



Jersey

R&O – 57/2004

**PUBLIC EMPLOYEES (CONTRIBUTORY
RETIREMENT SCHEME) (NEW MEMBERS)
(AMENDMENT NO. 9) (JERSEY)
REGULATIONS 2004**

Made

8th June 2004

Coming into force

1st July 2004

THE STATES, in pursuance of Article 2 of the Public Employees (Retirement) (Jersey) Law 1967,¹ have made the following Regulations –

1 Interpretation

In these Regulations “principal Regulations” means the Public Employees (Contributory Retirement Scheme) (New Members) (Jersey) Regulations 1989.²

2 Regulation 1 amended

In Regulation 1(1) of the principal Regulations, in the definition of “employee” for the words “one year and one day” there shall be substituted the words “6 months”.

3 Regulation 2 amended

In Regulation 2 of the principal Regulations –

(a) in paragraph 2(8)(b), after the words “if an employee” there shall be inserted the words “who entered service before 1st July 2004”;

(b) for paragraph (12)(a) there shall be substituted the following sub-paragraphs –

“(a) Sub-paragraph (aa) applies where a member is re-admitted to the scheme in accordance with the provisions of paragraph (11) and –

(i) he is entitled to a deferred pension in respect of such previous period of membership (or to any corresponding

deferred lump sum if the previous period of membership was under the Former Hospital Scheme Regulations) and has requested to waive such entitlement, or

- (ii) he is not so entitled as mentioned in clause (i) and has neither elected to receive a refund of his contributions under Regulation 8(3) nor received nor is due to receive such a refund under Regulation 8(5), nor has a transfer value been paid in respect of him.

- (aa) Subject to the provisions of Regulation 16 of the General Regulations, if a member to whom this sub-paragraph applies so requests, he shall have his pensionable service and qualifying service after the date of re-admittance treated as continuous with his respective previous periods of pensionable service and qualifying service, and any entitlement to a deferred pension, deferred lump sum, refund of contributions or transfer value as mentioned in sub-paragraph (a) shall cease in respect of that member.”;

- (c) in paragraph (12)(c) for the words “sub-paragraphs (a) and (b)” there shall be substituted the words “sub-paragraphs (aa) and (b)”;
- (d) in paragraph 12(d)(i) and (ii) for the words “sub-paragraph (a) or (b)” there shall be substituted the words “sub-paragraph (aa) or (b)”.

4 Regulation 8 amended

In Regulation 8 of the principal Regulations –

- (a) in paragraph (3)(d) for the words “Regulation 2(12)(a)” there shall be substituted the words “Regulation 2(12)(aa)”;
- (b) in paragraph (5) after the words “in respect of him” there shall be inserted the words “or if he has within such period requested for his service to be treated as continuous with any previous period of service in accordance with Regulation 2(12)(aa)”.

5 Citation and commencement

These Regulations may be cited as the Public Employees (Contributory Retirement Scheme) (New Members) (Amendment No. 9) (Jersey) Regulations 2004 and shall come into force on 1st July 2004.

M.N. DE LA HAYE

Greffier of the States.

¹ *Recueil des Lois, Volume 1966-1967, page 528, Volume 1988-1989, pages 25 and 26, and
Volume 1994-1995, pages 121 and 427.*

² *Nos. 7955, 8082, 8445, 8595, 8807, 8885, 9252, 62/2000 and 172/2002.*