

## SCHEDULE 3

Regulation 224

### Transitional provisions

## PART 1

### Interpretation

#### Interpretation

1. In this Schedule—

“exception” means an exception to section 18(1) of the Act;

“existing Fair Deal arrangements” means the arrangements by which a person (P) is a member of an occupational pension scheme comparable to the existing scheme and into which P's employer pays contributions in respect of P, following a TUPE transfer from an employer mentioned in Parts 2, 3 or 4 of Schedule 1;

[<sup>F1</sup>“final salary benefits” means the benefits accrued in a final salary scheme in respect of which the pension entitlement payable to or in respect of a person's pensionable service is or may be determined by reference to the person's final salary;]

<sup>F2</sup> ...

“full protection member”, in relation to the existing scheme, has the meaning given in Part 2;

“protected member”, in relation to the existing scheme, means a full protection member or tapered protection member of that scheme;

“protection period”—

(a) for a full protection member of the existing scheme, has the meaning given in Part 2;

(b) for a tapered protection member of the existing scheme, has the meaning given in Part 3;

“public service scheme” means a scheme under section 1 of the Act;

“scheme closing date”, in relation to the existing scheme, means 31st March 2015;

“tapered protection member”, in relation to the existing scheme, has the meaning given in Part 3;

“tapered protection closing date” has the meaning given in paragraph 4;

“transition date” means—

(a) for a tapered protection member of [<sup>F3</sup>the existing scheme], the day after the tapered protection closing date;

(aa) [<sup>F4</sup>for a full protection member of the existing scheme to whom a retirement pension has become payable under the existing scheme, means the day on which that member becomes an active member of this scheme;]

(ab) [<sup>F5</sup>for a full protection member of the existing scheme other than a full protection member described in sub-paragraph (aa), means 1st April 2022;]

(b) for a transition member by virtue of the application of paragraph 21 who is not a protected member of [<sup>F3</sup>the existing scheme], the day after the scheme closing date; and

(c) for a transition member by virtue of the application of paragraph 22 who is not a protected member of the existing scheme, the day after the Fair Deal transfer date.

### Textual Amendments

- F1** Words in Sch. 3 para. 1 inserted (1.4.2022) by [The Teachers' Pension Scheme \(Amendment\) Regulations 2022 \(S.I. 2022/320\)](#), regs. 1(2), **2(2)(a)**
- F2** Words in Sch. 3 para. 1 omitted (1.4.2015) by virtue of [The Teachers Pension Scheme \(Amendment\) Regulations 2014 \(S.I. 2014/2652\)](#), regs. 1, **32(a)**
- F3** Words in Sch. 3 para. 1 substituted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2014 \(S.I. 2014/2652\)](#), regs. 1, **32(b)**
- F4** Words in Sch. 3 para. 1 inserted (with effect from 1.4.2015) by [The Teachers Pensions Schemes \(Amendment\) Regulations 2019 \(S.I. 2019/1134\)](#), reg. 1(1)(4), **29(a)**
- F5** Words in Sch. 3 para. 1 inserted (1.4.2022) by [The Teachers' Pension Scheme \(Amendment\) Regulations 2022 \(S.I. 2022/320\)](#), regs. 1(2), **2(2)(b)**

### Active membership of the existing scheme

2. For the purpose of Parts 2, 3 and 4 of this Schedule, a person (P) is an active member of the existing scheme on a given date if on that date—

- (a) P is in pensionable service under the existing scheme;
- (b) P is on a gap in service not exceeding 5 years; or
- (c) P is in receipt of an ill-health pension in respect of the existing scheme.

### Gap in service after scheme closing date

3.—(1) Sub-paragraph (2) applies—

- (a) after the scheme closing date; and
- (b) in relation to a member of the existing scheme.

(2) A member (P) is not on a gap in service while P is in pensionable service under an existing scheme.

### Meaning of “tapered protection closing date”

4.—(1) The closing date<sup>M1</sup> for a tapered protection member of the existing scheme (“tapered protection closing date”) is a date between 31st May 2015 and 31st January 2022 (inclusive) determined by the scheme manager by reference to a table published for that purpose.

(2) The tapered protection closing date must fall on the last day of a month.

