

Part 4

*The Local Government (Early
Termination of Employment)
(Discretionary Compensation)
Regulations (Northern Ireland) 2003*

4. THE LOCAL GOVERNMENT (EARLY TERMINATION OF EMPLOYMENT) (DISCRETIONARY COMPENSATION) REGULATIONS (NORTHERN IRELAND) 2003

1. INTRODUCTION

1.1 Introduction

With effect from 24 March 2003, the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations (Northern Ireland) 2003 (referred to as “the Compensation Regulations” elsewhere in this manual) revoke and replace Parts II to IV of the Local Government (Discretionary Payments) Regulations (NI) 2001 (Part V – Injury Allowances etc. remains in place).

It must be stressed that NILGOSC is **NOT** responsible for administering these regulations. We are happy to advise and assist employing authorities to implement them and to act as the employing authority’s agent in paying any pension which may arise from their implementation, but the final decision as to the entitlement to, or amount of, any award under these regulations rests with the employing authority concerned.

1.2 Scope of the Discretionary Compensation Regulations

The Compensation Regulations are limited in their scope. While all employing authorities have the discretion to increase statutory redundancy payments under Part II and award lump sum compensation under Part III of the Regulations, only those authorities which are named in Schedule 3 of the Regulations (listed in Appendix A on page 4 - 13 of this Part) may award annual and lump sum compensation based on the award of a credited period of membership under Parts IV to VIII of the Regulations. The discretion to award injury allowances under Part V of the Local Government (Discretionary Payments) Regulations (NI) 2001 is limited to the authorities detailed in Part 2 of Schedule 1 of those Regulations.

1.3 Application of the Regulations

The Compensation Regulations apply in relation to, or in consequence of the death of, a person whose employment is terminated-

- a) by reason of redundancy;
- b) in the interests of the efficient exercise of the Scheme employer’s functions; or
- c) in the case of a joint appointment, because the other holder of the appointment has left it.

The person must be *eligible* to be a member of the Local Government Pension Scheme (Northern Ireland) on his/her last day of employment, but need not actually be a member.

(Regulation 3)

2. STATUTORY REDUNDANCY PAYMENTS

2.1 Power to Increase Statutory Redundancy Payments

Where an employee ceases to hold his/her employment and is entitled to a redundancy payment under the Employment Rights (Northern Ireland) Order 1996, the employing authority may increase the redundancy payment made to him/her.

2.2 Amount of Increase

The redundancy payment may be calculated by reference to the employee's actual weekly pay, disregarding the limit on weekly pay for purposes of calculating redundancy payments contained in Article 23(1)(c) of the Employment Rights (Northern Ireland) Order 1996.

(Regulation 4)

3. OTHER COMPENSATION FOR REDUNDANCY

3.1 Eligibility

Any LGPS employing authority may grant compensation under Part III of the Compensation Regulations.

A person is eligible to receive compensation under this part if (s)he ceases to hold his/her employment by reason of redundancy (except where there is no entitlement to a redundancy payment on the expiry of a short fixed term contract), or in the interests of the efficient exercise of the employer's functions and (s)he:

- (a) has a total membership period of less than 40 years; and
- (b) is aged over 18 and, unless (s)he has attained the age of 50, has been employed by the authority for at least 2 years;
- (c) has not attained the age of 65;
- (d) is not entitled to count a period of membership under Regulation 54 of the Pension Regulations (power of employing authority to increase total membership of members leaving employment at or over 50); and
- (e) has not been awarded a credited period under Part IV of the Compensation Regulations.

The compensation is calculated and paid by the employing authority.

(Regulation 5)

3.2 Amount of Compensation for Redundancy

The amount of compensation payable under Part IV of the Regulations cannot exceed 66 weeks pay or, if less, the following amounts:

- (a) Employee aged over 18 but under 20 – one-half week's pay for each complete year of employment after age 18;
- (b) Employee aged over 20 but under 23 – one half week's pay for each complete year of employment between ages 18 and 20 and one week's pay for each complete year of employment after age 20;
- (c) Employee aged over 23 but under 41 – two week's pay for each complete year of employment after age 18;
- (d) Employee aged over 41 – two week's pay for each complete year of employment between age 18 and age 41 plus five week's pay for each complete year of employment after age 41.
- (e) One week's pay for each complete week between the date of leaving and the employee's 65th birthday.

