



## Notes of Guidance

### Completion of Medical Certificate for a Current Eligible Councillor

#### The Completion of the Form

- If option A is completed with 'IS NOT', the Councillor **does not**, in the medical opinion of the approved registered medical practitioner, meet the criteria for an ill health pension under the LGPS.
- If however, option A is completed with 'IS', the Councillor **does**, in the medical opinion of the approved registered medical practitioner, meet the criteria for an ill health pension under the LGPS.
- If option B1 has been ticked, the Pension Fund administering authority may pay the Councillor a lump sum equal to 5 times the member's annual pension. If such a payment is made there is no 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.
- If under Section 3, the option has been marked with 'DOES', there is subsequently no 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 an ill health award. Nor should the medical practitioner indicate to the Councillor that such an award will or will not be made. It is for the employing authority to make the formal ill health 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 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.

- 'Insignificant extent' means, for example, that the Councillor could undertake voluntary work or unpaid work where out of pocket expenses are reimbursed or small amounts of travelling or subsistence payments are made. Any paid work should be insignificant, for example it should be infrequent or only for a few days during the year and the payment must be small in amount, not just as a proportion of the pay or salary they are earning in their current job.
- 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 current 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.**