### Marginal Citations

- M1** See section 18(4) and (7) of the Act for the meaning of “closing date”.

### Continuity of service

5.—(1) This paragraph applies in relation to a transition member (P) who was a member of the existing scheme or an existing public service scheme before becoming an active member of this scheme.

(2) For the purpose of this Schedule, P has continuity of service unless P has a gap in service exceeding 5 years which—

- (a) begins on or before the closing date; and

- (b) ends on the day on which P becomes an active member of this scheme.
- (3) In this paragraph, “closing date” means—
  - [<sup>F6</sup>(za) if P is a full protection member of the existing scheme, 31st March 2022;]
  - (a) if P is a tapered protection member of the existing scheme, P's tapered protection closing date; or
  - (b) otherwise, the scheme closing date.

**Textual Amendments**

**F6** Sch. 3 para. 5(3)(za) inserted (1.4.2022) by [The Teachers' Pension Scheme \(Amendment\) Regulations 2022 \(S.I. 2022/320\)](#), regs. 1(2), **2(3)**

## PART 2

### Exceptions for full protection members

#### Meaning of “full protection member”

6.—(1) A person (P) to whom paragraph 7, 8 or 9 applies is a full protection member of the existing scheme.

[<sup>F7</sup>(2) P ceases to be a full protection member of the existing scheme on whichever of the following days occurs first—

- (a) the day on which P ceases to be in pensionable service under the existing scheme; or
- (b) 31st March 2022.]

**Textual Amendments**

**F7** Sch. 3 para. 6(2) substituted (1.4.2022) by [The Teachers' Pension Scheme \(Amendment\) Regulations 2022 \(S.I. 2022/320\)](#), regs. 1(2), **2(4)**

#### Active members of the existing scheme

7. This paragraph applies if—

- (a) P was an active member of the existing scheme, as defined in Part 1, on the scheme closing date and on 31st March 2012;
- (b) a pension [<sup>F8</sup>in respect of all P's pensionable service under the existing scheme], other than a phased retirement pension, has not become payable to P on or after 1<sup>st</sup> April 2012; and
- (c) unless P dies, P would reach normal pension age under that scheme on or before 1st April 2022.

**Textual Amendments**

**F8** Words in Sch. 3 para. 7(b) inserted (1.8.2021) by [The Teachers' Pensions \(Miscellaneous Provisions\) \(Amendment\) Regulations 2021 \(S.I. 2021/805\)](#), regs. 1, **20(a)**

### Active members of an existing public service scheme

8. This paragraph applies if—
- (a) P was an active member of an existing public service scheme on the scheme closing date and on 31st March 2012;
  - (b) P enters eligible employment not more than 5 years after leaving pensionable service under the existing public service scheme;
  - (c) a pension in respect of all of P's service in the existing public service scheme has not become payable on or after 1<sup>st</sup> April 2012; and
  - (d) unless P dies, P would reach normal pension age under the existing scheme and the existing public service scheme on or before 1st April 2022.

### Fair Deal members

- 9.—(1) This paragraph applies if sub-paragraphs (2) and (3) apply.
- (2) This sub-paragraph applies if—
- (a) on or before the scheme closing date—
    - (i) P was an active member of the existing scheme;
    - (ii) P's employment was transferred to an employer not mentioned in Parts 2, 3 or 4 of Schedule 1;
    - (iii) as a result of that transfer, P ceased to be in pensionable service under the existing scheme; and
    - (iv) P's employment is subject to existing Fair Deal arrangements.
  - (b) after the scheme closing date [<sup>F9</sup>but before 1st April 2022]—
    - (i) P is subject to a Fair Deal transfer; and
    - (ii) P is not a member of another pension scheme to which P's employer pays contributions in respect of P.
- (3) This sub-paragraph applies if—
- (a) on 31st March 2012 and on the scheme closing date, P was an active member of the existing scheme or a pension scheme access to which was given under existing Fair Deal arrangements; and
  - (b) unless P dies, P would reach normal pension age under the existing scheme before 2nd April 2022.