A ready reckoner showing the maximum number of weeks pay which can be awarded can be found at Table 2 (see page 4-15 of this Part).

The amount of any redundancy payment made to the employee must be deducted from the compensation payable under this Part. *(Regulation 5)*

3.3 Example

An employee, who commenced employment on his 18th birthday, is being made redundant aged 49 years 3 months. Salary £18,200 per year (£350 per week).

Redundancy payment:

$$20 \text{ years} \times 1 \frac{1}{2} \text{ weeks} \times £350 = £10,500$$

Compensation:

Age 18 to 41 = 23 years X 2 weeks pay

Age 41 to 49 = 8 years X 5 weeks pay

Total 86 weeks pay, limited to maximum of 66 weeks

Maximum compensation: £350 x 66 weeks = £23,100

Less Redundancy Payment made = £10,500

Balance of Compensation Payable = £12,600

4. COMPENSATION PENSION AND LUMP SUM

4.1 Eligibility

Only those authorities named in Schedule 3 to the Regulations may award annual compensation and lump sum compensation, based on a period of credited service. To be eligible for such an award an employee must:

- (a) cease to hold his/her employment due to redundancy or in the interests of the efficient exercise of the employer's functions;
- (b) be aged 50 or over but under 65;
- (c) be able to count at least 5 years membership or assumed membership;
- (d) not be able to count more than 40 years membership period;
- (e) not have had his/her total membership increased under Regulation 54 of the Pension Scheme Regulations;
- (f) not have received compensation for the terminated employment under Regulation 5.

The award of annual and lump sum compensation is not conditional upon membership of the LGPS. "Assumed membership" applies to employees who are not LGPS members because of opting out of, or not opting into, the Scheme, or who were unable to join the Scheme because of failing a medical examination under Regulation B 1 (6) of the 1992 Regulations.

(Regulation 6)

4.2 Credited Period

An employing authority named in Schedule 3 may grant an eligible employee an additional period of membership which does not exceed the shortest of the following periods:

- (a) the period by which his/her total membership is less than 40 years;
- (b) the period of membership which the member could have counted if (s)he had remained in employment to age 65;
- (c) the actual period of membership or assumed membership; or
- (d) 10 years.

The award of an additional period of membership must be made within 6 months of the cessation of employment.

(Regulation 7)

4.3 Residual Entitlement

Where a member or assumed member has previously been awarded an additional period of employment in respect of the cessation of an earlier period of employment, the aggregate of the additional periods awarded and any periods of membership or assumed membership after the date of cessation of the earlier employment cannot exceed the potential period of membership which the member could have counted if s)he had remained in the first employment from the day following the cessation of that employment until age 65.

(Regulation 8)

4.4 Amount of Annual and Lump Sum Compensation

The annual and lump sum compensation are calculated in a similar manner to LGPS retirement benefits:

$$(a) \text{ Annual Compensation} = \text{Credited Period} \times \frac{1}{80} \times \text{Pensionable Pay}$$

$$(b) \text{ Lump sum} = \text{Credited Period} \times \frac{3}{80} \times \text{Pensionable Pay}$$

The lump sum is paid directly to the individual by the employing authority, which may engage NILGOSC as its agent to pay the annual compensation. There is an administrative charge for using this service, and the cost of paying the annual compensation is recovered from authorities on a monthly basis

(Regulations 9 and 10)

4.5 Reduction of Annual Compensation in respect of Entitlement to an Occupational Pension

Where a person who is awarded annual compensation already has an entitlement to an occupational pension in respect of any period, which is being paid, and the aggregate of that period, the period of LGPS membership and any credited period exceeds 40 years, then the rate of the annual compensation must be reduced, so that the aggregate payments do not exceed:

(a) half of the person's pensionable pay (as increased in line with pensions increases), if a LGPS retirement grant is payable; or

(b) two-thirds of the person's pensionable pay (as increased) if no retirement grant is payable.

