
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 393

The Teachers' Superannuation (Scotland) Regulations 2005

PART E

BENEFITS

Amount of retirement pension

E7.—(1) Subject to paragraphs (2) to (4) and regulations E9 to E13, the annual rate of a teacher's retirement pension shall be 1/80th of that teacher's pensionable salary multiplied by his or her effective reckonable service.

(2) If—

- (a) the teacher is entitled to count a period as reckonable service by virtue of regulation D3; and
- (b) by reason of regulation E35(5) part of that period does not count in calculating his or her retirement lump sum,

the annual rate calculated in accordance with paragraph (1) is, in respect of each year comprised in that part, increased by 1/350th of his or her pensionable salary.

(3) If a contributions equivalent premium has been paid in respect of the teacher and has not been refunded (and the teacher's entitlement to a guaranteed minimum pension is therefore extinguished), the annual rate of his or her retirement pension is reduced by the annual equivalent of the guaranteed minimum pension to which he or she would otherwise have been entitled.

(4) Where this paragraph applies the annual rate of a teacher's retirement pension shall be the annual rate, calculated in accordance with the foregoing provisions of this regulation, of the retirement pension to which he or she would be entitled apart from this paragraph and ignoring the effect of regulation E12 multiplied by the appropriate factor.

(5) Subject to sub paragraph (b), paragraph (4) applies where—

- (a) a teacher is entitled to payment of retirement benefits under regulation E6(1)(d) and ceased to be in pensionable employment or in excluded employment on or after 1st September 1997; or
- (b) a teacher has become entitled to payment of retirement benefits by virtue of regulation E6(1)(e).

(6) For the avoidance of doubt, references in regulations E9 to E11 to "retirement benefits" and "retirement pension" are references to such benefits as calculated before any actuarial reduction required by paragraph (4).