

**Joint Proposed Recommendation to the 2022 Judicial Compensation Commission  
respecting Non-Judicial Pensions for Provincial Court Judges**

**Submitted March 3, 2023**

1. The *Judicial Compensation Act* (the “*Act*”) contains provisions in Part 3 that govern judicial pensions. In addition, for those judges who earned pensionable service in the Public Sector Pension Plan (“PSPP”) as a public service employee prior to appointment to the bench, the *Act* also governs the non-judicial component of their pensions.
2. As pensions constitute “benefits” for the judiciary within the meaning of s. 5(1)(a) of the *Act*, changes to the pension provisions of the *Act* – for both judicial and non-judicial service – are made through the Judicial Compensation Commission process.
3. Historically, many aspects of the non-judicial pension benefit provisions under the *Act* were aligned with the PSPP rules. This ensured that the pension benefits earned and paid for at the time of the non-judicial service flowed through to individuals who were appointed when their pension was calculated upon retirement.
4. However, recent changes to the PSPP rules made in 2018 and in 2022 (explained in detail in the attachment) are not reflected in the *Act*’s non-judicial pension provisions. This results in a divergence between non-judicial pension benefits earned while working as a regular member of the PSPP (to which the 2018 and 2022 PSPP rule changes apply) and what would ultimately be received by a judge in respect of the non-judicial component of their pension upon retirement from the bench (which will revert back to being calculated under the *Act*’s current provisions).
5. To correct this divergence in respect of non-judicial pension benefits only, the Government of British Columbia and the Provincial Court Judges’ Association, with the support of the Chief Judge of the Provincial Court of British Columbia, jointly propose that the 2022 Judicial Compensation Commission make the following recommendation:

- a. That the *Act* be amended to align the non-judicial pensionable service provisions with the Public Service Pension Plan rule changes made in 2018 and 2022, as detailed in the attachment to the joint proposal, in respect of the following:
  - i. the benefit accrual rates for service between April 1, 2018-March 31, 2022, and after April 1, 2022;
  - ii. the past service benefit enhancement and the bridge benefit for the period of April 1, 2006-March 31, 2018 and after April 1, 2018; and
  - iii. the early retirement factor for non-judicial service earned on or after April 1, 2018.
6. There is no proposed recommendation in respect of judicial pensions. As a result, the proposed recommendation would only impact judges who earned non-judicial service as a regular PSPP member before appointment.
7. As set out in the attachment, the proposed recommendation is cost neutral for both the PSPP and for the Provincial Court Judges.

# MEMO

TO	Paul Craven, ADM, Justice Service Branch, Ministry of Attorney General Melissa Gillespie, Chief Judge, Provincial Court of British Columbia
FROM	Catherine Robertson, Eckler Ltd.
CC:	Chris Skillings, Director, Reporting & Analysis, Provincial Treasury Stuart Morgan, Executive Director, Public Service Pension Board of Trustees
DATE	February 24, 2023
RE	<b>2022 Judicial Compensation Commission (“JCC”) proposal to recommend amendments to the <i>Judicial Compensation Act</i> to incorporate non-judicial pension benefit plan design changes</b>

Further to the letter of February 15, 2023 from the Public Service Pension Board, this memo sets out the requested analysis on potential cost implications from the proposal to recommend amendments to the Judicial Compensation Act (“JCA”) to incorporate non-judicial pension benefit plan design changes.

## Background

The background document provided to us is attached to this memo for reference. In summary, the Public Service Pension Plan (the “PSPP”) has been amended twice recently. Firstly, effective April 1, 2018, the benefits for general PSPP members were amended to introduce a flat accrual rate of 1.85%, eliminate the bridge benefit and the rule of 85, provide an early retirement reduction of 6.2% per annum below age 60, as well as providing a retroactive benefit improvement to increase the below YMPE accrual rate from 1.35% to 1.65%, with a corresponding reduction in the bridge benefit, for service accrued from April 1, 2006 to March 31, 2018. We refer to these amendments in this memo as the “2018 PSPP amendments”. Secondly, effective April 1, 2022, the benefits for general PSPP members were amended to increase the flat accrual rate to 1.95% for future service, “the 2022 PSPP amendments”.

