRS members – the Immediate Pension (IP) is not index-linked until age 55.

For AFPS 05 members – Early Departure Payments (EDP) are not index-linked until age 55.

Member

A person who has joined one of the Armed Forces pension schemes and who is earning benefits under one of the schemes, has a preserved pension under one of the schemes or is receiving a pension under one of the schemes.

Pensionable Pay

Basic pay including any X factor applicable but excluding allowances, bonuses, financial retention incentives, loan service pay, bounties and any form of specialist pay.

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Pension Credit

The rights arising from a share of the value of the scheme member's pension rights as a result of a Pension Sharing Order.

Pension Lump Sum

A one-off tax-free lump sum equal to three times the annual pension awarded. The pension lump sum is paid in addition to the pension when the pension first comes into payment.

Preserved Pension

A pension which is kept for the member leaving the Armed Forces after a minimum of two years' service or a transfer in from another scheme, but before becoming eligible to receive a pension immediately.

For AFPS 75 and AFPS 75 – FTRS members who have not reached the Immediate Pension Point – the preserved pension is payable from age 60 for service built up before 6 April 2006 and payable from age 65 for service built up from this date.

For AFPS 05 and RFPS members – the preserved pension is payable from the age of 65.

Qualifying Service

This includes: paid service in the Armed Forces; service transferred in from another scheme, including AFPS 75; any period of service with NATO/UN or similar collaborative arrangement in respect of which the member has repaid both elements of his severance payment to buy back the service he missed whilst on secondment.

Reckonable Service

Reckonable service is the service which is used to calculate a member's pension.

For AFPS 75 and AFPS 75 – FTRS members – for officers this starts at age 21 for a maximum of 34 years and for other ranks this starts at age 18 for a maximum of 37 years.

For AFPS 05 and RFPS members – this starts from the first day of paid service in the Armed Forces, but may not exceed 40 years, irrespective of rank.

The value of any pension benefits transferred in from another scheme increases the service which counts towards the value of a member's

pension, as does a credit resulting from the purchase of added years. For those who transferred from AFPS 75 as a result of the Offer To Transfer, their service under AFPS 75 will count too.

Representative Rate of Pay

For AFPS 75 members only – fixed annually to give those leaving at the same rank with the same length of service the same pension no matter what they are being paid.

RFPS – Reserve Forces Pension Scheme

Those who start or restart on Full Time Reserve Service (FTRS), including Additional Duties Commitment (ADC) terms on or after 6 April 2005 will automatically be members of the RFPS. Personnel mobilised under Parts 4, 5 or 6 of the Reserve Forces Act 1996 (or corresponding provisions of the Reserve Forces Act 1980) from that date may choose to become members of RFPS. Those in service before that date and still in service on 6 April 2006, were given the opportunity to transfer to this scheme.

Spouse

A legally married (including separated, but not divorced) husband or wife.

S2P - State Second Pension Scheme

This is part of the State provision of retirement benefits. It is earningsrelated and paid on top of the State Pension and from April 2002 replaced the former State Earnings Related Pension Scheme - SFRPS, It is available to employees who pay National Insurance contributions. If a pension scheme is contracted out of S2P (like AFPS 75, AFPS 75 - FTRS, AFPS 05 and RFPS) this means that the scheme guarantees to ensure that the benefits members will receive at normal retirement age will equal or exceed what they would have had from the State. Because they are contracted out of S2P, members pay a reduced National Insurance contribution to the State.

Transfer Value

The value of pension rights transferred from one pension scheme to another.

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TRANSFERRING IN PENSION RIGHTS

If you have been a member of an occupational pension scheme or had a personal pension plan or Stakeholder pension before entering the Regular Armed Forces or taking on Full Time Reserve Service (*FTRS*), you may be able to transfer benefits into your new scheme. The following time limits apply:

- For AFPS 75 within one year of taking up employment.
- For AFPS 05 and RFPS –
 within one year of taking up
 employment if the transfer is
 coming from another Public
 Sector scheme, a personal
 pension or a Stakeholder
 pension. If the transfer is from
 another occupational scheme,
 the transfer must take place
 before the beginning of your
 final year of service before
 your pension is due.

For all schemes **AFPAA** have the discretion to refuse to accept a transfer. Reasons may include:

• if the transfer is not thought to be sufficient to cover the cost of any guaranteed minimum pension (*GMP*) you might have;

- if your application is outside any time limit which applies;
- if you are under notice of medical discharge; or
- if you are under notice of redundancy.

A pension credit member will not be allowed to transfer pension rights in to supplement their **pension credit**.

The transfer of these benefits involves crediting you with an amount of *qualifying service* and *reckonable service* (measured in years and days) equal in value to the *transfer value* paid by the previous scheme.

