

# Meaning of Pensionable Pay in the LGPS England & Wales – Comparison Table

Effective 1 April 2008 - 2007 LGPS Regulations	Effective 1 April 2014 - 2013 LGPS Regulations
<b>Regulation 4.</b> <b>1) An employee's pensionable pay is the total of -</b>	<b>Regulation 20.</b> <b>1) Subject to regulation 21 (assumed pensionable pay), an employee's pensionable pay is the total of -</b>
a) all the salary, wages, fees and other payments paid to him for his own use in respect of his employment; and	a) all the salary, wages, fees and other payments paid to the employee, and
b) any other payment or benefit specified in his contract of employment as being a pensionable emolument.	b) any benefit specified in the employee's contract of employment as being a pensionable emolument.
<b>2) But an employee's pensionable pay does not include -</b>	<b>2) But an employee's pensionable pay does not include -</b>
a) payments for non-contractual overtime;	a) any sum which has not had income tax liability determined on it;
b) any travelling, subsistence or other allowance paid in respect of expenses incurred in relation to the employment;	b) any travelling, subsistence or other allowance paid in respect of expenses incurred in relation to the employment;
c) any payment in consideration of loss of holidays;	c) any payment in consideration of loss of holidays;
d) any payment in lieu of notice to terminate his contract of employment;	d) any payment in lieu of notice to terminate a contract of employment;
e) any payment as an inducement not to terminate his employment before the payment is made.	e) any payment as an inducement not to terminate employment before the payment is made;
f) the amount of any supplement paid - i) by the Environment Agency; or ii) to an employee whose employment is transferred on 1 April 2010, under a staff transfer scheme, from the Learning and Skills Council for England to a local authority or to London Councils Limited, in recognition of the difference in contribution rates between members of the principal civil service pension scheme and the scheme; or	f) any amount treated as the money value to the employee of the provision of a motor vehicle or any amount paid in lieu of such provision;
g) any award of compensation (excluding any sum representing arrears of pay) for the purposes of achieving equal pay in relation to other employees.	g) any payment in consideration of loss of future pensionable payments or benefits;
3) No sum may be taken into account in calculating pensionable pay unless income tax liability has been determined on it.	h) any award of compensation (excluding any sum representing arrears of pay) for the purpose of achieving equal pay in relation to other employees;
4) In this regulation "local authority" has the same meaning as in regulation 16A.	i) any payment made by the scheme employer to a member on reserve forces service leave;
	j) returning officer, or acting returning officer fees <b>other than</b> fees paid in respect of: i) local government elections ii) elections for the National Assembly for Wales iii) Parliamentary elections, or iv) European Parliamentary elections.

**NB:** A pensionable emolument is a bonus or allowance which counts when deducting pension contributions.