In the absence of a change to the JCA, currently when any PSPP plan member is appointed as a judge, any non-judicial service under the PSPP reverts back to the PSPP benefits prior to the 2018 and 2022 PSPP amendments. This memo considers the cost implications, if any, of the proposed amendments to apply the 2018 and 2022 PSPP amendments to non-judicial service for judges (the “JCC non-judicial proposed amendments”). No changes are being proposed, or have been considered, for judicial service.

The request is for us to consider any cost implications from the JCC non-judicial proposed amendments both for PSPP and for Judges.

## PSPP Cost Implications

We have reviewed the impact of the JCC non-judicial proposed amendments on the PSPP, and conclude there is no cost impact to PSPP.

As noted in our valuation reports for PSPP, we ignore the enhanced benefits which are provided to certain member e.g. judges in the valuation, and report separately to the Board on the additional contributions required for such members. As a result, when costing both the 2018 PSPP amendments and the 2022 PSPP amendments, we assumed the amendments would apply to all members, including judges. This means we have already reflected the cost of providing the 2018 and 2022 PSPP amendments to non-judicial service for judges within the 2018 and 2022 PSPP amendments. Generally, where these amendments resulted in a cost to the PSPP, these costs were met out of surplus. The surplus arose on all PSPP members, so has been allocated appropriately. The appropriate contributions have also been made for the benefits provided.

## Judges Cost Implications

We have reviewed the impact of the JCC non-judicial proposed amendments on the contributions currently being paid by judges, and conclude there is no cost increase to judges.

We establish the contributions due from judges based on a separate valuation. Judges are a relatively small group of members, who are on average older than the general PSPP active population, and with more generous benefit provisions. Due to the size of the group, and the potential spread of ages at which judges are appointed, it is not appropriate to use the entry age normal cost method that is used for the regular plan. Accordingly, we use the projected unit credit method, which estimates the cost of benefits accruing following the valuation and therefore accurately allows for the age profile of the judges and the increasing cost of accrual over time.

Although there are no changes being proposed to the current benefits for judicial service, the JCC non-judicial proposed amendments may slightly reduce the current judges contributions. The reason for this is that where the JCC non-judicial proposed amendments have an impact on the accrued pension, they will, in aggregate across all judges, increase the total accrued pension. As a result, where a judge is projected to meet the current maximum accrual of 70% of the member's highest average salary, then they may meet this limit sooner allowing for the JCC non-judicial proposed amendments. On reaching this maximum, the valuation assumes that contributions cease, resulting in a lower required contribution. The data we have includes the total non-judicial service, so we have had to approximate how that service is split between April 1, 2006 to March 31, 2018 and from April 1, 2018 (to March 31, 2020, the date of the last valuation). The estimated contribution reduction is marginal. Given that the magnitude of the reduction is not material, the approximations involved in the estimate, and the upcoming valuation as of March 31, 2023 (which may lead to contribution changes due to experience or data changes), we would recommend that the current contributions are maintained until the 2023 valuation is completed.

With respect to any increase in accrued benefits that may apply to individual judges as a result of the JCC non-judicial proposed amendments, as noted above, these increases were already costed in the 2018 and 2022 PSPP amendments, with any increased cost largely being met from surplus. Hence, the judges should not be charged again for any benefit improvements to accrued service as a result of the JCC non-judicial proposed amendments. In addition, the appropriate contributions have been paid to the PSPP for any post March 31, 2018 non-judicial service accrued by any current judge.

We would be pleased to discuss this further.

## **2022 Judicial Compensation Commission (“JCC”) proposal to recommend amendments to the *Judicial Compensation Act* to incorporate non-judicial pension benefit plan design changes**

### **Background**

The *Judicial Compensation Act* (“JCA”) includes provisions for judges’ pension benefits for both judicial service and non-judicial service (if any). At retirement, judges will receive a blended lifetime pension benefit if they earned any pensionable service as a regular member under the Public Service Pension Plan (“PSPP”) prior to being appointed to the provincial court (for example, working as a government lawyer).

