

TREASURY—GENERAL

CHAPTER 1

GENERAL ADMINISTRATION

Authority

N.J.S.A. 52:18-96 et seq.

Source and Effective Date

R.1998 d.240, effective April 22, 1998.
See: 30 N.J.R. 1023(a), 30 N.J.R. 1847(a).

Executive Order No. 66(1978) Expiration Date

Chapter 1, General Administration, expires April 22, 2003.

Chapter Historical Note

The provisions of this chapter 1 were originally adopted by the Director, Division of Pensions, and became effective prior to September 1, 1969.

1969 Revisions: Amendments became effective December 19, 1969 as R.1969 d.34. See: 1 N.J.R. 10(a), 2 N.J.R. 7(a).

1971 Revisions: Amendments became effective February 1, 1971 as R.1971 d.16. See: 3 N.J.R. 11(b), 3 N.J.R. 52(a).

1972 Revisions: Amendments became effective October 30, 1972 as R.1972 d.214. See: 4 N.J.R. 310(d).

1973 Revisions: Subchapter 6 "Judicial Pension Fund" was repealed effective September 12, 1973 as R.1973 d.258. See: 5 N.J.R. 292(d), 5 N.J.R. 358(b). Amendments became effective June 28, 1973 as R.1973 d.171. See: 5 N.J.R. 203(b), 5 N.J.R. 294(a). Further amendments became effective September 12, 1973 as R.1973 d.258. See: 5 N.J.R. 292(d), 5 N.J.R. 358(b).

1974 Revisions: Amendments became effective March 12, 1974 as R.1974 d.62. See: 6 N.J.R. 84(a), 6 N.J.R. 158(b). Further amendments became effective August 8, 1974 as R.1974 d.219. See: 6 N.J.R. 277(a), 6 N.J.R. 360(a).

1975 Revisions: Amendments became effective February 14, 1975 as R.1975 d.30. See: 7 N.J.R. 33(a), 7 N.J.R. 122(a). Further amendments became effective August 1, 1975 as R.1975 d.235. See: 7 N.J.R. 346(b), 7 N.J.R. 446(a). Further amendments became effective December 31, 1975 as R.1975 d.385. See: 7 N.J.R. 577(c), 8 N.J.R. 88(a).

1976 Revisions: Amendments became effective February 5, 1976 as R.1976 d.36. See: 7 N.J.R. 578(a), 8 N.J.R. 140(d). Further amendments became effective March 26, 1976 as R.1976 d.95. See: 8 N.J.R. 140(b), 8 N.J.R. 262(a). Further amendments became effective July 2, 1976 as R.1976 d.212. See: 8 N.J.R. 312(d), 8 N.J.R. 407(b). Further amendments became effective October 28, 1976 as R.1976 d.338. See: 8 N.J.R. 489(c), 8 N.J.R. 586(b).

1977 Revisions: Amendments became effective February 8, 1977 as R.1977 d.32. See: 9 N.J.R. 43(b), 9 N.J.R. 147(c). Subchapter 10 became effective April 1, 1977 as R.1977 d.117. See: 9 N.J.R. 142(c), 9 N.J.R. 243(a). Further amendments became effective November 1, 1977 as R.1977 d.416. See: 9 N.J.R. 493(e), 9 N.J.R. 601(a).

1978 Revisions: Amendments became effective March 14, 1978 as R.1978 d.96. See: 10 N.J.R. 37(b), 10 N.J.R. 175(b). Further amendments became effective March 15, 1978 as R.1978 d.98. See: 10 N.J.R. 175(c). Subchapter 11 became effective March 15, 1978 as R.1978 d.99. See: 10 N.J.R. 38(b), 10 N.J.R. 175(d). Further amendments became effective December 12, 1978 as R.1978 d.421. See: 10 N.J.R. 516(a), 11 N.J.R. 52(a).

