
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 393

PENSIONS

The Teachers' Superannuation (Scotland) Regulations 2005

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A1(1)

**THE TEACHERS' SUPERANNUATION
(SCOTLAND) REGULATIONS 2005**

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- 1. Employment as a teacher in a public or grant-aided school,...
- 2. Employment as a teacher in a school which is an...
- 3. Employment as a teacher in a school which is a...
- 4. Employment as a teacher in an independent school which is...
- 5. Employment as a teacher in a college of further education...
- 6. Employment as a teacher in the Scottish Further Education Unit...
- 7. Employment as a teacher in a university or part of...
- 8. Employment as a teacher in the Faculty of Education at...
- 9. Employment as a teacher in the Schools of Architecture, Town...
- 10. Employment as a teacher in the Faculty of Education or...
- 11. Employment as a teacher in the Faculty of Engineering or...
- 12. Employment as a teacher in the Faculty of Education at...
- 13. Employment as a teacher in the Faculty of Education at...
- 14. (1) Employment as a teacher of a kind not elsewhere...
- 15. Continuation in employment on and after the date on which...

SCHEDULE 3 MAXIMUM PURCHASE OF ADDED YEARS

- 1. (1) Subject to paragraph 2, the maximum length of the...
- 2. (1) This paragraph applies to a teacher who–
- 3. (1) This paragraph applies where a teacher–

SCHEDULE 4 ADDITIONAL CONTRIBUTIONS TO PURCHASE
PAST ADDED YEARS

PART I METHOD A

- 1. (1) In this Part (and throughout this Schedule), “the principal...
- 2. (1) The contribution period must be one of not less...
- 3. Subject to paragraphs 4 and 6, the rate at which...
- 4. (1) At any time during the contribution period the teacher...
- 5. (1) At any time during the contribution period the teacher...
- 6. (1) Subject to sub paragraphs (2) to (7), if the...
- 7. Where paragraph 6 has become applicable and the teacher is...
- 8. Any retirement lump sum to which the teacher is entitled...

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9. (1) This paragraph applies– (a) where paragraph 6 has become...
PART II METHOD B
10. (1) Subject to paragraphs 11 to 13, the additional contributions...
11. (1) Subject to paragraphs 12 and 13, and to paragraph...
12. Where notice of the election was given on or after...
13. Where notice of the election was given when the teacher...
SCHEDULE 5 ADDITIONAL CONTRIBUTIONS TO PURCHASE
ADDED YEARS UNDER EARLIER PROVISIONS
 1. (1) Subject to sub-paragraphs (2) to (6) and paragraphs 2...
 2. Where an election has been made under paragraph 1, the...
 3. If before all the contributions payable under paragraph 1 or...
 4. (1) Subject to sub paragraph (2) and paragraph 5, where...
 5. (1) If before the end of the contribution period the...
PART II
6. Where immediately before the date on which these Regulations come...
SCHEDULE 6 FAMILY BENEFITS
PART I CONTRIBUTIONS: MEN AND
UNMARRIED WOMEN
 1. (1) In this Part– “the Fund” means the Teachers' Family...
 2. (1) Subject to sub-paragraph (3) and paragraph 4, a member...
 3. Subject to paragraph 4, a non member or an unmarried...
 4. (1) A man who has become entitled to payment of...
 5. (1) Where a person has made an election under paragraph...
 6. (1) This paragraph applies where a member who elected to...
 7. (1) Subject to sub-paragraphs (2) and (3), a member or...
 8. (1) This paragraph applies where– (a) a member or non-member...
PART II CONTRIBUTIONS: MARRIED WOMEN
9. (1) Subject to sub paragraph (3) and paragraph 10, a...
10. (1) An election under paragraph 9(1) or (2)–
11. (1) Subject to sub-paragraph (2), where payment is to be...
12. (1) The widower of a woman who–
PART III COMMON PROVISIONS
13. (1) This paragraph applies where– (a) an election is made...
14. (1) This paragraph– (a) applies where family benefit contributions to...
15. Where– (a) a deduction has fallen to be made under...
SCHEDULE 7 INCOMPLETE PAYMENT OF ADDITIONAL
CONTRIBUTIONS
 1. (1) This paragraph applies where a teacher paying additional
contributions...
 2. (1) This paragraph applies where a teacher paying additional
contributions...
 3. (1) This paragraph applies where a teacher has paid additional...
 4. (1) This paragraph applies where a teacher paying additional
contributions...
 5. (1) This paragraph applies where a teacher paying additional
contributions...
 6. (1) This paragraph applies where a lump sum equal to...
 7. (1) Subject to sub paragraph (5), this paragraph applies where...
 8. (1) This paragraph applies where an election in respect of...
 9. (1) This paragraph applies where a teacher is continuing to...
10. (1) This paragraph applies where a teacher who is, in...
SCHEDULE 8 PERIODS MAKING UP QUALIFYING PERIOD
 1. A period of pensionable employment.