When you apply for a transfer to be made, the value of your benefits in your former pension arrangement is paid to your new scheme as a lump sum. In a *defined contributions scheme* (one where the pension benefits are not defined) this will simply be the value of your

accumulated fund. With a *defined* benefits scheme (one where the formula for calculating your pension benefits is pre-defined, eg based on a percentage of final salary) your transfer payment will normally be calculated as the value of the preserved pension benefits which would otherwise be payable at retirement age, which is usually a particular age from age 60 to age 65, if you left them in your previous scheme.

Such *transfer values* will be calculated on a basis consistent with the requirements of pensions legislation and actuarial guidance (guidance based on complex calculations about likely future investment returns, increases in earnings, mortality rates and other factors).

What will the Transfer Buy?

The scheme to which you make a transfer will credit you with an additional period of **reckonable**

service reflecting the value of your transfer, which will be added to the service you earn in the Regular Armed Forces or Reserve Forces

Issues to Consider Before You Transfer In

You should consider the "transfer-out" value offered by your former scheme and how this measures up to the benefits you would get if you left the value in that scheme. You should also consider the value you will be offered in the Armed Forces scheme of which you are now a member and how this may change depending on your future career in the Armed Forces.

AFPS 75 pays benefits based on representative rates of pay for members of the Regular Armed Forces and final pensionable pay for members of FTRS. AFPS 05 and RFPS both base pensions on final pensionable pay. The pension is then assessed by multiplying the appropriate figure for pay by the length of reckonable service and the

accrual rate for the scheme in question. You should consider whether increases in your pay in the Armed Forces would make the benefits you are considering transferring in worth more transferred in or left preserved in your former scheme. Generally, if you have several years of potential service ahead of you, it could be to your advantage to transfer your accrued benefits (the pension rights you have built up under your former scheme) to your new scheme.

Unlike many schemes in the private sector, AFPS 75, AFPS 05 and RFPS guarantee to increase pensions in line with the cost of living once they are in issue or preservation. The credit of additional reckonable service you are offered in these schemes takes account of this. You may wish to investigate whether the transfer value offered by your previous scheme makes any allowance for pensions increases.

If the normal pension age in your former scheme is an age from 60 to 65, when making any comparison

with your potential AFPS 75,
AFPS 05 or RFPS benefits it may be
necessary to make an allowance for
your likely expectation about future
service in the Armed Forces,
including when your pension may
become payable. You should bear in
mind, for example:

- For AFPS 75 an Immediate Pension is payable after 16 years' service for officers and 22 years' service for other ranks; a full career pension is payable at age 55; a preserved pension for service before 6 April 2006 is paid at age 60 and a preserved pension for service from that date is paid at age 65.
- For AFPS 05 a pension is payable from age 55 and preserved pensions are payable from age 65.
- For RFPS a pension is payable from age 60 and preserved pensions are payable from age 65.

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Another factor to be considered is the *accrual rate* of your former scheme as compared with those of AFPS 75, AFPS 05 or RFPS:

> The accrual rate for AFPS 75 is not uniform. It is measured as a fraction of the representative rate of pay set for your final rank. It varies from $\frac{1}{60}$ th or $\frac{1}{80}$ th of your representative rate of pay for each year of service and, for officers in particular, offers faster accrual rates up to the **Immediate Pension Point** than many other schemes. The maximum reckonable service which may be built up is 34 years for officers and 37 for other ranks.

AFPS 75 – FTRS does have an even accrual rate of ${}^{1}/_{665}$ th for those on Full Commitments and ${}^{1}/_{80}$ th for those on Limited or Home Commitments.

The accrual rate for AFPS 05 and RFPS is ¹/₇₀th of pensionable pay for every year of reckonable service up to a maximum of 40 years.

You need to consider whether your former scheme offers you the option to commute, that is to convert some of your pension to a lump sum.

AFPS 75, AFPS 05 and RFPS provide an automatic lump sum.

What You Need to do to Transfer In

Please ensure that you comply with the relevant 12-month time limit for action if you wish to transfer benefits in from another Public Sector scheme. a personal pension or a Stakeholder pension. If your previous scheme was not a Public Sector scheme, a personal pension or a Stakeholder pension, you must apply no later than one year before you reach normal pension age (normal pension age for AFPS 75 and AFPS 05 is 55: normal pension age for AFPS 75 - FTRS and RFPS is 60. although some members of AFPS 75 - FTRS who are serving on Full Commitment have a normal pension age of 55). You should also check with your former scheme at an early stage whether there is any limit on the time available to request a transfer payment.

Before you make a transfer, you have to obtain details of the amount of your *transfer value* from your previous pension scheme and, from the Armed Forces Personnel Administration Agency, (AFPAA) (address on page 18), an estimate of the additional reckonable service that this will buy in your new scheme. You are entitled to a "statement of entitlement" and a "guaranteed cash equivalent" from your previous scheme. The statement of entitlement must say what the cash equivalent value of your preserved benefits would be as at a "quarantee date", which must normally be within three months of your request for the statement. Your previous scheme must provide the statement within 10 days of the guarantee date.

