
SCOTTISH STATUTORY INSTRUMENTS

2014 No. 217

The Teachers' Pension Scheme (Scotland) Regulations 2014

PART 5

Retirement benefits for teachers

CHAPTER 6

Ill health retirement

SECTION 2

Ill-health pension

Entitlement to ill-health pension

107.—(1) A member (P) is entitled to payment of an ill-health pension from the entitlement day if—

- (a) P is qualified or re-qualified for retirement benefits;
 - (b) P has not reached normal pension age;
 - (c) P has left all eligible employment;
 - (d) P has applied under regulation 159 for payment of an ill health pension;
 - (e) P has not applied under that regulation for payment of any other retirement pension; and
 - (f) the scheme manager is satisfied after consideration of a medical report that—
 - (i) if paragraph (2) applies, P meets the incapacity condition and the total incapacity condition; or
 - (ii) if paragraph (3) applies, P meets the incapacity condition.
- (2) This paragraph applies if—
- (a) P left all eligible employment for a reason other than because P was incapacitated; or
 - (b) P made the ill health application more than 2 years after the last day of pensionable service.
- (3) This paragraph applies if—
- (a) P left all eligible employment because P was incapacitated; and
 - (b) P made the ill-health application—
 - (i) before leaving all eligible employment; or
 - (ii) within 2 years after the last day of pensionable service.
- (4) Except as provided in regulation 111, an ill-health pension is payable for life.