#### Textual Amendments

- F9** Words in [Sch. 3 para. 9\(2\)\(b\)](#) inserted (1.4.2022) by [The Teachers' Pension Scheme \(Amendment\) Regulations 2022 \(S.I. 2022/320\)](#), regs. 1(2), **2(5)**

### Exception for full protection member during protection period

- 10.—(1) This paragraph applies to a person (P) if P is a full protection member of the existing scheme by virtue of the application of either paragraph 7 or 8.
- (2) The protection period for P is the period which—
- (a) begins on the day after the scheme closing date; and
  - (b) ends when P ceases to be a full protection member of that scheme.

- (3) During the protection period—
  - (a) P's pensionable service is pensionable service under the existing scheme; and
  - (b) section 18(1) of the Act does not apply in respect of that pensionable service.

#### **Exception for Fair Deal full protection member during protection period**

**11.**—(1) This paragraph applies to a person (P) if P is a full protection member of the existing scheme by virtue of the application of paragraph 9.

- (2) The protection period for P is the period which—
  - (a) begins on the Fair Deal transfer date; and
  - (b) ends when P ceases to be a full <sup>F10</sup>... protection member under the existing scheme.
- (3) During the protection period—
  - (a) P's pensionable service is pensionable service under the existing scheme; and
  - (b) section 18(1) of the Act does not apply in respect of that pensionable service.

#### **Textual Amendments**

**F10** Word in Sch. 3 para. 11(2)(b) omitted (1.4.2015) by virtue of [The Teachers Pension Scheme \(Amendment\) Regulations 2014 \(S.I. 2014/2652\)](#), regs. 1, 33

#### **Full protection member not eligible to join this scheme**

**12.** While a person (P) is a full protection member of the existing scheme, P is not eligible to be an active member of this scheme.

## **PART 3**

### Exceptions for tapered protection members

#### **Meaning of “tapered protection member”**

**13.**—(1) A person (P) to whom paragraph 14, 15 or 16 applies is a tapered protection member of the existing scheme.

(2) P ceases to be a tapered protection member of the existing scheme on whichever of the following days occurs first—

- (a) P's tapered protection closing date; or
- (b) the day on which P ceases to be in pensionable service under the existing scheme.

#### **Active members of the existing scheme**

**14.** This paragraph applies if—

- (a) P was an active member of the existing scheme, as defined in Part 1, on the scheme closing date and on 31st March 2012;
- (b) a pension [<sup>F11</sup>in respect of all P's pensionable service under the existing scheme], other than a phased retirement pension, has not become payable to P on or after 1st April 2012; and

- (c) unless P dies, P would reach normal pension age under that scheme between 2nd April 2022 and [F1230th September 2025] (inclusive).

#### Textual Amendments

- F11** Words in Sch. 3 para. 14(b) inserted (1.8.2021) by [The Teachers' Pensions \(Miscellaneous Provisions\) \(Amendment\) Regulations 2021 \(S.I. 2021/805\)](#), regs. 1, **20(b)**
- F12** Words in Sch. 3 para. 14(c) substituted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2014 \(S.I. 2014/2652\)](#), regs. 1, **34**

#### Active members of an existing public service scheme

**15.** This paragraph applies if—

- (a) P was an active member of an existing public service scheme on the scheme closing date and on 31st March 2012;
- (b) P enters eligible employment not more than 5 years after leaving pensionable service under the existing public service scheme;
- (c) a pension in respect of all of P's service in the existing public service scheme has not become payable on or after 1st April 2012; and
- (d) unless P dies, P would reach normal pension age under—
- (i) the existing scheme between 2nd April 2022 and [F1330th September 2025] (inclusive); and
  - (ii) the existing public service scheme on or before [F1330th September 2025].

#### Textual Amendments

- F13** Words in Sch. 3 para. 15(d) substituted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2014 \(S.I. 2014/2652\)](#), regs. 1, **34**

#### Fair Deal members

**16.—**(1) This paragraph applies if sub-paragraphs (2) and (3) apply.

(2) This sub-paragraph applies if—

- (a) on or before the scheme closing date—
- (i) P was an active member of the existing scheme;
  - (ii) P's employment was transferred to an employer not mentioned in Parts 2, 3 or 4 of Schedule 1;
  - (iii) as a result of that transfer, P ceased to be in pensionable service under the existing scheme; and
  - (iv) P's employment is subject to existing Fair Deal arrangements.