Historically, the JCA’s non-judicial pension benefits provisions have been harmonious with the PSPP rules in many respects. This harmony ensured the pension benefit earned and paid for while serving as a regular member is maintained despite the change in employment status. However, plan design changes made by the PSPP in recent years have not been incorporated into the JCA, resulting in a divergence in the benefits for impacted judges in relation to non-judicial service.

The changes proposed for recommendation to the 2022 JCC intend to incorporate the plan design changes to ensure impacted judges receive benefits in harmony with the current PSPP plan design (i.e., the benefit that was earned prior to judicial appointment). If ultimately implemented through subsequent JCA amendments, it is expected the changes will result in improved lifetime benefits for virtually all existing active and retired impacted judges.

### **Proposed Amendments to be Recommended**

The proposal is to pursue incorporating plan design changes into the JCA for those elements where the JCA and PSPP have been historically harmonious (an overview of pension benefits is provided in Appendix A). These elements include the benefit accrual rates, the bridge benefit, and the early retirement factor. If implemented, the proposed changes would apply to non-judicial service only; there would be no changes to the judicial benefit. Specifically, the proposed changes are as follows:

1. Moving from 1.35%/2% integrated benefit accrual rates to the following flat benefit accrual rates:
  - a. 1.85% for service from April 1, 2018 – March 31, 2022
  - b. 1.95% for service after April 1, 2022
2. Past service benefit enhancement (“benefit enhancement”) to the lifetime portion of the pension of 1.35% up to 1.65% for service on earnings up to Yearly Maximum Pensionable Earnings (“YMPE”) for the period of April 1, 2006 – March 31, 2018
3. Corresponding elimination / reduction to the bridge benefit payable until the earlier of age 65 and death:
  - a. Elimination of bridge benefit for service after April 1, 2018; and
  - b. Reduction of bridge benefit from 0.65% to 0.35% on earnings up to the YMPE for service between April 1, 2006 and March 31, 2018 (offset by the benefit enhancement to the lifetime portion above)

4. Increasing the Early Retirement Factor (ERF) from 5% to 6.2% for the non-judicial benefit portion of service earned on or after April 1, 2018, for judges that do not qualify for an unreduced pension.

Individual judges' pensionable service will likely cross over the timeframes shown above.

There are other pension elements that have **not** been historically harmonious between the two regimes and would therefore not be changed by this proposal if ultimately implemented. They include:

1. Shorter three year Highest Average Salary (HAS) calculation for both judicial and non-judicial service, compared to five years for regular members;
2. More favourable "Rule of 55/5" (no reduction in pension if retire at age 55 with at least 5 years of service) for all service (both judicial and non-judicial). Depending on the service period, regular members must meet the rule of 85 (for service pre-plan design), have 35 years of service or reach age 60 with at least 2 years of service to qualify for an unreduced pension; and
3. Enhanced 'normal form' of pension that includes a joint life 60 per cent normal form option with no reduction for married members. Regular members are only provided a single life with a 10-year guarantee normal form, regardless of their spousal status.

In each case, the features above result in a more favourable pension benefit for judges compared to benefits earned by regular members of the plan. The continuation of these more favourable features is an important factor in support of the 'net benefit' outcomes for impacted judges under the proposal for recommendation.

### **Determination of Impacted Judges**

The plan design changes were applied to all regular members that still had an entitlement in the plan at the time of implementation, regardless of status: all active, inactive/deferred and retired members were impacted to the extent pensionable service was earned during the periods noted above. However, because the non-judicial component of judges' pensions is prescribed by the JCA, the plan design changes did not apply to judges.

The proposal will apply the changes in a consistent manner for judges with non-judicial service earned during the effective dates if those judges still have an entitlement in the plan<sup>1</sup>. This is true regardless of status under the plan: e.g. active, inactive/deferred, or retired. This application is the most equitable approach to implementing plan design changes, including because it ensures the past service benefit enhancement is awarded consistently to all members.

