
SCOTTISH STATUTORY INSTRUMENTS

2014 No. 217

The Teachers' Pension Scheme (Scotland) Regulations 2014

PART 5

Retirement benefits for teachers

CHAPTER 3

Phased retirement

Subsequent phased retirement applications

- 95.**—(1) P may make a subsequent phased retirement application if—
- (a) a phased retirement pension ceases to be payable under regulation 94 but P once more meets the reduced annual rate condition or the new employment condition; or
 - (b) while P is receiving a phased retirement pension, the terms of P's employment change or P enters a new employment and P once more meets the reduced annual rate condition or the new employment condition.
- (2) P may not make a subsequent phased retirement application if—
- (a) P has made 3 previous phased retirement applications; or
 - (b) P has not reached 60 and has made 2 previous phased retirement applications.
- (3) If P makes a subsequent phased retirement application after a phased retirement pension ceases to be payable—
- (a) the phased retirement proportion specified in that application must be the same as or greater than the phased retirement proportion specified in the original application;
 - (b) if P applied under regulation 91 to receive an additional pension as part of the original pension, P must apply under that regulation to receive an additional pension as part of the new phased retirement pension (“the new pension”); and
 - (c) if P received a lump sum under regulation 162 in place of part of the original pension (“original lump sum”)—
 - (i) P must apply under that regulation to receive a lump sum in place of part of the new pension (“new lump sum”);
 - (ii) the amount of the new lump sum must be the same as or greater than the amount of the original lump sum; and
 - (iii) the amount of lump sum payable is the amount of the new lump sum less the amount of the original lump sum.
- (4) Any subsequent phased retirement application must be made in accordance with regulation 91.
- (5) In this regulation—
- “original application” means P's application under regulation 159 for payment of the original pension;

Status: This is the original version (as it was originally made).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

“original pension” means a phased retirement pension that ceases to be payable under regulation 94;

“previous phased retirement application” includes the original application.