(b) after the scheme closing date—

- (i) P is subject to a Fair Deal transfer; and
- (ii) P is not a member of another pension scheme to which P's employer pays contributions in respect of P.

(3) This sub-paragraph applies if—

- (a) on 31<sup>st</sup> March 2012 and on the scheme closing date, P was an active member of the existing scheme or a pension scheme access to which was given under existing Fair Deal arrangements; and
- (b) unless P dies, P would reach normal pension age under the existing scheme between 2<sup>nd</sup> April 2022 and [F1430th September 2025] (inclusive).

#### Textual Amendments

**F14** Words in [Sch. 3 para. 16\(3\)\(b\)](#) substituted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2014 \(S.I. 2014/2652\)](#), regs. 1, 34

#### Exception for tapered protection members during protection period

**17.**—(1) This paragraph applies to a person (P) if P is a tapered protection member of the existing scheme by virtue of the application of either paragraph 14 or 15.

- (2) The protection period for P is the period which—
  - (a) begins on the day after the scheme closing date; and
  - (b) ends when P ceases to be a tapered protection member.
- (3) During the protection period—
  - (a) P's pensionable service is pensionable service under the existing scheme;
  - (b) section 18(1) of the Act does not apply in respect of that pensionable service; and
  - (c) benefits are to be provided under the existing scheme to or in respect of P in relation to that pensionable service.

#### Exception for Fair Deal tapered protection member during protection period

**18.**—(1) This paragraph applies to a person (P) if P is a tapered protection member of the existing scheme by virtue of the application of paragraph 16.

- (2) The protection period for P is the period which—
  - (a) begins on the Fair Deal transfer date; and
  - (b) ends when P ceases to be a tapered protection member of the existing scheme.
- (3) During the protection period—
  - (a) P's pensionable service is pensionable service under the existing scheme;
  - (b) section 18(1) of the Act does not apply in respect of that pensionable service; and
  - (c) benefits are to be provided under the existing scheme to or in respect of P in relation to that pensionable service.

#### Tapered protection member not eligible to join this scheme

**19.** While a person (P) is a tapered protection member of the existing scheme, P is not eligible to be an active member of this scheme.

## PART 4

### Transition members becoming active members of this scheme

#### Meaning of “transition member”

20. A person (P) to whom either paragraph 21 or 22 applies is a transition member.

#### Active members of the existing scheme

21. This paragraph applies to a person (P) if—

- (a) P is a member of the existing scheme by virtue of his or her pensionable service under that scheme before the transition date;
- (b) P is a member of this scheme by virtue of his or her pensionable service under this scheme on or after the transition date;<sup>F15</sup>...

<sup>F16</sup>(c) .....

#### Textual Amendments

**F15** Word in [Sch. 3 para. 21\(b\)](#) omitted (1.4.2015) by virtue of [The Teachers Pension Scheme \(Amendment\) Regulations 2014 \(S.I. 2014/2652\)](#), regs. 1, 35

**F16** [Sch. 3 para. 21\(c\)](#) omitted (1.4.2015) by virtue of [The Teachers Pension Scheme \(Amendment\) Regulations 2014 \(S.I. 2014/2652\)](#), regs. 1, 35

#### Fair Deal members

22.—(1) This <sup>F17</sup>...paragraph applies if sub-paragraphs (2) and (3) apply.

(2) This sub-paragraph applies if—

- (a) on or before the scheme closing date—
  - (i) P was an active member of the existing scheme;
  - (ii) P's employment was transferred to an employer not mentioned in Parts 2, 3 or 4 of Schedule 1;
  - (iii) as a result of that transfer, P ceased to be in pensionable service under the existing scheme; and
  - (iv) P's employment is subject to existing Fair Deal arrangements.

(b) after the scheme closing date—

- (i) P is subject to a Fair Deal transfer; and
- (ii) P is not a member of another pension scheme to which P's employer pays contributions in respect of P.

(3) This sub-paragraph applies if—

- (a) on the scheme closing date, P was an active member of the existing scheme or a pension scheme access to which was given under existing Fair Deal arrangements; and
- (b) unless P dies, P would reach normal pension age under [<sup>F18</sup>the existing scheme on or after 1st October 2025.]



