
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 189

PENSIONS

**The Teachers' Superannuation (Scotland)
Amendment Regulations 2007**

Made - - - - - *5th March 2007*
Laid before the Scottish
Parliament - - - *8th March 2007*
Coming into force *1st April 2007*

**THE TEACHERS' SUPERANNUATION
(SCOTLAND) AMENDMENT REGULATIONS 2007**

1. Citation and commencement
2. Amendment of the Teachers' Superannuation (Scotland) Regulations 2005
3. In regulation B1 (full time service), B4 (continuing employment) and...
4. (1) Regulation B2 (part-time service) is amended as follows.
5. (1) Regulation B6 (employment not pensionable) is amended as follows....
6. In regulation B7 (election for employment not to be pensionable)...
7. (1) Regulation B8 (resumption of pensionable status) is amended as...
8. Omit regulation B9 (further employment).
9. (1) Regulation C2 (salary on which contributions are payable –...
10. For regulation C3 (ordinary contributions) substitute– Ordinary contributions (1) In this regulation “relevant period” is to be construed...
11. After regulation C4 (contributions where an election under regulation B2(4))...
12. Omit regulations C5 (additional contributions to purchase past added years)...
13. For regulation C7 (additional contributions to purchase past added years...
14. Omit regulation C8 (additional contributions to purchase current added years)....
15. (1) Regulation C9 (additional contributions for current period: service in...
16. In regulation C10 (additional contributions for family benefits) after paragraph...
17. (1) Regulation C11 (return of contributions) is amended as follows....
18. In paragraph (3)(a) of regulation C12 (calculation for the purposes...
19. (1) Regulation C14 (repayment of returned contributions) is amended as...
20. (1) Regulation C15 (deduction, payment and recovery of contributions) is...

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21. In regulation D4 (current added years for which additional contributions...
22. Before regulation E1 (overriding provisions as to guaranteed minimum pension)...
23. In regulation E2(2)(b) (residual liability for guaranteed minimum pensions and...
24. For regulation E4 (nature of retirement benefits) substitute the following–...
25. In regulation E5(3) (qualification for retirement benefits) for “If a...
26. For regulation E6 (entitlement to payment of retirement benefits) substitute–...
27. After regulation E6 (entitlement to payment of retirement benefits) insert–...
28. For regulation E7 (amount of retirement pension) substitute– Amount of...
29. After regulation E7 (amount of retirement pension) insert the following–...
30. For regulation E8 (amount of retirement lump sum) substitute the...
31. After regulation E8 insert the following– Lump sum in place...
32. In regulation E9(6) (limitation of retirement benefits in certain cases)...
33. (1) At the end of the heading to regulation E10...
34. In regulation E11(4) (avoidance of duplicate pensions) before “regulation C8”...
35. Omit regulation E14 (allocation of part of retirement pension).
36. In regulation E16(6) (suspension and resumption of incapacity pensions) for...
37. In regulation E17 (withdrawal of incapacity pension)–
38. After regulation E17 insert– Withdrawal of incapacity pension where application...
39. (1) Regulation E18 (abatement of retirement pension) is amended as...
40. In regulation E19 (retirement benefits on cessation of further employment...
41. In regulation E20 (retirement benefits on cessation of further employment...
42. In regulation E23(1) (commutation: exceptional circumstances of ill-health) for “E6(1)(c)”...
43. In regulation E24 (death grants)– (a) in paragraph (1)(b) for...
44. In regulation E25 (deficiency grants)– (a) for paragraph (8)(a) substitute–...
45. In regulation E26 (family benefits generally)– (a) in paragraph (1)...
46. After regulation E26 insert the following– Nomination of partner (1) A teacher (A) may nominate another person (B) to...
47. In regulation E27 (nomination of beneficiaries)– (a) for the heading...
48. (1) Regulation E28 (entitlement to short-term family benefits) is amended...
49. (1) Regulation E29 (amount and duration of short-term family benefits)...
50. (1) Regulation E30 (entitlement to long-term family benefits) is amended...
51. (1) Regulation E31 (amounts of surviving spouses', surviving civil partners'...
52. (1) Regulation E32 (amounts of children's long-term pensions) is amended...
53. After Regulation E32 insert the following– Additional dependant's pension where...
54. (1) Regulation E33 (commencement and duration of long-term family pensions)...
55. (1) Regulation E34 (pensionable salary) is amended as follows.
56. After regulation E34 insert the following– Pensionable salary – supplemental...
57. In regulation E35 (effective reckonable service)– (a) for paragraph (2)...
58. After regulation E36(1) (payment of benefits) insert–
59. After regulation E37(4) (interest on late payment of certain benefits)...

