
STATUTORY INSTRUMENTS

1997 No. 3001

The Teachers' Pensions Regulations 1997

PART C

TEACHERS' CONTRIBUTIONS

Additional contributions for past period by family pensioner

C5.—(1) This regulation applies where a person dies in circumstances where—

- (a) had he ceased to be in pensionable employment on the day when he died, would have become entitled under regulation E4 to the payment of retirement benefits, and
- (b) another person (“the pensioner”) is entitled under regulation E26 to a long-term pension in respect of him.

(2) Where this regulation applies, the pensioner, or in the case of a child a person acting on his behalf, may by giving written notice to the Secretary of State within 3 months after the death, make any election which, on the hypothesis stated in paragraph (1)(a), the deceased person could have made under regulation C4.

(3) Subject to paragraph (4), an election under this regulation has effect as if it had been made under regulation C4 by the deceased person.

(4) The additional contributions are payable by the pensioner except to the extent that they are, with the consent of any person entitled to it, met out of a terminal sum.