1979 Revisions: Amendments became effective May 1, 1979 as R.1979 d.169. See: 11 N.J.R. 209(b), 11 N.J.R. 304(d).

1980 Revisions: Amendments became effective February 5, 1980 as R.1980 d.63. See: 12 N.J.R. 52(d), 12 N.J.R. 163(a). Further amendments became effective July 1, 1980 as R.1980 d.301. See: 12 N.J.R. 351(a), 12 N.J.R. 497(c). Further amendments became effective July 1, 1980 as R.1980 d.301. See: 12 N.J.R. 351(a), 12 N.J.R. 497(c). Further amendments became effective November 5, 1980 as R.1980 d.487. See: 12 N.J.R. 614(a), 12 N.J.R. 729(a).

1981 Revisions: Amendments became effective March 6, 1981 as R.1981 d.85. See: 13 N.J.R. 109(a), 13 N.J.R. 247(c). Further amendments became effective July 9, 1981 as R.1981 d.239. See: 13 N.J.R. 308(b), 13 N.J.R. 458(a). Further amendments became effective August 6, 1981 as R.1981 d.291. See: 13 N.J.R. 374(e), 13 N.J.R. 525(a). Further amendments became effective September 10, 1981 as R.1979 d.343. See: 13 N.J.R. 459(a), 13 N.J.R. 617(a). Further amendments became effective November 2, 1981 as R.1981 d.427. See: 13 N.J.R. 616(c), 13 N.J.R. 779(d).

1982 Revisions: Amendments became effective January 2, 1981 as R.1981 d.1. See: 12 N.J.R. 727(c), 13 N.J.R. 111(c). Further amendments became effective February 2, 1982 as R.1982 d.20. See: 13 N.J.R. 883(a), 14 N.J.R. 161(b). Further amendments became effective October 18, 1982 as R.1982 d.347. See: 14 N.J.R. 328(b), 14 N.J.R. 1163(e). Subchapter 12 became effective October 18, 1982 as R.1982 d.350. See: 14 N.J.R. 329(a), 14 N.J.R. 1164(a). Further amendments became effective October 19, 1982 as R.1982 d.358. See: 14 N.J.R. 200(a), 14 N.J.R. 1163(c). Further amendments became effective December 20, 1982 as R.1982 d.438. See: 14 N.J.R. 1149(a), 14 N.J.R. 1464(a).

1983 Revisions: Amendments became effective January 3, 1983 as R.1982 d.470. See: 14 N.J.R. 1200(a), 15 N.J.R. 36(b). Subchapter 7 was changed from Pension Increase Program to Pension Adjustment Program, effective January 17, 1983 as R.1983 d.491. See: 14 N.J.R. 1290(a), 15 N.J.R. 95(b). Further amendments became effective January 17, 1983 as R.1983 d.491. See: 14 N.J.R. 1290(a), 15 N.J.R. 95(b). Further amendments became effective February 22, 1983 as R.1983 d.39. See: 14 N.J.R. 1447(b), 15 N.J.R. 245(a). Further amendments became effective March 21, 1983 as R.1983 d.77. See: 15 N.J.R. 80(b), 15 N.J.R. 448(b). Further amendments became effective May 2, 1983 as R.1983 d.132. See: 15 N.J.R. 319(b), 15 N.J.R. 696(a). This chapter was readopted pursuant to Executive Order 66(1978) effective May 16, 1983 as R.1983 d.174. See: 15 N.J.R. 523(a), 15 N.J.R. 930(b). Further amendments became effective June 20, 1983 as R.1983 d.216. See: 15 N.J.R. 525(a), 15 N.J.R. 1037(d). Further amendments became effective July 5, 1983 as R.1983 d.265. See: 15 N.J.R. 687(a), 15 N.J.R. 1104(a). Further amendments became effective August 15, 1983 as R.1983 d.334. See: 15 N.J.R. 1012(b), 15 N.J.R. 1383(b). Further amendments became effective October 3, 1983 as R.1983 d.416. See: 15 N.J.R. 1238(a), 15 N.J.R. 1688(c). Further amendments became effective November 21, 1983 as R.1983 d.546. See: 15 N.J.R. 1457(a), 15 N.J.R. 1597(b).

