
STATUTORY INSTRUMENTS

2006 No. 2931

**The Employment Equality (Age)
(Amendment No.2) Regulations 2006**

Targeted and capped accrual

18. After paragraph 19 of Schedule 2 insert—

“**19A.**—(1) Any differences in—

- (a) the fraction of pensionable pay at which any age related benefit accrues, or
- (b) the amount of death benefit,

to or in respect of active or prospective members of a scheme where the differences are attributable to the aim specified in sub-paragraph (2).

(2) The aim referred to in sub-paragraph (1) is that members in a comparable situation will have the right to age related benefit or death benefit equal to the same fraction, proportion or multiple of pensionable pay—

- (a) without regard to each member’s length of pensionable service under the scheme, and
- (b) provided that each member continues in pensionable service under the scheme until normal pension age.

(3) Any differences in age related benefits which accrue, or entitlement to any death benefits which arises, to or in respect of active or prospective members of a scheme who are in a comparable situation where—

- (a) those differences are attributable to the aim specified in sub-paragraph (2), and
- (b) the member’s pensionable service under the arrangement ceases before normal pension age.

(4) Where sub-paragraph (1) applies, any limitation on the amount of any age related benefit or death benefit payable from a scheme where the limitation arises from imposing one or both of the following—

- (a) a maximum amount on the age related benefit or death benefit which is equal to a fraction, proportion or multiple of the member’s pensionable pay, or
- (b) a minimum period of pensionable service.

19B. Where paragraph 19A applies, different rates of member or employer contributions according to the age of the members by, or in respect of whom, contributions are made, where for each year of pensionable service members in comparable situations accrue different fractions of pensionable pay.”