

Notes of Guidance

Completion of Medical Certificate for Deferred Members who Left on or after 1 April 2008 and before April 2014

The Completion of the Form

- If option A has been completed with 'WAS NOT' **OR** option B with 'DOES NOT', the deferred member **does not**, in the medical opinion of the approved registered medical practitioner, meet the criteria for early release of the deferred pension benefits under the LGPS.
- If option A has been completed with 'WAS' **AND** option B with 'DOES', the deferred member **does**, in the medical opinion of the approved registered medical practitioner, meet the criteria for early release of the deferred pension benefits under the LGPS.
- The date entered under option C can be earlier than, and need not correspond with, the date of the deferred member's application for early payment of deferred benefits, as shown under Section 1, and will be used as the date from which the deferred pension benefits will be brought into payment.
- The date entered under option D can be the same as, or later than, the date entered under option C and is used to determine the date from which the pension should be increased under Pensions Increase legislation. (Please note that this option should only be completed for deferred members under the age of 55).
- The opinion given by the approved registered medical practitioner does not, in itself, give entitlement or otherwise to early release of the deferred pension benefits under the LGPS. Nor should the medical practitioner indicate to the deferred member that such an award will or will not be made. It is for the former employer to make the formal award determination.

Glossary of Terms

- The Independent Registered Medical Practitioner signing the certificate must have been approved for this purpose by the administering authority.
- 'Permanently incapable' means that the deferred member will, more likely than not, be incapable of discharging efficiently the duties of their employment with the employer because of ill health or infirmity of mind or body until, at the earliest, their 'normal retirement age'.

- The Independent Registered Medical Practitioner is providing an opinion on the deferred member's capability of undertaking gainful employment based solely on the effect the medical condition has on the member's ability to undertake gainful employment.
- 'Gainful employment' means paid employment for not less than 30 hours in each week for a period of not less than 12 months. It does not have to be employment that is commensurate in terms of pay and conditions with that of the member's former employment.
- 'Normal retirement age' means age 65 (apart from in the case of a small number of protected members who have a normal retirement age of 60 e.g. employees who were transferred to local government from the Learning and Skills Council for England on 1 April 2010).

Disclaimer

These notes were up-to-date when this form was updated in March 2014 and are provided for information only. They confer no contractual or statutory rights and in the event of any dispute the appropriate legislation will prevail.

This is a medical certificate provided in respect of a deferred member by an independent, approved, duly qualified registered medical practitioner in accordance with regulation 31 of the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 (as amended) and regulation 56 of the Local Government Pension Scheme (Administration) Regulations 2008 (as amended).