1984 Revisions: Amendments became effective January 17, 1984 as R.1983, d.599. See: 15 N.J.R. 174(a), 16 N.J.R. 148(a). Further amendments became effective August 20, 1984 as R.1984 d.374. See: 16 N.J.R. 703(a), 16 N.J.R. 2302(b). Further amendments became effective December 17, 1984 as R.1984 d.559. See: 16 N.J.R. 2420(a), 16 N.J.R. 3478(b).

1985 Revisions: Amendments became effective February 4, 1985 as R.1985 d.8. See: 16 N.J.R. 3192(a), 17 N.J.R. 320(a). Further amendments became effective July 1, 1985 as R.1985 d.348. See: 17 N.J.R. 1068(a), 17 N.J.R. 1673(a). Further amendments became effective June 17, 1985 as R.1985 d.321. See: 17 N.J.R. 900(a), 17 N.J.R. 1586(a). Further amendments became effective September 3, 1985 as R.1985 d.442. See: 17 N.J.R. 1642(b), 17 N.J.R. 2144(b).

1986 Revisions: Amendments became effective January 6, 1986 as R.1985 d.664. See: 17 N.J.R. 2603(a), 18 N.J.R. 93(a). Further amendments became effective April 7, 1986 as R.1986 d.86. See: 18 N.J.R. 59(a), 18 N.J.R. 706(a). Further amendments became effective June 16, 1986 as R.1986 d.211. See: 18 N.J.R. 626(b), 18 N.J.R. 1310(c). Further amendments became effective October 6, 1986 as R.1986 d.390. See: 18 N.J.R. 1450(b), 18 N.J.R. 2059(a). Further amendments became effective October 20, 1986 as R.1986 d.425. See: 18 N.J.R. 1686(a), 18 N.J.R. 2135(a).

1987 Revisions: Amendments became effective February 2, 1987 as R.1987 d.76. See: 18 N.J.R. 2320(a), 19 N.J.R. 304(a). Further amendments became effective February 17, 1987 as R.1987 d.108. See: 18 N.J.R. 2377(a), 19 N.J.R. 380(a). Further amendments became effective March 16, 1987 as R.1987 d.128. See: 19 N.J.R. 51(b), 19 N.J.R. 456(b). Further amendments became effective May 4, 1987 as R.1987 d.198. See: 19 N.J.R. 353(a), 19 N.J.R. 772(b). Further amendments became effective July 20, 1987 as R.1987 d.293. See: 19 N.J.R. 626(a), 19 N.J.R. 1320(b). Further amendments became effective August 3, 1987 as R.1987 d.317. See: 19 N.J.R. 446(a), 19 N.J.R. 1456(a).

1988 Revisions: Amendments became effective February 16, 1988 as R.1988 d.68. See: 19 N.J.R. 2129(a), 20 N.J.R. 408(a). This chapter was readopted pursuant to Executive Order 66(1978) effective May 6, 1988 as R.1988 d.243. See: 20 N.J.R. 636(a), 20 N.J.R. 1208(a).

Pursuant to Executive Order No. 66(1978), Chapter 1, General Administration, expired on May 6, 1993. Pursuant to Executive Order No. 66(1978), Chapter 1, General Administration, was readopted as new rules by R.1993 d.376, effective August 2, 1993. See: 25 N.J.R. 1955(a), 25 N.J.R. 3506(a).

Pursuant to Executive Order No. 66(1978), Chapter 1, General Administration, was readopted as R.1998 d.240, effective April 22, 1998. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. ACCOUNTING

17:1-1.1 Receipts deposited

(a) All routine receipts as of noon of any working day, which are identifiable as to origin and propriety, are to be deposited the same day.

(b) All other checks are to be deposited as soon as possible.

(c) If checks are not in the amount of the billing and there is no dispute as to the amount involved, such checks will be returned to the remitter and the obligation will be considered as not having been paid; the remitter will be so advised.

Amended by R.1981 d.427, effective November 2, 1981.
See: 13 N.J.R. 616(c), 13 N.J.R. 779(d).
Added (c).