Pension Corporation has confirmed there are a total of 54 impacted judges with non-judicial service earned in the timeframe that would be affected by the plan design changes, if

---

<sup>1</sup> Any member who remains in the pension plan, whether actively employed, retired, or deferred but with benefits left in the plan, holds an entitlement.

implemented: 47 active judges and 7 retired judges<sup>2</sup>. There are **no** inactive/deferred members impacted. An assessment of the population of impacted judges is provided in Appendix B.

### **Effective dates**

The proposal for recommendation would, if implemented, apply the new provisions retroactively to the effective dates of the plan design changes. This retroactivity ensures impacted judges receive the benefits of plan design changes consistent with what would have applied to their previous earned time if they had not been appointed, creating equity with continuing regular members of the plan.

Importantly, the past service benefit enhancement was provided to members with an entitlement under the plan on or after October 1, 2019. All members, whether active, inactive/deferred, or retired that were in the plan on or after this date received the benefit enhancement for time served during the April 1, 2006 to March 31, 2018 period. The proposal for recommendation would, if implemented, retroactively award the benefit to eligible judges (including retired judges) with an entitlement as of the October 1, 2019 date.

For judges that are not eligible for an unreduced pension (i.e. members who receive a reduced pension), the higher ERF would apply to the non-judicial pension component at the time of retirement for non-judicial service earned after April 1, 2018 (being the start date of the new flat accrual structure). However, Pension Corporation advises there have been no reduced pensions put into pay over the last 15 years. As a result, this change has no impact on the existing retired judge population and is not anticipated to impact active judges as a population in the future.

The October 1, 2019 effective date for the benefit enhancement would also be relevant in the following specific circumstances.

### *Commutated values*

The October 1, 2019 effective date was relevant for calculating a commuted value in the event a member elects to leave the plan or a lump sum payout is required due to a member's death<sup>3</sup>. A member/beneficiary who took their commuted value prior to this date did not receive the benefit enhancement.

Pension corporation has confirmed there have been **no** commuted values calculated for impacted judges since October 1, 2019, and therefore there is no impact for existing judges (and no recalculations required). Assuming the parties agree to propose, and the JCC recommends, these changes, it is proposed that, rather than using the October 1, 2019 date for purposes of determining a member's entitlement for commuted values, the date the JCC recommendations in this regard are either accepted by the Lieutenant Governor in Council or approved by the

---

<sup>2</sup> In addition to the 54 impacted judges, there are also 5 impacted masters: 2 active master and 3 retired masters. While masters' pensions are tied to those of provincial court judges under the Supreme Court Act, the 2022 JCC will not deal with masters directly, so the remainder of this document omits reference to the 5 impacted masters.



legislative assembly be used instead. This approach would avoid the complexity of having to recalculate the amount if a commuted value payment is made to a judge between today and the effective date of the JCA amendments. If a judge is paid a commuted value after the date of the JCA amendments, the benefit enhancement would be included.

#### *Adjustments to the normal form*

For members who are currently receiving a pension and chose a pension option with a greater value than the normal form pension, the proposal will ensure that member's pension prior to age 65 does not decrease. This means that for members currently receiving a pension who chose a single life pension guaranteed for 15 years or a 100% joint survivor pension, there would be a slight reduction in their lifetime pension increase in order to maintain the same pension prior to age 65<sup>4</sup>. This is the same principle that was applied for regular members at the time plan design was implemented.

Pension Corporation has confirmed there are two existing retired judges who would be impacted by this issue if the changes are ultimately implemented. These members would see no impact to their pre-65 payments and would still receive an increase to lifetime benefits after age 65, albeit on a slightly reduced basis for the reason noted above.

#### *Refund of overcontributions*

The JCA permits a lifetime pension benefit up to a maximum 70% of HAS. When an active judge's benefit accrual reaches 70%<sup>5</sup>, contributions cease. If proposed plan design changes result in a judge exceeding the 70% maximum, or reaching the maximum more quickly, the judge will have made an over-contribution retrospectively. Under the proposal, overcontributions would have to be calculated and returned to any judge in this situation who has an entitlement on or after October 1, 2019.