(Regulation 11)

4.6 Abatement of Compensation on account of Redundancy Payments

Where a person is credited with a period of more than $6 \frac{2}{3}$ years and is entitled to receive a redundancy payment under Part XII of the Employment Rights (Northern Ireland) Order 1996 or under Part II of the Compensation Regulations, then the compensation payable is reduced as follows:

Lump Sum reduced: By Excess of credited period over $6 \frac{2}{3}$ years X 30% X Redundancy Payment

If the lump sum is less than the calculation above, the annual compensation is then reduced to recover the excess.

Example:

Male, aged 54, awarded credited period of 8 years.

Pensionable Pay £15,000. Redundancy Payment £7,500.

$$\text{Annual Compensation} = 8 \times \frac{1}{80} \times £15,000 = £1,500$$

$$\text{Lump sum} = 8 \times \frac{3}{80} \times £15,000 = £4,500$$

Excess of credited period over $6 \frac{2}{3}$ years = $1 \frac{1}{3}$ years

$$1 \frac{1}{3} \times 30\% \times £7,500 = £3,000$$

Therefore the lump sum would be reduced by £3,000 to £1,500.

If the same member were awarded a credited period of 10 years, then:

$$\text{Annual Compensation} = 10 \times \frac{1}{80} \times £15,000 = £1,875$$

$$\text{Lump sum} = 10 \times \frac{3}{80} \times £15,000 = £5,625$$

Excess of credited period over $6 \frac{2}{3} = 3 \frac{1}{3}$

$$3 \frac{1}{3} \times 30\% \times £7,500 = £7,500$$

Therefore the lump sum of £5,625 would be completely absorbed, and a balance of £1,875 would remain to be recovered from the annual pension. The percentage reduction appropriate to the person's age and sex is taken from Table 1 (page 4 - 14). In this example it is 6.45%.

The annual compensation is therefore reduced by:

$$6.45\% \times £1,875 = £120.94$$

The amount of annual compensation payable is therefore £1,754.06.

However, any spouse's or dependants' benefits which may become payable at a later date are calculated by reference to the original, unreduced annual compensation amount.

(Regulation 12 and Schedule 2)

4.7 Abatement of Compensation on account of Other Termination Payments

The lump sum compensation and annual compensation payable is reduced or abated where a person who has been granted a credited period receives one or more termination payments **except:**

- (a) a statutory redundancy payment or compensation paid under Part II of the Compensation Regulations (see Section 2);
- (b) payment in lieu of unused annual leave;
- (c) payment in lieu of notice which does not exceed three months pay.

The termination payments are deducted initially from the lump sum, and any balance remaining is then deducted from the annual compensation. If necessary, no annual compensation is paid until the aggregate of the reductions equals the amount of the termination payment(s).

Example:

Male, aged 54. Pensionable Pay £15,000. Statutory Redundancy Payment £7,500.

Actual Redundancy Payment £10,000

6 months pay in lieu of notice £7,500

Credited Period 9 years

Annual compensation = $9 \times \frac{1}{80} \times £15,000 = £1,687.50$

Lump Sum = $9 \times \frac{3}{80} \times £15,000 = £5,062.50$

Reduction for excess over $6\frac{2}{3}$ years:

$2\frac{1}{3} \times 30\% \times £7,500 = £5,250$

The compensation lump sum is therefore cancelled and there is a balance of £187.50 to be recovered from the annual compensation, which is therefore adjusted as follows:

$$£1,687.50 - (£187.50 \times 6.45\%) = £1,675.41$$

Excess Pay in lieu of notice = £3,750

Excess Redundancy Payment = £2,500

Total excess payments = £6,250 to be recovered from revised annual compensation

Therefore payment of annual compensation is suspended for:

$$6250/1675.41 = 3 \text{ years } 267 \text{ days}$$

Spouse's and dependants' benefits which may become payable are based on the original, unreduced amount of annual compensation.

