
SCOTTISH STATUTORY INSTRUMENTS

2014 No. 217

The Teachers' Pension Scheme (Scotland) Regulations 2014

PART 5

Retirement benefits for teachers

CHAPTER 4

Premature retirement

Interpretation “pensionable service”

96. For the purpose of this Chapter, a person in respect of whom an election under regulation 25 has effect is not treated as being in pensionable service.

Meaning of “entitlement day” (premature retirement pension)

97. The entitlement day for a premature retirement pension is the day after a person leaves all eligible employment.

Entitlement to premature retirement pension

98.—(1) A person (P) is entitled to payment of a premature retirement pension from the entitlement day if—

- (a) P has reached 55 but has not reached normal pension age;
- (b) P is qualified or re-qualified for retirement benefits;
- (c) P's pensionable service in relation to an employment is terminated by reason of P's redundancy or in the interests of the efficient discharge of the functions of P's employer;
- (d) P's employer gives written notice to the scheme manager stating that—
 - (i) P's pensionable service was terminated by reason of P's redundancy or in the interests of the efficient discharge of the employer's functions; and
 - (ii) the employer agrees that a premature retirement pension should become payable to P;
- (e) P receives no compensation as a result of P's pensionable service being terminated;
- (f) P has left all eligible employment;
- (g) P has applied under regulation 159 for payment of a premature retirement pension; and
- (h) P has not applied under that regulation for payment of any other retirement pension.

(2) P is not entitled to payment of a premature retirement pension in respect of any pensionable service after P reaches normal pension age.

(3) A premature retirement pension is payable for life.

Annual rate of premature retirement pension

- 99.** The annual rate of premature retirement pension payable to a person (P) is found by—
- (a) taking the amount of full retirement earned pension specified in P’s pensioner member’s account;
 - (b) applying the standard reduction (if any) and the actuarial adjustment (if any) specified in that account in relation to that amount;
 - (c) adding the amount of full retirement additional pension (if any) specified in that account;
 - (d) applying the actuarial adjustment (if any) specified in that account in relation to that amount; and
 - (e) subtracting the commutation amount (if any) specified in that account in relation to the sum of those amounts.