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SCHEDULE 6

FAMILY BENEFITS

PART I

CONTRIBUTIONS: MEN AND UNMARRIED WOMEN

1.—(1) In this Part—

“the Fund” means the Teachers' Family Benefits Fund established by regulation 15 of the 1966 Regulations and continued by regulation 15 of the 1970 Regulations;

“member” means a man who—

- (a) has been in pensionable employment at any time after 31st March 1972, and
- (b) immediately before 1st April 1972 had service counting for benefit within the meaning of regulation 40 of the 1970 Regulations, and
- (c) has not received a repayment of contributions paid by him under the 1966 Regulations or the 1970 Regulations; and

“non-member” means a man, other than a member, who—

- (a) has been in pensionable employment at any time after 31st March 1972, and
- (b) is entitled to count a period that ended before 1st April 1972 as reckonable service.

(2) A member's normal contributions are the contributions paid by him under regulation 27 of the 1966 Regulations or under regulation 27 of the 1970 Regulations, and his normal service is the period in respect of which he paid them.

(3) A member's additional contributions are any contributions paid by him under regulation 28 of the 1966 Regulations or under regulation 28 or 29 of the 1970 Regulations, and the additional period is the period in respect of which he elected to pay them.

(4) A member's deemed normal service is two thirds of any service before 1st April 1972 in respect of which the full amount of normal contributions was held in the Fund immediately before that date.

(5) A member's deemed additional service is

$$\frac{A \times B}{C}$$

where—

A is the factor ascertained from Table 1 below,

B is the amount of the additional contributions held in the Fund immediately before 1st April 1972, and

C is the annual rate of the member's salary at that time.

TABLE

<i>Age at last birthday before 1st April 1972</i>	<i>Factor</i>	<i>Age at last birthday before 1st April 1972</i>	<i>Factor</i>
18	23.8	40	55.9
19	26.5	41	55.8

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<i>Age at last birthday before 1st April 1972</i>	<i>Factor</i>	<i>Age at last birthday before 1st April 1972</i>	<i>Factor</i>
20	29.1	42	55.6
21	31.6	43	55.3
22	34.0	44	55.1
23	36.2	45	54.9
24	38.3	46	54.8
25	40.3	47	54.7
26	42.2	48	54.6
27	44.0	49	54.5
28	45.7	50	54.5
29	47.3	51	54.4
30	48.8	52	54.4
31	50.2	53	54.3
32	51.5	54	54.3
33	52.7	55	54.2
34	53.8	56	54.2
35	54.7	57	54.1
36	55.3	58	54.1
37	55.6	59	54.0
38	55.8	60 and over	54.0
39	55.9		

(6) A member’s credited service is 165.6% of the total of his deemed normal service and any deemed additional service.

(7) References in this Part to “Method I”, “Method II” and “Method III” are references to the Methods so designated in the 1966 Regulations and the 1970 Regulations.

2. Paragraphs 3 and 4 have effect subject to paragraph 5.

3.—(1) Subject to sub-paragraph (3), a member who elected to pay additional contributions by Method I or Method II may elect to pay family benefit contributions in respect of all or part of a period not exceeding in length the difference between his credited service and the total of the additional period and his normal service.

(2) Subject to sub-paragraph (3), a member who elected to pay additional contributions by Method III may by an election under this paragraph—

- (a) revoke the earlier election, or
- (b) revoke the earlier election and elect to pay family benefit contributions in respect of the additional period, or part of it, or
- (c) vary the earlier election so as to relate to part only of the additional period and elect to pay family benefit contributions in respect of the remaining part.

(3) The period in respect of which a member elects to pay family benefit contributions as mentioned in sub-paragraph (1) or (2) is not to exceed—

$$A - \left(B - \frac{5 \times (C - B)}{6} \right),$$

where

A is the length of reckonable service attributable to any period that ended before 1st April 1972,

B is the total length of his normal service and the additional period, and

C is the length of his credited service.

(4) A member may elect to pay family benefit contributions in respect of all or part of any period in respect of which he could have elected, but did not elect, to pay additional contributions.

4. A non-member or an unmarried woman may elect to pay family benefit contributions in respect of the whole or a part of any reckonable service attributable to a period that ended before 1st April 1972.

5.—(1) A man who has become entitled to payment of retirement benefits may not make an election under paragraph 3 or 4.

(2) An election under paragraph 3 or 4—

(a) must be made by giving written notice to the Secretary of State within the period specified in sub-paragraphs (3) to (5),

(b) must specify the period in respect of which it is made,

(c) must specify the rate at which family benefit contributions are to be paid, which must comply with paragraph 14(2) and (3),

(d) has effect from the date on which the notice is received, and,

(e) except as provided in paragraph 14(4), is irrevocable.

(3) Subject to sub-paragraph (4), a man may only make an election under paragraph 3 or 4 within 6 months after—

(a) his marriage while in pensionable employment, or

(b) his returning to pensionable employment after becoming married while not in such employment, or

(c) where sub-paragraph (4) had become applicable, his returning to pensionable employment after ceasing to be in such employment within 6 months after the previous return, or

(d) his nomination of a beneficiary under regulation E23,

whichever occurs first.

(4) An election under paragraph 3 or 4 may be made by—

(a) a member who was not continuously in pensionable employment for 6 months or more after 30th April 1974 and before 1st January 1977, or

(b) a non-member who was not continuously in pensionable employment for 6 months or more after 26th June 1973 and before 1st January 1977,

only within 6 months after returning to pensionable employment.