60. In regulation F1(2) (pension sharing mechanism in the scheme: shareable...
61. In regulation F9(5)(b) (failure to discharge liability in respect of...
62. (1) Regulation F10 (appropriate rights and pension credit benefits under...
63. After regulation F10 insert– Normal pension age (1) For the purposes of this Part a pension credit...
64. (1) Regulation F13 (commutation: exceptional ill-health) is amended as follows....
65. After regulation F13 insert– Commutation on election by pension credit...
66. (1) Regulation G1 (payment of transfer values) is amended as...
67. For regulation H3 (employers' contributions) substitute the following– Employers' contributions (1) In this regulation– (a) “relevant period” is to be...
68. After regulation H5 (employers contributions – part-time elections) insert– Employers'...
69. In regulation H6(3) (payment by employers to Scottish Ministers), after...
70. (1) Regulation J1 (modified application in case of employment at...
71. (1) Regulation J2 (winding down employment) is amended as follows....
72. In regulation J6(3) (repayment of contributions where an election is...
73. After regulation J6 insert the following– Declaration where lump-sum payments...
74. (1) Schedule 1 (glossary of expressions) is amended as follows–...
75. After Schedule 2 (pensionable employment) insert, as Schedule 2A, Schedule...
76. In Schedule 3 (maximum purchase of added years)–
77. In Schedule 4 (additional contributions to purchase past added years)–...
78. In Schedule 5 (additional contributions to purchase added years under...
79. (1) Schedule 6 (family benefits) is amended as follows.
80. Schedule 7 (incomplete payment of additional contributions)–
81. In Schedule 9 (modified application in certain cases)–
82. Omit Schedules 10 and 11.
83. In paragraph 9 of Schedule 12 (transfer values) for “C5...
84. Transitional provisions and savings
85. Amendment of the Teachers (Compensation for Premature Retirement and Redundancy) (Scotland) Regulations 1996
86. In regulation 2 (interpretation)– (a) in paragraph (1)(c) after “corresponding...
87. In regulation 3 (teachers to whom Part II applies)–
88. In regulation 5 (lump sum compensation and annual compensation)–
89. Omit regulation 6 (allocation of part of annual compensation).
90. In regulation 7 (short-term compensation)– (a) in paragraph (1)(a) for...
91. In regulation 8 (adults' long-term compensation)– (a) in paragraph (1)(a)...
92. In regulation 9 (children's long-term compensation)– (a) in paragraph (1) (a)...
93. (1) Regulation 10 (payment of compensation under regulations 7, 8...
94. In regulation 14(3) (adjustment of compensation where a designated teacher...
95. In regulation 16(3)(b) (additional compensation in certain cases of redundancy)...
96. In regulation 16A(2)(b) (teachers to whom Part IIIA applies) for...
97. (1) Regulation 16C (mandatory compensation) is amended as follows.
98. In regulation 16D (abatement of annual compensation during further employment)–...

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99. In regulation 16E (supplementary deficiency grants) for “paragraph (4A) of...
100. In regulation 16F (entitlement to short-term family benefits)–
101. After regulation 19A (arrangements for payment of compensation under Part...
102. After regulation 20(3) (revocations and transitional provisions) insert–
103. In paragraph 3 of Schedule 2 (other entitlement) for “regulation...
104. In paragraph 2(b)(ii) of Schedule 4 (adjustment on account of...
105. Amendment of Teachers' Superannuation (Additional Voluntary Contributions) (Scotland) Regulations 1995
106. In regulation 2(3) (interpretation)– (a) for the definition of “dependant”...
107. For regulation 5(4) (allocation of lump sum death benefit to...
108. In regulation 8(2)(c) (contributor) for “regulation C8 or C9” substitute...
109. (1) Regulation 12 (retirement and dependants' pensions) is amended as...
110. (1) Regulation 13A (pension sharing on divorce) is amended as...
111. (1) Regulation 16 (payment by Scottish Ministers) is amended as...
Signature

SCHEDULE 1
SCHEDULE 2

Transitional Provisions and Savings

PART 1 Transitional Provisions and Savings relating to the Teachers' Superannuation (Scotland) Regulations 2005

1. In this Schedule “the Superannuation Regulations” means the Teachers' Superannuation...
2. Where, before 1st April 2007, a teacher aged 70 or...
3. Paragraph (11) of regulation C5 (additional contributions to purchase added...
4. (1) Regulation C6 (additional contributions to purchase past added years...
5. (1) Regulation C8 (additional contributions to purchase current added years)...
6. (1) Regulation E14 (allocation of part of retirement pension) of,...
7. (1) Regulation E34 (pensionable salary) of the Superannuation Regulations shall...
8. Where, before 1st April 2007, a teacher was in pensionable...
PART 2 Transitional Provisions and Savings relating to the Teachers (Compensation for Premature Retirement and Redundancy) (Scotland) Regulations 1996
9. In this Part “the 1996 Regulations” means the Teachers (Compensation...
10. (1) Regulation 6 (allocation of part of annual compensation) of...
PART 3 Transitional and Savings Provision relating to the Teachers' Superannuation (Additional Voluntary Contributions) (Scotland) Regulations 1995
11. Any notice given before 1st April 2007 under regulation 12(6)...
Explanatory Note