

## Notes of Guidance

# Completion of Medical Certificate for Deferred Councillor Member

### The Completion of the Form

- If option A has been marked with 'WAS NOT', the former Councillor **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 however, option A has been marked with 'WAS', the former Councillor **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.
- If option C1 has been ticked, the Pension Fund administering authority may pay the former Councillor a lump sum equal to 5 times the Councillor's annual pension. If such a payment is made this does not constitute a pension input amount for the purposes of the annual allowance test under the Finance Act 2004 as the person meets the 'severe ill health condition' under section 229 of that Act.
- 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 former Councillor that such an award will or will not be made. It is for the former employing authority to make the formal award determination.

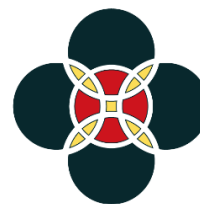
### Glossary of Terms

- The Independent Registered Medical Practitioner signing the certificate must have been approved for this purpose by the administering authority.
- 'Permanently incapable' means that the former Councillor will, more likely than not, be incapable of discharging efficiently the duties of their former office because of ill health or infirmity of mind or body until, at the earliest, their 65th birthday.
- Certification of limited life expectancy of less than 1 year may only be provided by a fully registered person within the meaning of the Medical Act 1983. The full text of the Act can be found at [www.gmc-uk.org/about/legislation/medical\\_act.asp#2](http://www.gmc-uk.org/about/legislation/medical_act.asp#2)

### Disclaimer

These notes were up-to-date when this form was updated in June 2019 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 councillor member by an independent, approved, duly qualified registered medical practitioner in accordance with regulation 97 of the Local Government Pension Scheme Regulations 1997 (as amended) and for the purposes of section 229(4) of the Finance Act 2004.**



## Local Government Pension Scheme

### Medical Certificate for Deferred Councillor Members

#### Section 1 – Former Councillor's Details (to be completed by the former Employer)

Name of former Councillor:		Title:	
Home Address:			
		Post Code:	
NI Number:		Date of Birth:	
Former Employing Authority:		Position Held:	
Date of Termination:		Date of Application:	
*Please attach full details of the requirements of his / her former role in office			

#### Section 2 – Medical Practitioner's Certification

If **WAS** is selected under **Part A** and the former Councillor is **OVER** 55 at the date of application shown in Section 1, please proceed straight to **Part C**. If **WAS** is selected under **Part A** and the former Councillor is **UNDER** age 55 at the date of application shown in Section 1, please proceed to **Part B** and then **Part C**.

<b>A</b>	I certify that, in my opinion, this former Councillor <b>WAS</b> <b>WAS NOT</b> at the date of application for the early payment of deferred benefits shown under Section 1, and on the balance of probabilities, permanently incapable, because of ill health or infirmity of mind or body, of discharging efficiently the duties of his / her former office as a Councillor which gave rise to the deferred benefits in the Local Government Pension Scheme.  If deemed <b>WAS NOT</b> permanently incapable, please proceed to Section 4).				
<b>B</b>	I certify that, in my opinion, the former Councillor <b>WAS</b> <b>WAS NOT</b> at the date of application for early payment of deferred benefits shown in Section 1, permanently incapable by reason of disability caused by physical or mental infirmity of engaging in any regular full-time employment. (Note: the answer to this question is used to determine whether the pension should be immediately increased under Pensions Increase legislation).				
<b>C</b>	I certify that, in my opinion, this former Councillor:				✓
<b>1</b>	<b>IS</b> exceptionally ill, with a life expectancy of less than 1 year.				
	Is the former Councillor aware of this?	<b>Yes</b>		<b>No</b>	
<b>2</b>	<b>IS NOT</b> exceptionally ill and has a life expectancy of 1 year or more.				

### Section 3 – Medical Practitioner's Comments

### Section 4 – Medical Practitioner's Declaration

I **DO**      **DO NOT**      attach a copy of my full report / assessment and certify that:

- I have not previously advised, or given an opinion on, or otherwise been involved in this case **AND**
- I am not acting, and have not at any time acted, as the representative of the former Councillor member named in Section 1, the former authority or any other party in relation to this case **AND**
- I hold a Diploma in Occupational Health Medicine (D Occ Med) or an equivalent qualification issued by a competent authority in an EEA State (with 'competent authority' meaning given by Section 55(1) of the Medical Act 1983), or I am an Associate, a Member or a Fellow of the Faculty of Occupational Medicine or of an equivalent institution in an EEA State.

<b>Print Name:</b>			
<b>Signature:</b>		<b>Date:</b>	

<b>Official stamp: (if applicable)</b>	
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