Pension Corporation has confirmed there are three judges (two active, one retired) that have reached the 70% maximum and would require a refund of overcontributions if the changes are implemented. There are **no** inactive/deferred judges impacted.

#### **Cost implications to the Plan**

The plan design changes were developed and implemented within a 'cost neutral', or 'fully funded' framework; the benefit of new flat accrual rates was funded by foregoing the bridge benefit and increased early retirement factor on future service. As well, the estimated cost related to the past service benefit enhancement was funded from a portion of the plan's surplus identified in the 2017 actuarial valuation. In combination, both changes were fully funded and did not result in a change to contribution rates.

---

<sup>4</sup> An optional form factor is applied to the lifetime pension when a greater pension form is provided than the normal form. This factor is not applied to the temporary bridge benefit, therefore this can result in a small reduction in the net payment before age 65.

<sup>5</sup> For example, for a judge that works 100% in a judicial capacity (i.e. has no non-judicial service), the 70% max is reached after 23.33 years (70% / 3% accrual per year).

It is expected that the proposal, if implemented, will have no incremental cost to the plan: as members of the pension plan, costs associated with the benefits accrued were considered at the time the actuarial work was performed. This is expected to be true even with anticipated retroactive benefit enhancements and/or overcontributions that result in lump sum payments to impacted judges. The proposal here simply ensures the benefits are awarded to judges with non-judicial service during the relevant timeframes as the plan design changes originally contemplated.

Pension Corporation's internal actuary has reviewed the proposal and agrees with this conclusion. The plan's actuary will be engaged to confirm this understanding. The ability to move forward with the proposal for recommendation to the 2022 JCC is contingent on the actuary's confirmation of no cost outcome. If a cost is identified, funding sources and/or modifications will need to be identified.

**Next steps**

- Confirm a clear understanding with all parties of the proposal, respond to any additional questions, and agreement to proceed
- Liaise with Pension Corporation for additional information and/or modelling, if needed
- Confirm the 'no cost' implications with plan actuary
- Confirm JCC submission approach

## Appendix A – Overview of Defined Benefit Pension Benefit

Judicial pensions are a **defined benefit** (DB) pension arrangement. The amount of the lifetime pension benefit is calculated based on a benefit accrual rate, years of service under the plan, and the salary earned by the member.

While judges are members of the Public Service Pension Plan (PSPP), their enhanced pension rules for judicial service are contained in the *Judicial Compensation Act* (JCA). The JCA also contains the pension rules for non-judicial service.

### Glossary of Key Terms

**Benefit Accrual Rate:** The multiplier used in the pension formula, along with a member's pensionable service and earnings, to calculate the member's lifetime pension.

**Bridge Benefit:** A temporary monthly amount paid in addition to the lifetime pension. It is payable from the member's retirement date until the member turns 65 or dies, whichever comes first. For regular members, the bridge benefit applies only to service up to March 31, 2018.

**Commuted Value:** A lump-sum value based on the amount of money the pension plan would need to put aside today, at current interest rates, to pay for a member's future pension at retirement.

**Highest Average Salary (HAS):** The average of a member's three highest years of pensionable salary for judges (compared to a five year average for regular members). To calculate this average, the plan uses the best three years of full-time-equivalent earnings from the member's entire time with the plan. When a member retires, their pension is based on a formula that uses the member's highest average salary.

**Normal Form of pension:** Is the single life or joint life amount of a pension set by the Board or as specified in the *Judicial Compensation Act*, before any actuarial factors are applied to calculate the various pension option amounts.

**Year's maximum pensionable earnings (YMPE):** A salary limit set by the federal government each year for the purposes of determining the maximum annual contributions workers make to the Canada Pension Plan. It is also used as part of the pension formula to calculate contributions and pension benefits for certain periods.