17:1-1.2 Remittance; limitation

The monthly transmittal remittances for pension contributions to the Division by employers shall be by electronic fund transfer (EFT). All other remittances to the Division shall be by check, bank draft or money order.

Amended by R.1998 d.241, effective May 18, 1998.
See: 30 N.J.R. 537(a), 30 N.J.R. 1847(b).
Rewrote the section.

17:1-1.3 Due dates for transmittals and reports

(a) Monthly remittances and transmittals for the Police and Firemen's Retirement System and the monthly remittances and reports for the Consolidated Police and Firemen's Pension Fund are due in the Division of Pensions the 10th day of the month following the close of the preceding month for which contributions are required.

(b) Monthly retirements and transmittals for the Public Employees' Retirement System, the Judicial Retirement System and the Teachers' Pension and Annuity Fund are due in the Division of Pensions from the State monthly locations and local employers the 10th day of the month following the close of the preceding month for which contributions are required.

(c) The monthly report to the carriers of the Alternate Benefit Program shall be due from the Centralized Payroll Unit on the 20th day of the month following the close of the

preceding month for which deductions or reductions were required.

(d) Monthly reports for Alternate Benefit Program participants of county colleges and State monthly locations are due in the Division of Pensions the fifth day of the month following the close of the preceding month, with the exception that those institutions which are prepaying both the employer and employee contributions and have agreed to be completely accountable and responsible for the timely submission of such contributions shall submit the monthly reports to the Division of Pensions by the fifteenth day of the month following the close of the preceding month.

(e) Quarterly transmittals and reports, including the remittance for the third month of the calendar quarter, for the Police and Firemen's Retirement System are due in the Division of Pensions the 10th day of the month following the close of the preceding quarter.

(f) Quarterly transmittals and reports, including the remittance for the third month of the calendar quarter, for the Public Employees' Retirement System, the Judicial Retirement System and the Teachers' Pension and Annuity Fund are due in the Division of Pensions the 10th day of the month following the close of the preceding year.

(g) Payroll deductions for pension, contributory insurance and the Supplemental Annuity Program and salary reductions for the Tax Sheltered Supplemental Annuity Program shall be remitted on a biweekly basis immediately following the payroll payment dates for State employees reported by the Centralized Payroll System.

(h) Monthly remittances and transmittals for the State Health Benefits Program are due the 24th day of each month preceding the month for which such premium payments are required. Reporting agencies will be considered in default if premiums are not paid within the 31-day period, which begins on the first of the month following the due date for which premiums are required.

(i) Semi-monthly remittances and transmittals for Social Security are due in the State Agency for Social Security from all covered entities on the 5th day of the month representing contributions due for the last half of the preceding month and on the 20th day of the current month representing contributions due for the first fifteen days of the month. Annual reports and Federal forms are due in the State Agency for Social Security on February 1st, following the end of the preceding calendar year.

As amended, R.1971 d.16, effective February 1, 1971.
See: 3 N.J.R. 11(b), 3 N.J.R. 52(a).

As amended, R.1980 d.301, effective July 1, 1980.

See: 12 N.J.R. 351(a), 12 N.J.R. 497(c).

As amended, R.1982 d.491, effective January 17, 1983.

See: 14 N.J.R. 1290(a), 15 N.J.R. 95(b).

The Judicial Retirement System, added.

As amended, R.1983 d.546, effective November 21, 1983.

See: 15 N.J.R. 1457(a), 15 N.J.R. 1957(b).

Due days change from 1st to 5th day of month; exceptions articulated.

As amended, R.1983 d.599, effective January 17, 1984.

See: 15 N.J.R. 174(a), 16 N.J.R. 148(a).

(i) deleted and replaced with instructions about semi-monthly remittances and transmittals.

Amended by R.1986 d.86, effective April 7, 1986.

See: 18 N.J.R. 59(a), 18 N.J.R. 706(a).

Added text in (f) "Division of Pensions the 10th day of the".

