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SCOTTISH STATUTORY INSTRUMENTS

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**2014 No. 217**

**The Teachers' Pension Scheme (Scotland) Regulations 2014**

**PART 2**

**Governance**

**Scheme manager**

7.—(1) The Scottish Ministers are the scheme manager for this scheme and any connected scheme.

(2) The scheme manager is responsible for managing this scheme and any connected scheme.

(3) The scheme manager may delegate any functions under these Regulations, including this power to delegate.

**Establishment of pension board**

8.—(1) A pension board (“the Scottish Teachers’ Pension Scheme Pension Board”) is established.

(2) The Scottish Teachers’ Pension Scheme Pension Board is responsible for assisting the scheme manager in relation to securing compliance with—

- (a) these Regulations;
- (b) any other legislation relating to the governance and administration of this scheme and any connected scheme; and
- (c) requirements imposed by the Pensions Regulator in relation to this scheme and any connected scheme.

(3) The scheme manager is to determine the process by which the Scottish Teachers’ Pension Scheme Pension Board discharges its functions.

**Membership of pension board**

9.—(1) Subject to paragraph (2), the scheme manager may determine—

- (a) the membership of the Scottish Teachers’ Pension Scheme Pension Board;
- (b) the manner in which the Scottish Teachers’ Pension Scheme Pension Board members may be appointed and removed; and
- (c) the terms of appointment of the Scottish Teachers’ Pension Scheme Pension Board members.

(2) The Scottish Teachers’ Pension Scheme Pension Board is to include equal numbers of members representing the employers<sup>(1)</sup> and members.

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<sup>(1)</sup> See section 37 of the Act for the meaning of “employer”.

### **Establishment of scheme advisory board**

**10.**—(1) A scheme advisory board (“the Scottish Teachers’ Pension Scheme Advisory Board”) is established.

(2) The Scottish Teachers’ Pension Scheme Advisory Board is responsible for providing advice to the scheme manager, at the scheme manager’s request, on the desirability of changes to this scheme.

(3) The scheme manager is to determine the process by which the Scottish Teachers’ Pension Scheme Advisory Board discharges its functions.

### **Membership of scheme advisory board**

**11.** The scheme manager may determine—

- (a) the membership of the Scottish Teachers’ Pension Scheme Advisory Board;
- (b) the manner in which members of the Scottish Teachers’ Pension Scheme Advisory Board may be appointed and removed; and
- (c) the terms of appointment of the members of the Scottish Teachers’ Pension Scheme Advisory Board.

### **Conflict of interest**

**12.**—(1) The scheme manager must be satisfied that—

- (a) any person to be appointed as a member of the Scottish Teachers’ Pension Scheme Pension Board does not have a conflict of interest within the meaning of section 5(5) of the Act;
- (b) any person to be appointed as a member of the Scottish Teachers’ Pension Scheme Advisory Board does not have a conflict of interest within the meaning of section 7(5) of the Act.

(2) The scheme manager must be satisfied from time to time that none of the members of the Scottish Teachers’ Pension Scheme Pension Board or of the Scottish Teachers’ Pension Scheme Advisory Board has a conflict of interest.

(3) A person who is to be appointed as a member of a relevant Board must provide the scheme manager with such information as the scheme manager reasonably requires for the purposes of paragraph (1).

(4) A person who is a member of a relevant Board must provide the scheme manager with such information as the scheme manager reasonably requires for the purposes of paragraph (2).