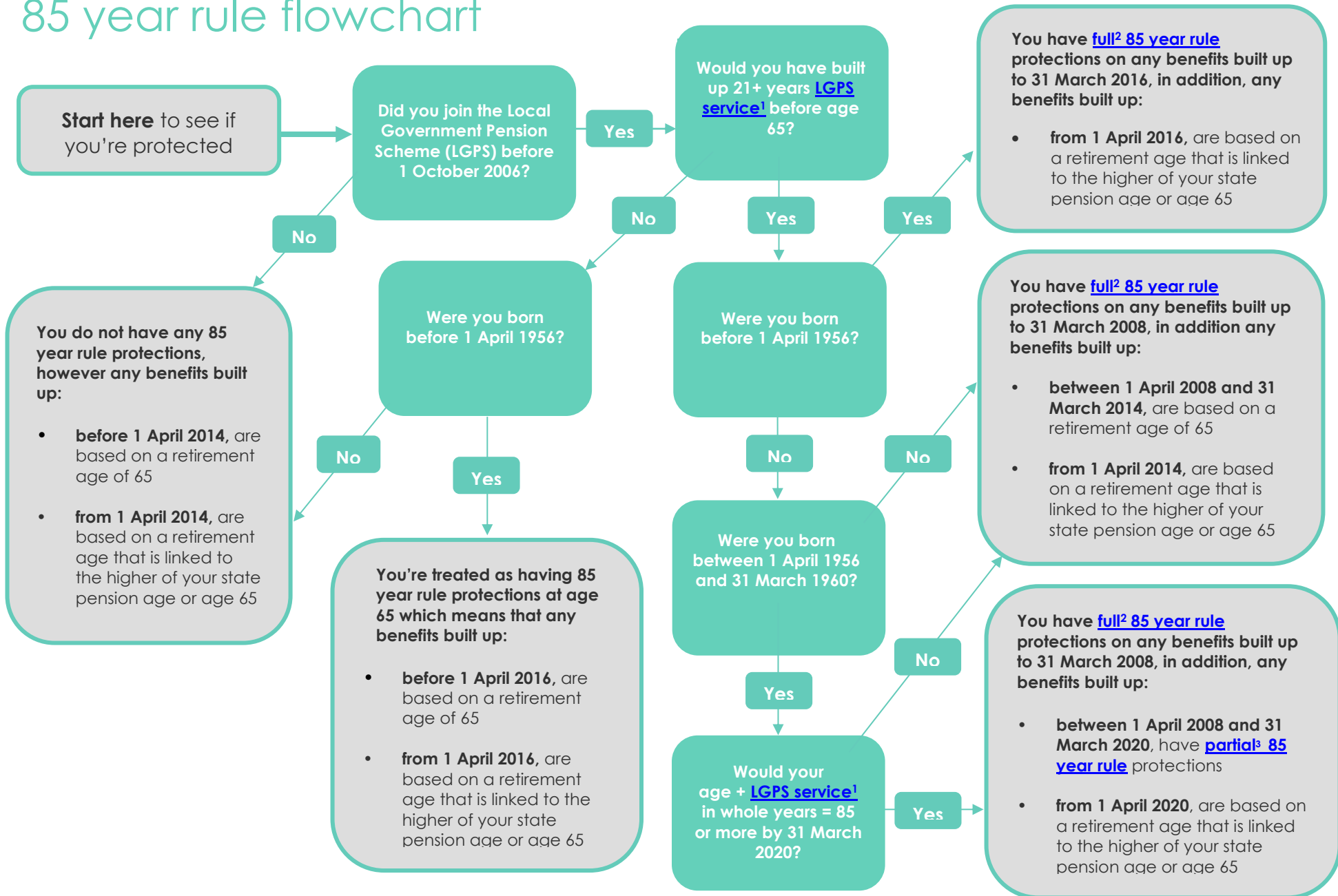

85 year rule explained

A helpful guide to see if you're protected



85 year rule flowchart



Foot notes

1. **'LGPS service'** is worked out using your EAPF membership combined with:

- Some transfers into the Scheme
- Other LGPS service from the same fund or a different LGPS fund
- Any additional years and days ('added years') that you've bought

If you've been a part time member, your calendar length service is used when working out your 85 year rule.

If you're no longer a contributing member, the service you would have built up had you carried on contributing to the Scheme is used when working out your 85 year rule.

Please note you will **not** have any 85 year rule protections if you:

- Stopped contributing to the Scheme before 1 April 1998, or
- You're a former civil servant who compulsory transferred to the Environment Agency on 1 April 1996 (a 'HMIP member')

2. **Meaning of 'full 85 year rule protections'**

If you meet the 85 year rule before age 65* and draw your benefits before age 60, any benefits with full protection will be reduced for early payment to the later of the date you meet the 85 year rule or age 60. However, if you stopped contributing to the Scheme before 1 April 2014, any benefits with full protection will be reduced for early payment to the date you meet the 85 year rule (no reduction applies if you've already met this), though you would need your former employer's consent to draw your benefits before age 60.

If you meet the 85 year rule before age 65* and draw your benefits from age 60 or after, any benefits with full protection will be reduced for early payment to the date you meet the 85 year rule (no reduction applies if you've already met this)

*Please note this is the latest age you can be seen as meeting the 85 year rule. However, your benefits don't have to be paid at the point you meet the 85 year rule. You can choose to take your benefits at any time between age 55 and 75 (please see above as there are some reductions/restrictions that could apply).

'Switching on' the 85 year rule – this only applies if you were a contributing member on or after 1 April 2014

Foot notes (continued)

If you meet the 85 year rule before age 60 and want to draw your benefits before age 60, you can ask your employer to 'switch on' the 85 year rule to lower (in some cases, remove) the reduction that would apply for taking early payment of your benefits.

This comes at a cost to your employer, so they'll only consider doing this under exceptional circumstances.

However, if you meet the above criteria and your employer agrees to 'switch on' the 85 year rule, the following will apply:

- **If you meet the 85 year rule on or before your proposed retirement date**, your benefits protected by the 85 year rule won't be reduced for early payment.
- **If you don't meet the 85 year rule on or before your proposed retirement date**, your benefits protected by the 85 year rule will be reduced for early payment to the date you meet the 85 year rule.

Please note, if your employer allows you to take partial retirement, they'll automatically 'switch on' the 85 year rule.

3. Meaning of 'partial 85 year rule protections'

If you meet the 85 year rule before age 65 and draw your benefits before age 65, any benefits with partial 85 year rule protection will have a smaller reduction applied for early payment to age 65, when compared to someone with a normal reduction for early payment to age 65.

What if I have any questions?

Capita looks after the day to day administration of the EAPF and will be your main point of contact for any questions you have about your benefits. You can contact Capita at:

EAPF Capita, 11b Lingfield point, Darlington DL1 1AX

Tel: 0800 121 6593 or **Email:** info@eapf.org.uk

Disclaimer - This guide is not intended to cover every personal circumstance, nor does it confer any contractual or statutory rights and is provided for information purposes only. In the event of any dispute over your pension benefits the appropriate legislation will prevail.