(Regulation 13 and Schedule 1)

4.8 New Employment

When a person who is receiving annual compensation enters a new employment with a LGPS employer, regardless of whether they rejoin the pension scheme or not, the annual compensation is reduced if the aggregate of the pay in the new employment, the LGPS retirement pension and the annual compensation is greater than the pay of the former employment as increased by pensions increase. If the person's contractual hours in the new employment are altered or if (s)he is transferred to another post with the same employing authority at an altered rate of pay, (s)he is treated as having again entered a new employment.

Example:

Pay in old employment	£18,000	Pensions increase 5%
Pay in old employment as increased	£18,900	
Pay in new employment	£12,000	
Current rate of LGPS retirement pension	£ 5,950	
Current rate of annual compensation	£ 1,575	
Total income (£12,000 + £5,950 + £1575) =	£19,525	
exceeds increased pay of old employment by	£ 625	
therefore annual compensation reduced to	£ 950	

If the pay in the new employment were £15,000 and the other figures remained the same, total income would be £22,525, £3,625 more than the increased pay of the old employment. In this case the compensation pension would be completely suspended, and the balance of the excess (£2,050) deducted from the LGPS retirement pension.

(Regulation 16)

4.9 **Obligation to inform employing authority on commencing new employment**

Although the onus is on the re-employed person receiving annual compensation to inform his/her former employing authority within one month of entering or leaving a new employment of that fact, it is also essential that employing authorities inform NILGOSC immediately if they employ a person who is receiving annual compensation or a LGPS retirement pension, and also when there is any alteration in that person's contract of employment.

(Regulations 26 and 27)

4.10 **Cessation of New Employment**

Annual compensation is also subject to adjustment on the cessation of the new employment if the aggregate of the period (or assumed period) of membership in the new employment and the credited period in respect of the former employment exceeds the period of membership which the person could have counted if (s)he had remained in the first employment until age 65.

Example:

Employee aged 55, with 30 years membership, is made redundant and credited with a period of 10 years. She immediately enters a new employment and works for 5 years before retiring at age 60.

Pensionable pay in the first employment is £22,000 and pensionable pay on leaving the second employment is £17,250. Pension increases during the 5-year period totalled 15%.

Calculation of Excess Membership

Period of membership in first employment	30 years
Number of years between leaving and age 65	<u>10 years</u>
Maximum potential period of membership to 65	40 years
Total period of pensionable membership:	
Former employment	30
New employment	<u>5</u>
	35 years
Plus credited period awarded	<u>10 years</u>
	45 years
Excess membership 45 – 40 =	<u>5 years</u>

Calculation of reduction for excess membership

Pensionable pay of former employment	£22,000
Pensionable pay of new employment	£17,250
Reduction of £17,250 by 15% increases (£17,250 X 100/115) =	£15,000

Annual compensation awarded (10 X $\frac{1}{80}$ X £22,000)	=	£2,750
Amount to be deducted from annual compensation:		
5 X $\frac{1}{80}$ X £15,000		<u>£937.50</u>
Reduced annual compensation		<u>£1,812.50</u>

Amount to be deducted from reduced annual compensation in respect of lump sum:		
5 X $\frac{3}{80}$ X £15,000		<u>£2,812.50</u>

Reduced annual compensation suspended		
for 2812.50/1812.50		<u>1 year 201 days</u> (Regulation 18)

4.11 Surviving Spouse's Short-term Compensation

Where a person who has been granted a credited period dies leaving a surviving spouse, the spouse is entitled to a short-term pension, payable for 3 months (6 months if there are one or more eligible children in the care of the spouse) at the rate the deceased's compensation was in payment at the date of death, or the rate which would have been payable apart from any reduction or suspension under sections 4.6 and 4.7, or any suspension under section 4.10.
(Regulations 20 and 21)

4.12 Surviving Spouse's Long-term Compensation

A surviving spouse's short-term compensation is followed by long-term compensation, payable at the rate of one-half of the rate of the deceased's compensation at the date of death, or the rate which would have been payable apart from any reduction or suspension under section 4.6 and 4.7, or any suspension under section 4.10.
(Regulations 20 and 21)

