
STATUTORY RULES OF NORTHERN IRELAND

1998 No. 333

Teachers' Superannuation Regulations (Northern Ireland) 1998

Part E

Benefits

Retirement benefits on cessation of further employment

- E15.**—(1) This regulation applies to a person who—
- (a) became entitled to payment of a teacher's pension ("the first pension");
 - (b) was subsequently in pensionable employment ("the further employment"); and
 - (c) has ceased to be in the further employment.
- (2) Subject to paragraph (3), if the first pension is not enhanced under regulation E8 (enhancement of retirement benefits in cases of incapacity) the person—
- (a) ceases to be entitled to payment of the first pension; and
 - (b) becomes entitled to payment of retirement benefits ("combined benefits") calculated, subject to paragraph (8), by reference to the total of his reckonable service in the further employment and the reckonable service taken into account in calculating the first pension.
- (3) If the average salary by reference to which combined benefits would fall to be calculated is less than that by reference to which the first pension was calculated, he—
- (a) remains entitled to the first pension; and
 - (b) subject to paragraph (7), becomes entitled to payment of retirement benefits calculated by reference to his reckonable service in the further employment.
- (4) Subject to paragraph (7), if the first pension was enhanced under regulation E8 he becomes entitled to payment of the first pension and of additional retirement benefits in respect of the further employment.
- (5) The additional retirement benefits shall be calculated—
- (a) in respect of pensionable employment before attaining the age of 60, as if regulation E8 had applied and the further employment had begun when he became entitled to payment of the first pension; and
 - (b) in respect of other pensionable employment, in accordance with regulations E5 and E6, but the additional retirement lump sum is subject to reduction under paragraph (8).
- (6) If in the application of regulation E8 to the calculation of the first pension the appropriate period was Period B (as defined in regulation E8(5)(b)), paragraph (5)(a) applies with the substitution for "60" of "65".
- (7) If he ceased to be in the further employment before attaining the age of 60 and regulation E4(4) (incapacity) or regulation E4(7) (premature retirement) did not apply, he does not become entitled to payment of retirement benefits under paragraph (3)(b) or (4) until he attains that age.

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

(8) A retirement lump sum payable under paragraph (2)(b), and an additional retirement lump sum payable under paragraph (4), is reduced by the amount of the retirement lump sum to which the person became entitled when he became entitled to payment of the first pension, of any lump sum to which he had previously become entitled under this regulation, and of any short service incapacity grant paid to him under regulation E17.