17:1-1.4 Delinquent notices

(a) Reporting agencies which do not file timely reports, transmittals or remittances will receive a delinquent notice.

(b) In the event the employer does not respond to the delinquent notice, the group will be added to a list of the delinquent agencies to be sent to the field service counselors, who will contact the delinquent employers to secure the data needed by the Division.

17:1-1.5 Interest charges; delinquent transmittals

(a) If payment in full, representing the monthly transmittal and report of contributions or charges is not made within 15 days of the due dates for such transmittals and reports, interest at the rate of six percent per annum shall commence to run against the total transmittal of contributions or charges for the period on the first day after such 15th day.

(b) The penalty will apply where the moneys have been forwarded but without the report necessary to distribute such moneys to the proper accounts.

As amended, R.1983 d.77, effective March 21, 1983.

See: 15 N.J.R. 80(b), 15 N.J.R. 448(b).

Reference to charges as well as contributions were added.

17:1-1.6 Disbursement authorizations

All checks disbursed, requiring the signature of the State Treasurer, are forwarded with signed authorizations to the Department of the Treasury.

17:1-1.7 Disbursement Schedules

(a) All disbursements, other than the regular pension payrolls, including the payment of loans, withdrawals and rebates should be made once a week.

(b) The pension payrolls are disbursed by the cash control section of the Treasury Department at the end of each calendar month.

As amended, R.1974 d.62, effective March 12, 1974.

See: 6 N.J.R. 84(a), 6 N.J.R. 158(b).

17:1-1.8 Disbursement; limitations

All disbursements returned by the Federal post office as "undelivered" shall be redeposited promptly. Disbursements shall be made by check, delivered by the Federal post office or as provided by the Director of the Division of Pensions.

As amended, R.1974 d.62, effective March 12, 1974.

See: 6 N.J.R. 84(a), 6 N.J.R. 158(b).

As amended, R.1975 d.235, effective August 1, 1975.

See: 7 N.J.R. 346(b), 7 N.J.R. 446(a).
As amended, R.1982 d.491, effective January 17, 1983.
See: 14 N.J.R. 1290(a), 15 N.J.R. 95(b).

(b): "accrue" changed to "accrue."

Amended by R.1985 d.348, effective July 1, 1985.

See: 17 N.J.R. 1068(a), 17 N.J.R. 1673(a).

(a) and (b) deleted.

Amended by R.1989 d.37, effective January 17, 1989.

See: 20 N.J.R. 2639(a), 21 N.J.R. 173(b).

Deleted text "and in no ... the post office" and added "Disbursements shall be ...".

17:1-1.9 Adjustment statements

(a) Adjustment statements are mailed as audits are completed.

(b) Ten days after an overpayment notice is mailed a check is issued unless the employing agency offers an explanation for the variance.

(c) Overpayments are returned to the source from which they were received; however, for those overpayments covering State employees reported on a biweekly basis, multiple members, and on post audit overpayments, the member is made the payee.

17:1-4.9 Multiple beneficiaries

Where a member has designated more than one beneficiary, in the absence of a specific request, the payment will be made to the beneficiaries on a "share and share alike, survivor or survivors" basis.

17:1-4.10 Compulsory purchase; employee notice

When an employee is required to make a substantial purchase even though he is an optional enrollee, he will be required to sign a written agreement to purchase the service before his enrollment application will be processed.

17:1-4.11 Purchase terms; computation; employee pay-all

(a) A member who requests a purchase at the time of his enrollment will have the cost of purchase based on his age and salary on the date normal pension contributions are certified to begin.

(b) A member, eligible for the purchase of service after his membership has been established, who desires to purchase service which requires a certification of his public employment, will receive a purchase quotation based on his age and salary on the date the service certification is received; if proof of age is also required, the purchase quotation will be based on the date the proof of age or the service certification is received, whichever is later.

(c) Pursuant to the provisions of Chapter 7, Laws of 1981, the following shall apply:

1. At the time of purchase request, an estimated cost for purchase of service will be calculated based on factors supplied by the actuary. This cost will be communicated to the member in a manner such that is clearly understood that an additional lump sum cost may be required at retirement to consummate the purchase.