4.13 Children's Short-term and Long-term Compensation

Short-term and long-term compensation is also payable to any eligible children of the deceased. It is calculated as a fraction of the deceased's annual compensation based on the credited period in the same way as children's pensions are calculated (see Part 1, Section 15) and is payable on similar terms and conditions.
(Regulations 22 and 23)

4.14 Notification of Compensation

Within one month of granting a credited period, the death of a person to whom compensation had been awarded, or any adjustment to the compensation payable, the employing authority must notify the person in writing of the amount of compensation, giving details of the calculation in question.
(Regulation 26)

4.15 Information and Repayment of Compensation

Where any compensation is paid in error, or is overpaid, the recipient must repay it to the Committee within a specified period, and the Committee may take such steps as it considers appropriate to recover from the person to whom it was paid any overpayment which has not been repaid within the specified period.

(Regulation 28)

4.16 Payment to the Committee

An employing authority must repay to the Committee any compensation paid on its behalf immediately upon being invoiced. The Committee cannot pay lump sum compensation, which must therefore be paid by the employing authority direct to the former employee.

(Regulation 30)

4.17 Interest on late payments

Where all or part of any lump sum compensation payment is not paid within one month of the due date, or pension payments are not made within one year of the due date, interest is payable at the rate of one per cent. above base rate on a day to day basis from the due date to the date of payment and compounded with three-monthly rests.

(Regulation 29)

4.18 Surrender of Compensation

Where a person has opted to surrender part of his/her pension to increase the pension payable to his/her spouse or a dependant (see Part 1, Section 16), (s)he may give notice that (s)he wishes to surrender a percentage, not exceeding the percentage of the LGPS pension which (s)he has surrendered, of the annual compensation payable, on the same terms and conditions which applied to the LGPS pension surrender.

(Regulation 19)

5. STATEMENTS OF POLICY

5.1 Time Limit for Issuing Policy Statement

Each Scheme employer must formulate, publish within four months of the commencement date of the regulations and keep under review a policy statement with regard to the exercise of its discretions under the Compensation Regulations. Any amendment to an employer's policy must be published within one month of the decision to amend it, and must not be given effect until one month after the date of publication.

(Regulation 25)

5.2 Discretions

All Scheme employers must state in their policy statements how they will apply their discretionary powers under Part II (Increase of Statutory Redundancy Payments) and Part III (Discretionary Compensation for Redundancy) of the Regulations.

In addition, each of those authorities listed at Schedule 3 of the Regulations must also state the policy that it applies in the exercise of its discretionary powers under Part IV (Alternative Discretionary Awards for Those Aged 50 and Over) and VI to VIII (Effect of New Employment, Cessation of New Employment and Surrenders and awards to Surviving Spouses and Children) and the policy it applies in the exercise of its duty under Regulations 16 (Reduction of Annual Compensation) and 18 (Effect of Cessation Of New Employment).

(Regulation 25)

5.3 Policy Considerations

In formulating and reviewing its policies, a Scheme employer is required to have regard to the extent to which the exercise of its discretionary powers (in accordance with the policy), unless properly limited, could lead to a serious loss of confidence in the public service. Employers must also be satisfied that the policy is workable, affordable and reasonable having regard to the foreseeable costs.

(Regulation 25)

EMPLOYING AUTHORITIES TO WHICH PARTS IV to VIII APPLY
(Award of Annual Compensation)

A district council;

Northern Ireland Local Government Officers' Superannuation Committee;

Northern Ireland Housing Executive;

An Education and Library Board;

Fire Authority for Northern Ireland;

Local Government Staff Commission;

Staff Commission for Education and Library Boards;

University of Ulster, except that these regulations apply only to a person who was employed immediately before 1st October 1984 by the Governors of the Ulster Polytechnic;

The governing body of a college of education as defined in Article 2(2) of the Education and Libraries (Northern Ireland) Order 1986;