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2. A period counting as reckonable service by virtue of regulation...
3. A period counting as specified country service.
4. A period of service or employment in respect of which...
5. A period of comparable British service.
6. A period of employment which is pensionable for the purposes...

SCHEDULE 9 MODIFIED APPLICATION IN CERTAIN CASES
PART I NATIONAL INSURANCE MODIFICATION
OF PENSIONS

1. Interpretation
2. Classification of teachers
3. Reduction of retirement pension
4. (1) A retirement pension payable under these Regulations to a...
5. For the purposes of paragraphs 3 and 4, the reckonable...
6. If, in calculating the amount of a retirement pension payable...
7. If, in calculating the amount of a retirement pension, there...
8. Where— (a) a period of employment of a retired teacher...
9. No reduction in the amount of the retirement pension shall...
10. Equivalent pension benefits
11. Any person who was employed in non-participating employment and attains...

PART II EMPLOYMENT AT REDUCED SALARY

12. Subject to paragraphs 13 to 17, these Regulations apply as...
13. For the purposes of regulation E5, periods counting towards a...
14. (1) For the purposes of regulation E35(2), periods counting as...
15. (1) A period for which the person has, before the...
16. (1) This paragraph applies if the teacher becomes entitled to...
17. (1) For the purpose of calculating any death grant under...

PART III POLICY SCHEMES

18. In this Part “excluded service” means the employment in respect...
19. For the purposes of regulation C5(1), if the teacher’s excluded...
20. For the purposes of regulation E5, paragraph 1 of Schedule...

PART IV SPECIFIED COUNTRY SERVICE

21. Regulations E6, E8, E16(3) and E19 have effect with the...
22. Subject to paragraph 23— (a) for the purpose of calculating...
23. For the purposes of regulation E10, in calculating relevant service...

PART V PERSONS FORMERLY MEMBERS OF
THE NATIONAL HEALTH SERVICE
PENSION SCHEME

24. In this Part— (a) “the 1995 Regulations” means the National...
25. This Part applies to persons who— (a) immediately before they...
26. (1) If a person to whom this Part applies—
27. Where a person to whom this Part applies
28. Where a transfer value has been accepted in respect of...

SCHEDULE 10

SCHEDULE 11 ALLOCATION OF PART OF RETIREMENT PENSION
PART I CONTENTS OF DECLARATION

1. (1) A declaration shall specify— (a) the part of the...
- PART II PROCEDURE
2. (1) A teacher who, with a view to making an...
 3. (1) Before delivering a declaration, a teacher shall give the...
 4. (1) Before delivering a declaration, a teacher shall, at his...
 5. (1) On receiving a notice under paragraph 3, the Scottish...
 6. A declaration, and any notice or other communication under this...

PART III OTHER MATTERS

7. (1) Subject to sub paragraphs (2) to (6), a declaration...
8. (1) An allocation takes effect on the day on which...
9. (1) If notice of intention has been given under paragraph...
10. (1) If after a retiring employee has delivered a declaration...
11. If after a person has delivered a declaration the rate...

SCHEDULE 12 TRANSFER VALUES

PART I OUTWARD TRANSFERS

1. Subject to paragraphs 2 to 6 and 9 and 10,...
2. Where– (a) a transfer value is payable to an approved...
3. Where, prior to the last date on which he or...
4. Where– (a) a teacher requests that a transfer value be...
5. (1) Subject to sub paragraph (2), in respect of a...
6. Subject to paragraph 7, where– (a) a transfer value limited...
7. In relation to any teacher to whom paragraph 6 applies–...
8. For the purposes of paragraph 6, where a teacher ceases...
9. Where one or more transfer values have been paid to...
10. A transfer value paid under this Part shall be at...

PART II INWARD TRANSFERS

11. Where a transfer value has been paid to, and accepted...
12. Except where paragraph 13 applies, for the purposes of paragraph...
13. (1) This paragraph applies where– (a) the previous scheme is...

PART III INTERPRETATION

14. In this Schedule– (a) “accrued rights” means the rights which...

SCHEDULE 13 REVOCATIONS, SAVINGS AND TRANSITIONAL PROVISIONS

PART I REVOCATIONS

PART II SAVINGS

1. The revocation by these Regulations of a transitional provision relating...
2. (1) The revocation by these Regulations of a provision previously...
3. Any document made, served or issued on or after the...

PART III TRANSITIONAL PROVISIONS

4. (1) The re-enactment of provisions in these Regulations, and the...
5. (1) Where– (a) a provision of these Regulations (“the new...
6. Where a period of time specified in a provision of...

Explanatory Note