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SCOTTISH STATUTORY INSTRUMENTS

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**2014 No. 217**

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

**PART 6**

Survivor's benefits

CHAPTER 3

Death grant

*SECTION 2*

*Death in service*

**Death in service grant**

**136.**—(1) A death grant is payable under this regulation if a member (D) dies in service (“death in service grant”).

(2) A death in service grant is not payable if—

- (a) D dies while in pensionable service that is not post-benefit service and a retirement pension other than a phased retirement pension becomes payable before D's death; or
- (b) D dies while in a period of post-benefit service and a retirement pension in respect of that period becomes payable before D's death.

(3) If D dies while in pensionable service that is not post-benefit service, the amount of the death in service grant is found by—

- (a) multiplying D's annual rate of pensionable earnings as at the date of D's death by 3; and
- (b) deducting the following amounts previously paid to D in respect of pensionable service under this scheme—
  - (i) any part of a lump sum under regulation 162;
  - (ii) any short-service serious ill-health grant.

(4) If D dies while in a period of post-benefit service, the amount of the death in service grant is found by—

- (a) multiplying D's annual rate of pensionable earnings as at the date of D's death by 3; and
- (b) deducting the following amounts previously payable to D under this scheme in respect of both the period of post-benefit service and any previous period of pensionable service—
  - (i) any lump sum under regulation 162 not attributable to additional pension;
  - (ii) any short-service serious ill-health grant.