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STATUTORY INSTRUMENTS

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**2013 No. 275**

**EDUCATION, ENGLAND AND WALES**

**The Teachers' Pensions (Amendment) Regulations 2013**

*Made* - - - - *11th February 2013*

*Laid before Parliament* *19th February 2013*

*Coming into force* - - *1st April 2013*

The Secretary of State for Education makes these Regulations in exercise of the powers conferred by sections 9 and 12 of, and Schedule 3 to, the Superannuation Act 1972(1).

The Secretary of State has consulted with the persons referred to in section 9(5) of that Act.

In accordance with section 9(1) of that Act, these Regulations are made with the consent of the Treasury(2).

**Citation and commencement**

1. These Regulations may be cited as the Teachers' Pensions (Amendment) Regulations 2013 and come into force on 1st April 2013.

**Amendments to the Teachers' Pensions Regulations 2010**

2. The Teachers' Pensions Regulations 2010(3) are amended in accordance with regulations 3 to 6.

3. In regulation 18 (Teachers' ordinary contributions) for "paragraphs 2 and 3" substitute "paragraph 2".

4. Omit regulation 128 (actuarial review).

5.—(1) Schedule 3 (employees' and employers' contributions) is amended in accordance with paragraphs (2) and (3).

(2) Omit paragraph 1;

(3) In paragraph 2—

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(1) 1972 c. 11. Section 9 was amended by sections 4, 8 and 11 of the Pensions (Miscellaneous Provisions) Act 1990 (c. 7); paragraph 7 of Schedule 8 to the Pension Schemes Act 1993 (c. 48); article 107 of S.I. 2001/3649; and article 5 of, and paragraph 27 of Part 2 of Schedule 2 to, S.I. 2010/1158. Section 12 was amended by section 10 of the Pensions (Miscellaneous Provisions) Act 1990.

(2) See S.I. 1981/1670.

(3) S.I. 2010/990, as amended by S.I. 2011/614, S.I. 2012/673, S.I. 2012/979 and S.I. 2012/2270.

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- (a) in sub-paragraph (1) omit “unless paragraph 3 applies”;
- (b) in sub-paragraph (2) —
  - (i) omit the words “for the initial contribution period”;
  - (ii) for the table substitute—

**“Table**

<i>Annual contributable salary</i>	<i>Rate</i>
Up to £14,999	6.4%
£15,000 to £25,999	7.0%
£26,000 to £31,999	7.9%
£32,000 to £39,999	8.8%
£40,000 to £44,999	9.2%
£45,000 to £74,999	10.1%
£75,000 to £99,999	10.6%
£100,000 and above	11.2%”.

- (c) omit sub-paragraph (3);
- (d) omit paragraph 3;
- (e) in paragraph 4—
  - (i) in sub-paragraph (2) omit “for the initial contribution period”; and
  - (ii) omit sub-paragraphs (3) to (8);
- (f) omit paragraph 5.

6.—(1) Schedule 13 (savings and transitional provisions) is amended in accordance with paragraphs (2) and (3).

(2) In sub-paragraph (2)(a) of paragraph 11 (contributions for current period: elections made under regulation C9 of the 1997 Regulations), after the words “there were substituted” substitute—

- “(b) the percentage is the aggregate of the rates of contributions set out in paragraph 2 (employees’ contributions) and paragraph 4 (employers’ contributions) of Schedule 3 to the Teachers’ Pensions Regulations 2010.”.

(3) Omit paragraph 24 (actuarial review).

### **Retrospective provisions**

7.—(1) The obligation under regulation G4(1) of the Teachers’ Pensions Regulations 1997(4) is to be taken as never having applied in relation to the account prepared under regulation G1 of those Regulations as at 31 March 2008.

(2) Any obligation to which a person was subject under regulation 128 immediately before the commencement of the revocation made by regulation 4 is to be treated as having never been incurred.

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(4) [S.I. 1997/3001](#) was revoked by [S.I. 2010/990](#) save as provided by the transitional saving provision found in paragraph 24 of Schedule 13.

7th February 2013

*David Laws*  
Minister of State  
Department for Education

We consent

11th February 2013

*Desmond Swayne*  
*Robert Goodwill*  
Two of the Lords Commissioners of Her  
Majesty's Treasury

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations, which come into force on 1st April 2013, make amendments to the Teachers' Pensions Regulations 2010 ('the 2010 Regulations').

The amendments—

- remove the cap and share provisions (*regulations 3 and 5*);
- amend Schedule 3 to provide new percentage rates for employees' ordinary contributions which are to be calculated monthly, by reference to the full-time equivalent annual rate of each employee's contributable salary for that month (*regulation 5(3)(b)(ii)*);
- remove the provisions relating to actuarial review (*regulation 4 and 6*).

The retrospective application of the relevant actuarial review provisions in the Teachers' Pensions Regulations 1997 (which survived under the 2010 Regulations) is removed, as it is from the 2010 Regulations (*regulation 7*).

An impact assessment has not been produced for this instrument as it has no impact on businesses, the public sector or civil society organisations.