2. Upon application by the member for retirement, the actual cost of the service purchased will be calculated. The difference between this actual cost and any monies accumulated based upon the estimated cost will have to be paid in a lump sum.

3. If a required final payment is not made but the member is eligible to retire based on actual service, the purchase will be cancelled, the member will be retired with a benefit based on actual service, and any monies accumulated for the purchase will be refunded.

4. If a required final payment is not made and the member is not eligible to retire based on actual service, the application for retirement will not be approved pending completion of the purchase.

(d) Pursuant to the provisions of Chapter 451, Laws of 1981, and Chapter 198, Laws of 1983, the following shall apply:

1. At the time of purchase request, an estimated cost for purchase of service will be calculated based on factors

supplied by the actuary. This cost will be communicated to the member in a manner that is clearly understood that an additional lump sum cost may be required at retirement to consummate the purchase.

2. Upon application by the member for retirement, the actual cost of the service purchased may be calculated. The difference between this actual cost and any monies accumulated based upon the estimated cost may have to be paid in a lump sum.

3. If a required final payment is not made, but the member is eligible to retire, the member will be retired with a benefit based on a pro rata service.

(e) Pursuant to the provisions of Chapter 223, Laws of 1984, the following shall apply:

1. At the time of purchase request, an estimated cost for purchase of service will be calculated based on factors supplied by the actuary. This cost will be communicated to the member in a manner such that is clearly understood that an additional lump sum cost may be requested at retirement to consummate the purchase.

2. Upon application by the member for retirement, the actual cost of the service purchased will be calculated. The difference between this actual cost and any monies accumulated based upon the estimated cost will have to be paid in a lump sum if the member wishes to receive full credit for the total amount of service involved in the purchase.

3. If a required final payment is not made by the member at the time of retirement, such member will receive a pro rata credit for the service purchased under the provisions of Chapter 223, Laws of 1984, prior to the date of retirement.

As amended, R.1979 d.343, effective September 10, 1981.

See: 13 N.J.R. 459(a), 13 N.J.R. 617(a).

(c) added.

As amended, R.1982 d.347, effective October 18, 1982.

See: 14 N.J.R. 328(b), 14 N.J.R. 1163(e).

Changes pursuant to provisions of Chapter 451, Laws of 1981 concern purchases and final payments of outstanding amounts at retirement.

As amended, R.1983 d.416, effective October 3, 1983.

See: 15 N.J.R. 1238(a), 15 N.J.R. 1688(c).

Reference to Chapter 198, Laws of 1983.

Amended by R.1985 d.321, effective June 17, 1985.

See: 17 N.J.R. 900(a), 17 N.J.R. 1586(a).

(e) added.

Amended by R.1985 d.659, effective January 6, 1986.

See: 17 N.J.R. 2529(b), 18 N.J.R. 93(b).

(e)2 added the text "if the member . . . in the purchase"; old 3.-4. deleted and new 3 added.

Case Notes

Petition to purchase pension credit for "paternity" or childcare leave of absence denied because leave was in excess of three months duration and not otherwise purchasable under statutory provision allowing for purchase of maternity leave: maternity found to refer solely to the state of being pregnant (Board's Final Decision). *Chaleff v. Bd. of Trustees, Teachers' Pension and Annuity Fund*, 3 N.J.A.R. 317 (1981),

affirmed 188 N.J.Super. 194, 457 A.2d 33 (App.Div.1983), certification denied 94 N.J. 573, 468 A.2d 215 (1983).

17:1-4.12 Purchase terms; grace period

A member who receives a written optional purchase cost quotation is given a 60-day grace period to confirm that he or she wishes to make the purchase of credit. If the confirmation of the purchase is not received from the member within 60 days, the cost of purchase must be recalculated to determine if any change in the cost is warranted as a result of change in age or salary.

Amended by R.1993 d.81, effective February 16, 1993.

