STATUTORY INSTRUMENTS

2014 No. 512

The Teachers' Pension Scheme Regulations 2014

PART 6

Survivor's benefits

CHAPTER 6

Child pensions

Annual rate of child pension: short-term

150.—(1) The short-term rate of child pension—

(a) applies if a member (D) dies in service or dies as a pensioner member; and

(b) is payable as follows—

(i) if a surviving adult pension does not become payable on D's death, for the first 6 months after D's death;

(ii) if a surviving adult pension becomes payable on D's death and continues to be payable for the first 3 months after D's death, for those 3 months; or

(iii) if a surviving adult pension becomes payable on D's death but ceases to be payable before the end of the first 3 months after D's death, for those 3 months plus the number of months or part months for which the surviving adult pension was not payable under sub-paragraph (ii).

(2) The short-term rate of child pension is $\dfrac{AR}{EC}$ where—

(a) if D dies in service—

AR is D's annual rate of pensionable earnings as at the date of D's death (disregarding any reduction by reason of sick leave, maternity leave, paternity leave, additional paternity leave or adoption leave); and

EC is—

(aa) 2, if a child pension is payable to no more than 2 eligible children; or

(bb) the number of eligible children, if a child pension is payable to more than 2 eligible children;

(b) if D dies as a pensioner member—

AR is D's annual rate of retirement pension payable as at the date of D's death (disregarding any reduction by virtue of a pension-sharing order);

EC is—

(aa) 2, if a child pension is payable to no more than 2 eligible children; or

(bb) the number of eligible children, if a child pension is payable to more than 2 eligible children; and

"annual rate of retirement pension" means annual rate of phased retirement earned pension or annual rate of full retirement earned pension.

(3)   If the rate calculated under paragraph (2) is smaller than the annual rate calculated in accordance with regulation 151 ("long-term rate"), the short-term rate is the same as the long-term rate.