
SCOTTISH STATUTORY INSTRUMENTS

2014 No. 292

**The Teachers' Pension Scheme
(Scotland) (No. 2) Regulations 2014**

PART 8

Payment of benefits

CHAPTER 3

Payment of lump sums

Commutation of whole pension (serious ill-health)

165.—(1) This regulation applies to a member (P) who, on the entitlement day for a pension, has a life expectancy of less than a year.

- (2) P may apply to the scheme manager to receive a lump sum instead of the pension.
- (3) The application must—
 - (a) be in writing;
 - (b) be made when P applies under regulation 159 for payment of the pension; and
 - (c) be accompanied by all the medical evidence necessary for the scheme manager to determine that P is entitled to payment of the lump sum.
- (4) If P is eligible to apply under regulation 162 to receive a lump sum under that regulation—
 - (a) the largest permissible lump sum is to be paid under that regulation; and
 - (b) the commutation amount under that regulation is to be deducted when calculating the annual rate under regulation 166.
- (5) In this regulation, “pension” means—
 - (a) an age retirement pension and any phased retirement pension payable with it;
 - (b) an ill-health pension and a total incapacity pension or phased retirement pension payable with it; or
 - (c) a pension credit retirement pension.