### Existing JCA terms

#### Accrual Rates

Non-judicial service:

- Lifetime: 1.35% up to the YMPE, 2.0% over the YMPE
- Bridge Benefit: 0.65% up to lesser of HAS or YMPE

#### **Judicial service:**

- Lifetime: flat 3.0%
- Bridge Benefit: No bridge benefit

#### **Highest Average Salary (HAS)**

- 3-year HAS applied to both non-judicial and judicial service

#### **Early retirement reduction rates**

- 5.0% per year from age 60, for non-judicial and judicial service, subject to unreduced rule below
- Judges qualify for an unreduced pension at age 55 if they have at least 5 years of contributory service (55/5 rule)

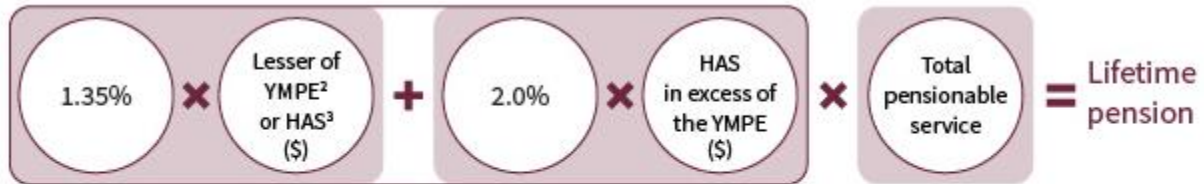
#### **Sample Calculation (under existing JCA pension benefits):**

- Assume the following:
  - 10 years of non-judicial service and 10 years as a judge
  - HAS of \$290,000
  - YMPE \$64,900
  - Retirement age: 65 (no bridge benefit or early reduction applied)
- Non judicial service:
  - $1.35\% \times 10 \text{ years} \times \$64,900 = \$ 8,762$  plus
  - $2.0\% \times 10 \text{ years} \times \$225,100 = \$45,020$
- Judicial service:
  - $3.0\% \times 10 \text{ years} \times \$290,000 = \$87,000$
- **Total Annual Pension = \$140,782**

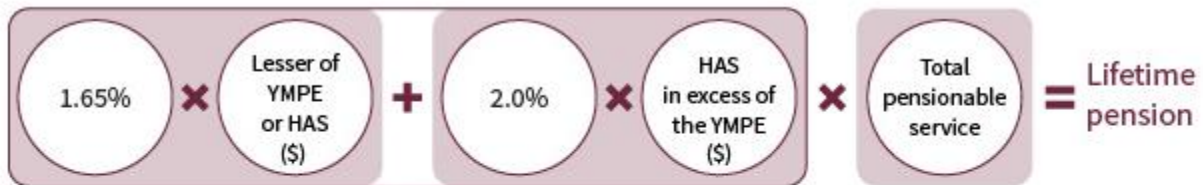
#### **Plan Design Changes for Regular Members**

- Past service benefit enhancement (increased the below YMPE accrual rate from 1.35% to 1.65%, corresponding decrease in bridge benefit from 0.65% to 0.35%) for service earned between April 1, 2006 and March 31, 2018, effective October 1, 2019)
- Flat 1.85% accrual rate, effective April 1, 2018
- Flat 1.95% accrual rate, effective April 1, 2022

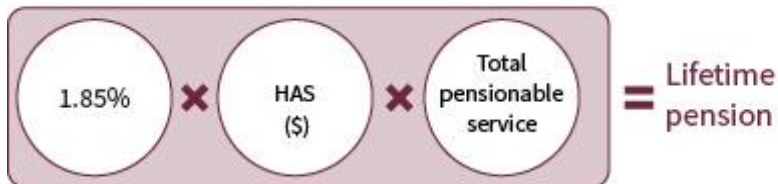
**For pensionable service earned before April 1, 2006:**



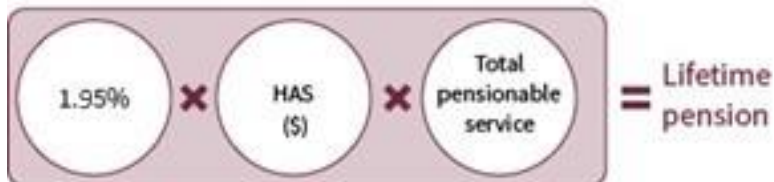
For pensionable service earned between April 1, 2006 and March 31, 2018, inclusive:



For pensionable service earned on and after April 1, 2018, to March 31, 2022, inclusive:



For pensionable service earned on or after April 1, 2022:



## Appendix B – Assessment of implications for Impacted Judges

Pension Corporation have confirmed there are a total of 54 active and retired judges impacted by the proposal. Of the 54 total, 47 are active judges and 7 are retired judges. There are no inactive/deferred members impacted.