See: 24 N.J.R. 4239(b), 25 N.J.R. 710(c).

Revised text.

Case Notes

Mistaken denial of original application for purchase of prior service credit did not entitle employee to make purchase at price quoted more than five years earlier. *Preston v. Board of Trustees, Public Employees' Retirement System*. 93 N.J.A.R.2d (TYP) 41.

17:1-4.13 Purchases; cancellation or cash discount requested

(a) A member who authorizes payroll deductions or makes a lump sum payment for the partial or complete purchase of service credit and then requests cancellation of the purchase and/or the return of his payment, or who requests the cancellation of further payroll deductions as previously arranged, shall be informed that the purchase cannot be cancelled.

(b) No more than one request received from a member for the cash discount value of an outstanding arrearage or a purchase quotation for previous service will be honored in a calendar year.

Amended by R.1980 d.302, effective July 1, 1980.

See: 12 N.J.R. 352(a), 12 N.J.R. 497(d).

Amended by R.1982 d.469, effective January 3, 1983.

See: 14 N.J.R. 1201(b), 15 N.J.R. 36(c).

Case Notes

Regulation prohibited refund of money used to purchase active military service credit when employee decided not to retire early. *Kanczewski v. Board of Trustees of the Public Employees' Retirement System*, 92 N.J.A.R.2d (TYP) 102.

Cancellation of previously requested military service credit deduction prohibited by rule. *DiMarco v. Board of Trustees, Police and Firemen's Retirement System*, 92 N.J.A.R.2d (TYP) 81.

Purchaser of military service credit not entitled to refund when he elected to continue in employment. *Mastroni v. Board of Trustees*, 92 N.J.A.R.2d (TYP) 50.

17:1-4.14 Withdrawal application; processing

Withdrawal applications which are filed prior to the member's resignation or the termination of compensation, will not be processed until the effective date of the later of the two conditions.

17:1-4.15 Withdrawal; waiver required

A member eligible for retirement benefit who applies to withdraw his contributions in one sum, is forwarded a statement of the monthly retirement allowance to which he could otherwise qualify, and the related insurance coverage. He is required to sign a waiver of such benefits before an application for withdrawal can be processed.

17:1-4.16 Retirement quotations

(a) A member who applies for retirement without having received a preliminary quotation of retirement benefits, will be sent a statement of the benefits he can receive under both maximum allowance and option 1, where applicable; if such an individual has elected a particular option, all options will be quoted to him for which he has submitted the information necessary for the quotation regardless of the selection he may have made on his retirement application.

(b) If no response is received from the member prior to the date his retirement application must be submitted to the board for approval, the maximum allowance or option selected by the member on his original retirement application will be submitted to the board for its approval.

As amended, R.1971 d.16, effective February 1, 1971.

See: 3 N.J.R. 11(b), 3 N.J.R. 52(a).

As amended, R.1974 d.62, effective March 12, 1974.

See: 6 N.J.R. 84(a), 6 N.J.R. 158(b).

17:1-4.17 Retroactive salary increases

In no event will individual retroactive salary adjustments that have been authorized after the member's effective date of retirement or date of death be used as creditable salary for pension or insurance purposes even if the period covered by the salary adjustment extends to a period before the member's effective date of retirement or date of death.

As amended, R.1974 d.62, effective March 12, 1974.

See: 6 N.J.R. 84(a), 6 N.J.R. 158(b).

17:1-4.18 Final compensation

(a) In computing retirement benefits salary increments in excess to 15 percent over the previous year's salary preceding retirement may be considered as possibly a violation of the statute governing the definition of final compensation and all such cases should be investigated.

(b) Those cases where a violation of the statute is suspected shall be referred to the respective board or commission.

Case Notes

Borough attorney's salary increase did not result from creation of new position and statute limiting compensation to be used for pension calculation was applicable. *DiMaria v. Board of Trustees of Public Employees' Retirement System*, 225 N.J.Super. 341, 542 A.2d 498 (A.D.1988) certification denied 113 N.J. 638, 552 A.2d 164.