If you decide to go ahead with the transfer, you should make an application to AFPAA in writing. To

obtain a transfer based on the guaranteed cash equivalent, you must apply to your previous pension scheme in writing within three months of the guarantee date telling them how you want your cash equivalent to be used. To ensure safe delivery, you are advised to send your application by registered letter or recorded delivery, or deliver it in person. Do make sure that you take the necessary actions in good time to meet all the time limits mentioned above.

Once the transfer is completed, you will be advised of the credit that you have been given in your new scheme. Remember that this may be different from any estimate you have received before making your application.

NOTE: You must be serving in the Armed Forces to be eligible to transfer in and, once you have committed yourself to a transfer from your previous pension scheme, you cannot change your mind.

TRANSFERRING OUT PENSION RIGHTS

Pension benefits cannot be transferred once they have come into payment.

However, if you leave the Armed Forces to take up new employment where an occupational pension scheme is available, you can transfer your *preserved* pension benefits from AFPS 75, AFPS 05 or RFPS into that scheme. Alternatively, you can transfer to a personal pension scheme or an approved insurance scheme. Or you can simply leave your preserved benefits in AFPS 75, AFPS 05 or RFPS until they become payable. Provided that you left the Armed Forces on or after 1 January 1986, you can apply for a transfer at any time up to one year before your benefits become payable or up to six months after leaving the Armed Forces, if that is later. The cut-off ages for transfer are as follows:

AFPS 05 and RFPS - 64

AFPS 75 (service before 6 April 2006) – 59

AFPS 75 (service after 6 April 2006) – 64

You must remember that the receiving scheme may also impose its own time limits for transfers in.

The rules about transferring out a period of less than two years **qualifying service** will change in April 2006. The rule for such transfers up to April 2006 are:

For AFPS 75 and AFPS 05 members

If you have been a **member** of these schemes for less than two years when you leave and so do not qualify for a preserved pension, a **transfer value** may be paid to another salary-related occupational pension scheme or to a statutory scheme. You must apply within 12 months of leaving the Armed Forces and before pension age. Otherwise, the scheme will pay a premium to the Department of Work and Pensions to buy you back into the State Second Pension Scheme '(S2P)'.

For RFPS members

If you reach the age of 60 without building up two years' *qualifying service* you will be entitled to a tax-free lump sum and a pension providing that you do not ask to transfer any notional value accrued out of the scheme. Should you choose to transfer the value to another pension scheme or to a statutory scheme you must apply to do so within 12 months of leaving the Reserve Forces.

After April 2006 a member of a pension scheme (but not a **pension credit** member) with three months or more qualifying service in the scheme can ask for a cash transfer sum or a contribution refund.

Issues to consider before you transfer

A New Employer's

Occupational Scheme
There are basically two types of occupational pension schemes.

Defined benefits schemes
provide benefits related to your pay, which are worked out in accordance with a set formula based on years of service and pay at retirement. If you

transfer the value of the pension benefits that you have earned into such a scheme, your pension will often depend on your success in your new career. (AFPS 75, AFPS 05 and RFPS are this type of scheme.) Defined contributions schemes provide benefits whose level cannot be predicted in advance as they depend on the amount of contributions made by yourself and your employer, the investment performance of the fund into which they are paid and a number of other factors.

Only a minority of occupational pensions, other than those in the public sector, provide full *index-linking*. Normally increases are subject to an upper limit.

Other occupational schemes generally make provision for early payments on grounds of ill-health and for dependants' benefits in the event of your death. These specific benefits may be as good as, or sometimes better than, those of AFPS 75, AFPS 05 or RFPS.

Questions to consider:

- Does the new scheme provide index-linked pension increases, a tax-free lump sum, dependants' benefits and death benefits?
- Are you likely to gain promotion in your second career, or increase your pensionable earnings faster than the rise in the cost of living?
- What ill-health and dependants benefits are offered?

You will wish to consider the answers to these questions before deciding whether it may be worth considering the transfer of your AFPS 75, AFPS 05 or RFPS pension rights into your new employer's scheme.

Personal Pension Plans

Personal pension schemes are essentially investment plans through which your contribution is invested. Depending on the performance of the plan, it will provide a fund which is used on retirement to purchase an annuity: an arrangement under which a commercial finance

company will contract to provide annual payments similar to a pension for the rest of your life. Again the performance of the market, which of course cannot be predicted or guaranteed, will determine the annual amount achievable. This option is not without risk either way.

The administrative costs of such a scheme have to be taken into account, as does the commission or consultation fee to be paid to the broker or agent who sold it to you.

