

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2005 No. 393**

**The Teachers' Superannuation (Scotland) Regulations 2005**

**PART E**

**BENEFITS**

**Grants on grounds of incapacity**

- E21.**—(1) A teacher who ceases to be employed in pensionable employment and who—
- (a) is not entitled to payment of retirement benefits under this Part; and
  - (b) before attaining the age of 70 became incapacitated; and
  - (c) has been employed in pensionable employment for at least one year; and
  - (d) has been so employed within the 12 months immediately preceding an application for a grant under this regulation,

shall be entitled to payment of an incapacity grant calculated in accordance with paragraph (2).

(2) The amount of the incapacity grant is obtained by multiplying one twelfth of the teacher's pensionable salary by the length of his or her reckonable service in years.

(3) Where a teacher subsequently becomes entitled to retirement benefits under this Part by virtue of again becoming employed in pensionable employment, the amount of the retirement lump sum payable shall be reduced by the amount of the incapacity grant paid under this regulation.