The Management Board of a training school set up under the provisions of section 138 of the Children and Young Persons Act (Northern Ireland) 1968;

Probation Board for Northern Ireland;

Northern Ireland Fishery Harbour Authority;

The governing body of an institution of further education within the meaning of the Further Education (Northern Ireland) Order 1997;

Laganside Corporation; and

The Board of governors of –

- a) a grammar school within the meaning of the Education and Libraries (Northern Ireland) Order 1986 which is a voluntary school within the meaning of that Order; or
- b) a grant maintained integrated school within the meaning of Article 65(3) of the Education Reform (Northern Ireland) Order 1989.

(Schedule 3)

TABLE 1**Appropriate percentages for adjustment of annual compensation for
redundancy payments**

<i>Age last birthday</i>	<i>Appropriate percentage</i>	
	<i>Male</i>	<i>Female</i>
50	6.04	5.61
51	6.12	5.66
52	6.21	5.72
53	6.31	5.80
54	6.45	5.90
55	6.59	6.02
56	6.75	6.13
57	6.92	6.26
58	7.10	6.40
59	7.30	6.55
60	7.51	6.70
61	7.73	6.87
62	7.97	7.05
63	8.23	7.24
64	8.51	7.45

TABLE 2

Ready Reckoner for maximum weeks which can be awarded for calculation of redundancy lump sum compensation

Completed years of service

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33		
Age																																			
18																																			
19		0.5	0.5																																
20	1	1	1	1																															
21	1.5	2	2	2	2																														
22	2	2.5	3	3	3	3																													
23	4	6	8	8	10	10	10	10																											
24	4	6	8	8	10	10	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12
25	4	6	8	8	10	10	12	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14
26	4	6	8	8	10	10	12	14	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16
27	4	6	8	8	10	10	12	14	16	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18
28	4	6	8	8	10	10	12	14	16	18	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20
29	4	6	8	8	10	10	12	14	16	18	20	22	22	22	22	22	22	22	22	22	22	22	22	22	22	22	22	22	22	22	22	22	22	22	22
30	4	6	8	8	10	10	12	14	16	18	20	22	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24
31	4	6	8	8	10	10	12	14	16	18	20	22	24	26	26	26	26	26	26	26	26	26	26	26	26	26	26	26	26	26	26	26	26	26	26
32	4	6	8	8	10	10	12	14	16	18	20	22	24	26	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28
33	4	6	8	8	10	10	12	14	16	18	20	22	24	26	28	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30
34	4	6	8	8	10	10	12	14	16	18	20	22	24	26	28	30	32	32	32	32	32	32	32	32	32	32	32	32	32	32	32	32	32	32	32
35	4	6	8	8	10	10	12	14	16	18	20	22	24	26	28	30	32	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34
36	4	6	8	8	10	10	12	14	16	18	20	22	24	26	28	30	32	34	36	36	36	36	36	36	36	36	36	36	36	36	36	36	36	36	36
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44	10	15	17	19	21	23	25	27	29	31	33	35	37	39	41	43	45	47	49	51	53	55	57	59	61	61	61	61	61	61	61	61	61	61	61
45	10	15	20	22	24	26	28	30	32	34	36	38	40	42	44	46	48	50	52	54	56	58	60	62	64	66	66	66	66	66	66	66	66	66	66
46	10	15	20	25	27	29	31	33	35	37	39	41	43	45	47	49	51	53	55	57	59	61	63	65	67	67	67	67	67	67	67	67	67	67	67
47	10	15	20	25	30	32	34	36	38	40	42	44	46	48	50	52	54	56	58	60	62	64	66	68	68	68	68	68	68	68	68	68	68	68	68
48	10	15	20	25	30	35	37	39	41	43	45	47	49	51	53	55	57	59	61	63	65	67	69	71	71	71	71	71	71	71	71	71	71	71	71
49	10	15	20	25	30	35	40	42	44	46	48	50	52	54	56	58	60	62	64	66	68	70	72	74	74	74	74	74	74	74	74	74	74	74	74
50	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5
50+	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5