Such commission and fees reduce the level of contributions actually available for investment. On the other hand, in the right financial climate, the performance of a fund can exceed the return from a defined benefits scheme.

Questions to ask your pensions adviser might include:

 Are you selling the pensions of only one company or are you advising that this is the best personal pension for me out of all the options?

- What commission charges will be deducted from the sum transferred and from any other contribution to the plan?
- What pension level is guaranteed, rather than assumed, in the plan you are recommending?
- What retirement age is assumed?
- What projections are being assumed regarding investment and future growth? (Ask about the previous performance of the proposed scheme and how this compares to other options.)
- Do the projections include values at today's rates, taking anticipated inflation into account?
- Will I receive a tax-free lump sum? If so, how much?
- What dependants' benefits are included? Do these affect my own pension or do I have to pay extra for them? If so, how much?

- What happens in the event of my retirement due to ill-health?
- Is death benefit provided? If not, how much extra will it cost?

AFPS 75, AFPS 05 and RFPS

You have earned the benefits provided by these schemes during your service and they are financially secure.

Make sure you think very carefully before making your decision about whether to transfer your pension benefits.

Remember: If you do decide to transfer the value of your AFPS 75, AFPS 05 or RFPS preserved pension to another scheme, you will not be allowed to change your mind afterwards. Once the transfer of funds is completed, you will have given up forever your rights and those of your dependants under these schemes.

What You Need to do to Transfer Out

Before you can make a transfer, you have to obtain details of the *transfer value* of the pension benefits that you have earned from *AFPAA* (see page 18 for address). You then need to find out from the prospective receiving pension scheme or arrangement what benefits it would give in return for the transfer value which *AFPS 75*, *AFPS 05* or *RFPS* would pay. You will be eligible for a statement of entitlement and a guaranteed cash equivalent from the scheme.

If you decide to go ahead with the transfer, you must make an application to AFPAA in writing. To obtain a transfer based on the guaranteed cash equivalent, you must make this application within three months of the guarantee date.

SOURCES OF HELP

Forces Pension Society

68 South Lambeth Road London SW8 1RL

Tel: 020 7820 9988

Website: www.forpen.co.uk

The Society protects the pension interests of ex-Service personnel of all ranks and their dependants.

The Royal British Legion

48 Pall Mall London SW1Y 5 IY

Tel: 0845 7725725

FMail:

pensions@britishlegion.org.uk Website: www.britishlegion.org.uk

The Legion is Britain's main organisation for the welfare of ex-Service personnel and their dependants. It provides advice on pensions and welfare matters. It also offers social focus for ex-Service personnel through branches and clubs in England, Wales and Ireland.

The Royal British Legion Scotland

The Earl Haig Fund
Scotland and the Officers'
Association Scotland
New Haig House
Logie Green Road
Edinburgh
EH7 4HR

Tel: 0131 557 2782

EMail: info@rblscotland.org.uk Website: www.rblscotland.org.uk

The Legion Scotland helps all ex-Service personnel, and their dependants living in Scotland. It also provides help with pensions and welfare advice.

FURTHER INFORMATION

If you have any queries about issues raised in this booklet, please contact your unit administration office in the first instance. In addition, the Armed Forces Personnel Administration Agency (AFPAA) is also on hand to answer questions. They can be contacted at the following address:

Pensions Division

Mail Point 480 Kentigern House 65 Brown Street Glasgow G2 8FX

Phone: 0800 085 3600

(enquiry service)

Military: 94561 3600 EMail: afpaa-pensions-div@

dial.pipex.com

Other Booklets in this Series

Your unit administrator can obtain these booklets from DSDC (Llangennech) by quoting the relevant MMP number.

Relating to AFPS 75:

- Your Pension Scheme Explained - MMP/106
- Commutation MMP/107
- Family Pension Benefits -MMP/114
- Invaliding MMP/115

Relating to AFPS 05:

- Your Pension Scheme Explained - MMP/124
- Re-employment MMP/116
- Family Pension Benefits -MMP/126
- III-Health Benefits MMP/127

Relating to **AFCS**:

 Your Armed Forces **Compensation Scheme** Explained - MMP/125

Relating to RFPS:

 Reserve Forces Pension and **Compensation Benefits -**MMP/123

Relating to AFPS 75, AFPS 05 and RFPS

 Pension Benefits on Divorce -MMP/131

Other Sources of Information

More on pensions, compensation, how you can increase your benefits, and the Internal Disputes Resolution Procedure, including all the booklets in the series can be found on the Defence Intranet at:

http://defenceintranet.diiweb.r.mil.uk/ <u>DefenceIntranet/Admin/Find</u> OutAboutArmedForcesPensions

or on the internet at: www.mod.uk/issues/pensions

If you have any further queries please contact **AFPAA**.

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