(5) A woman may only make an election under paragraph 4 within 6 months after nominating a beneficiary.

6.—(1) Where a person has made an election under paragraph 3(2) or (4) or paragraph 4, the period during which, subject to paragraph 14(7) to (10), the family benefit contributions are to be

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paid (“the payment period”) is to be ascertained from, or where the period in respect of which the election was made is not an exact number of years by extrapolation from, Table 2 below.

TABLE 2

<i>Age on date from which contributions are payable</i>	<i>Period in years for which contributions are to be paid in respect of each year of election period</i>								
	<i>Rate of contributions</i>								
	1%	2%	3%	4%	5%	6%	7%	8%	9%
27 and under	2.90	1.45	0.97	0.73	0.58	0.48	0.41	0.36	0.32
28—37	2.95	1.48	0.98	0.74	0.59	0.49	0.42	0.37	0.33
38—42	3.00	1.50	1.00	0.75	0.60	0.50	0.43	0.375	0.335
43—47	3.05	1.52	1.02	0.76	0.61	0.51	0.435	0.38	0.34
48 and over	3.10	1.55	1.03	0.77	0.62	0.52	0.44	0.39	0.345

(2) Where a man has made an election under paragraph 3(1) the payment period is, subject to paragraph 14(7) to (10), 5/6ths of the period ascertained in accordance with sub-paragraph (1).

7.—(1) This paragraph applies where a member who elected to pay additional contributions by Method III has not revoked that election, and he—

- (a) dies in pensionable employment leaving a widow or having nominated a beneficiary under regulation E23, or
- (b) becomes qualified for retirement benefits while married or after nominating a beneficiary.

(2) Where this paragraph applies, there is to be deducted from the appropriate terminal sum an amount of

$$\frac{A \times B}{100} \times \frac{5 \times C}{6},$$

where—

- A is the member’s average salary,
- B is the factor ascertained from Table 3 below, and
- C is the period calculated in accordance with sub-paragraph (3).

TABLE 3

<i>Age</i>	<i>Factor</i>
39 or under	3.5
40 to 49	3.4
50	3.3

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<i>Age</i>	<i>Factor</i>
51	3.3
52	3.3
53	3.2
54	3.2
55	3.2
56	3.1
57	3.1
58	3.1
59	3.0
60	3.0
61	3.0
62	3.0
63 and over	2.9

(3) The period is

$$(D + E) - (F + G + H),$$

where—

D is the additional period in respect of which the member elected to pay contributions by Method III, together with any additional period for which he elected to pay contributions by Method I or II,

E is his normal service,

F is his credited service,

G is any period or periods for which he has elected to pay family benefit contributions under paragraph 3, and

H is any additional period in respect of which he elected to pay contributions by Method I or II, less his credited service in respect of deemed additional service attributable to contributions so paid, and less any period for which he has elected under paragraph 3(1) to pay family benefit contributions.

8.—(1) Subject to sub-paragraphs (2) and (3), a member or non-member who—

(a) is not in pensionable employment and has become entitled to payment of retirement benefits, and

(b) would otherwise have been able to make an election under paragraph 3 or 4,

may make a corresponding election under this paragraph.

(2) An election under this paragraph—

(a) must be made by giving written notice to the Secretary of State within 6 months after the date on which the man became entitled to payment of retirement benefits,

(b) must specify the period in respect of which it is made, and

(c) is irrevocable.

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(3) The family benefit contributions payable as a result of an election under this paragraph consist of a lump sum of—

$$\frac{A}{100} \times (B \times C)$$

where—

A is the annual rate at which the man’s contributable salary was last payable,

B is the length, expressed in years and any fraction of a year, of the period in respect of which the election was made, and

C is the factor ascertained from Table 4 below,

but where the election made corresponds to one that could have been made under paragraph 3(1), B is reduced by 1/6th.

TABLE 4

<i>Age on date of election</i>	<i>Factor</i>
27 and under	2.90
28—37	2.95
38—42	3.00
43—47	3.05
48 and over	3.10

9.—(1) This paragraph applies where—

- (a) a member or non-member dies before becoming entitled to payment of retirement benefits, and
- (b) he has not made an election under paragraph 3 or 4, but could still have done so if he had not died, and
- (c) he leaves a widow.

(2) Where this paragraph applies the widow may, subject to sub-paragraph (3), elect to pay family benefit contributions in respect of a period comprising all or part of so much of the deceased’s reckonable service as would otherwise not count in the calculation of family benefits.

(3) An election under this paragraph—

- (a) must be made by giving written notice to the Secretary of State within 3 months after the death,
- (b) must specify the period in respect of which it is made,
- (c) must result in a total of not less than 5 years’ reckonable service counting in the calculation of family benefits, and
- (d) ceases to have effect if the family benefit contributions are not paid within 3 months after its date.

(4) The family benefit contributions payable as a result of an election under this paragraph consist of a lump sum which is the actuarial equivalent of the contributions that would have been payable by the deceased if—

- (a) he had made an election under paragraph 3, or, as the case may be, paragraph 4, in respect of the same period, and

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- (b) notice of that election had been given on the day before his death and had specified as the rate at which family benefit contributions were to be paid the maximum allowed by paragraph 14(2) and (3).