

SCHEDULE 2

Regulation 5

MINOR AND CONSEQUENTIAL AMENDMENTS TO THE TEACHERS' SUPERANNUATION (SCOTLAND) REGULATIONS 1992

Interpretation

1. In regulation A2 after paragraph (1) insert “(1)A Schedule 1A shall also apply as regards the interpretation of these Regulations”.

Amount of retirement pension

2. In regulation E6(1), for “E11” there shall be substituted “E11A”.

Pension debit member

3. After regulation E11 insert—

“Pension debit member

E11A.—(1) The amount of a retirement pension or retirement lump sum payable to a pension debit member shall be reduced to take into account the debit to which the shareable rights of the pension debit member are subject under a pension sharing order.

(2) The amount of the reduction shall be in accordance with guidance issued for this purpose by the Government Actuary.”

Deficiency grants

4. In regulation E20(4), after the words “(actuarial reduction of lump sum on early retirement)” there shall be inserted the words “or any debited pension rights by virtue of regulation J5 (pension debits and reduction of benefit)”.

Amount and duration of short-term family benefits

5. In regulation E24(1)(c) after the words “retirement pension” there shall be inserted the words “save that any reduction in that retirement pension by virtue of a pension sharing order shall be disregarded if the short-term pension is payable to a child”.

Amounts of spouses' and nominated beneficiaries' long-term pensions

6. In regulation E26—

(a) in paragraph (1) for the words “paragraph (2)” there shall be inserted the words “paragraphs (2) and (2A)”; and

(b) after paragraph (2) there shall be inserted the following paragraph—

“(2A) Where after a pension sharing order has taken effect a surviving spouse of a nominated beneficiary becomes entitled to a pension under regulation E25, that pension shall be reduced by the same proportion by which the deceased's retirement benefits would have been reduced if he had become entitled to them on the day he died.”

Amounts of children's long-term pensions

7. In regulation E27, after paragraph (3), there shall be inserted—

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“(3A) In the case of a pension debit member, the pension is calculated by reference to the pension to which the deceased would have been entitled had his shareable rights not been subject to a pension debit.”.

Payment of benefits

8. In regulation E31(1) after the words “this Part” insert the words “or Part J”.

Interest on late payment of certain benefits

9. In regulation E31A(1) after the words “payable under regulation E23” insert the words “or under Part J”.