The following table provides an overview of the identified population by group based on timeframe of non-judicial service. Individual judges' experience will vary depending on the duration and timespan of the time earned, retirement age, HAS, and YMPE - final outcomes for active members cannot be known in advance of a specific retirement date being identified.

Scenario	Plan design changes applied	Comments on impacts
<b>Of the 47 active judges:</b>		
30 judges have April 1, 2006 to March 31, 2018 service only	past service benefit enhancement with offsetting bridge benefit reduction to age 65	No change to net pensions paid up to age 65, increased lifetime pensions paid beyond. All judges are better off
2 judges have April 1, 2018 March 31, 2022 service only	change from 2%/1.35% accrual rate to flat 1.85% for duration of non-judicial service	Impact depends on HAS and YMPE at time of retirement. Using current YMPE and a HAS of \$288,500, <b><u>members will see marginal reduction in lifetime pension</u></b> [note members identified have only 2.22 and 0.6 years of non-judicial service.]
14 judges have both April 1, 2006 to March 31, 2018 and April 1, 2018 to March 31, 2022 service	Both: i) change from 2%/1.35% accrual rate to flat 1.85% for duration of non-judicial service, and ii) past service benefit enhancement with offsetting bridge benefit reduction to age 65	Impact will depend on duration of time between the two periods, age of retirement, and HAS and YMPE at time of retirement.  The past service benefit enhancement will offset time at 1.85% to some degree. The net impact will vary on a case by case basis. Average judge experience supports a net benefit outcome in most cases.  The amount of the lost/reduced bridge benefit will be paid back over a period of time depending on the factors noted above.

1 judge has service through all three periods; April 1, 2006 to March 31, 2018 and April 1, 2018 to March 31, 2022 service as well as post-April 1, 2022 service	All: i) change from 2%/1.35% accrual rate to flat 1.85% for duration of non-judicial service, ii) 1.95% on time after 2022 iii) past service benefit enhancement with offsetting bridge benefit reduction to age 65	Impact will depend on duration of time between the two periods, age at retirement, and HAS and YMPE at time of retirement.  For one judge identified, Pension Corporation has confirmed time spanning pre-2018 and post-2022 is expected to offset period at 1.85% resulting in net benefit after age 65.  The amount of the lost/reduced bridge benefit will be paid back over a period of time depending on the factors noted above.
<b>Of the 7 retired judges:</b>		
7 retired judges have time earned only in the 2006 – 2018 period	past service benefit enhancement with offsetting bridge benefit reduction to age 65	No change to net pensions paid up to age 65, increased lifetime pensions paid beyond.  Judges will receive a lump sum benefit enhancement for pensions paid after October 1, 2019  All judges are better off

**Other factors assessed:**

- 3 judges (two active, 1 retired) have hit the 70% maximum accrual such that contributions ceased. These individuals would receive an overcontribution refund to the extent changes accelerated reaching 70%.
- There have been no commuted value asset transfers out of the plan (due to leaving or lump sum payout due to member death) on or after the effective date – there are no situations where the issue of a commuted value recalculation is currently needed.
- There is one terminated judge who has post-April 1, 2006 non-judicial service, but that individual was paid out in 2013, prior to the October 1, 2019 effective date and is therefore not affected.
- There are two retired members who retired prior to age 65 and elected a Joint Survivor 100% form for lifetime pension. These two individuals will be subject to the mechanism discussed above to ensure net payments prior to age 65 are not impacted and will receive a slightly lower increase to the lifetime pension.

- An assessment of marriage breakdown is still required: if there are any instances, the limited member's benefit will be treated the same way as the member's benefit.