#### **Textual Amendments**

- F17** Word in Sch. 3 para. 22(1) omitted (1.4.2015) by virtue of [The Teachers Pension Scheme \(Amendment\) Regulations 2014 \(S.I. 2014/2652\)](#), regs. 1, **36(a)**
- F18** Words in Sch. 3 para. 22(3)(b) substituted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2014 \(S.I. 2014/2652\)](#), regs. 1, **36(b)**

#### **Transition members with continuity of service**

**23.** A transition member (P) who has continuity of service becomes an active member of this scheme—

- (a) if P is in pensionable service on the transition date, on that date; or
- (b) on re-entering pensionable service after the transition date.

#### **Transition members without continuity of service**

**24.** A transition member (P) who does not have continuity of service becomes an active member of this scheme when P re-enters pensionable service on or after the transition date.

## **PART 5**

### **Receipt of club transfer values**

#### **Application of Part**

**25.—**(1) This Part applies to a member who applies under these Regulations for a club transfer value to be accepted from an existing club scheme (“the sending scheme”).

- (2) This Part does not apply if—
- (a) the person (P) has reached 75;
  - (b) retirement benefits have become payable to P under this scheme or under the sending scheme; or
  - (c) the sending scheme was a money purchase arrangement to which P's previous employer made no contribution.

#### **Member with full protection**

**26.—**(1) This paragraph applies if a full protection member of the existing scheme applies to the scheme manager for a club transfer value to be accepted.

(2) On receipt of the application, the scheme manager must accept payment of the club transfer value if it is offered.

(3) The club transfer value must be paid into the existing scheme.

#### **Member with tapered protection or no protection**

**27.—**(1) This paragraph applies if a tapered protection member or a transition member who is not a protected member applies to the scheme manager for a club transfer value to be accepted.

(2) On receipt of the application, the scheme manager must accept payment of the club transfer value if it is offered.

- [<sup>F19</sup>(3) Payment of the club transfer value must be accepted into—
- (a) the existing scheme so far as the payment relates to—
    - (i) benefits accrued in respect of pensionable service before the transition date; or
    - (ii) final salary benefits whenever accrued;
  - (b) this scheme so far as the payment relates to benefits, other than final salary benefits, accrued in respect of pensionable service on or after the transition date.]

#### Textual Amendments

- F19** Sch. 3 para. 27(3) substituted (1.4.2022) by [The Teachers' Pension Scheme \(Amendment\) Regulations 2022 \(S.I. 2022/320\)](#), regs. 1(2), **2(6)**

## PART 6

### Bulk transfer payments for accepted members

#### Application of Part

- 28.** This Part applies in relation to all persons who—
- (a) were active members of the existing scheme in relation to an employment before that employment was transferred;
  - (b) as a result of that transfer became subject to existing Fair Deal arrangements and ceased to be active members of the existing scheme in relation to that employment;
  - (c) while subject to that transfer, were active members of an occupational pension scheme; and
  - (d) as a result of a Fair Deal transfer become accepted members of this scheme.

#### Accepting a bulk transfer payment

**29.**—(1) This paragraph applies if another occupational pension scheme (“the sending scheme”) offers to make a bulk transfer payment in respect of all persons to whom this Part applies.

(2) The scheme manager for the existing scheme must accept a bulk transfer payment if it is offered.

(3) A transfer payment in respect of a person (P) may not be accepted as part of a bulk transfer payment if—

- (a) it relates to service on or after the Fair Deal transfer date; or
- (b) retirement benefits have become payable to P under the sending scheme.

(4) In this Part, “bulk transfer payment” means a single transfer payment in respect of all persons to whom this Part applies.

[<sup>F20</sup>(5) The bulk transfer payment must be accepted into—

- (a) the existing scheme so far as the payment relates to—
  - (i) benefits accrued in respect of pensionable service before 1st April 2022; or
  - (ii) final salary benefits whenever accrued;
- (b) this scheme so far as the payment relates to benefits, other than final salary benefits, accrued in respect of pensionable service on or after 1st April 2022.]

### Textual Amendments

**F20** Sch. 3 para. 29(5) substituted (1.4.2022) by [The Teachers' Pension Scheme \(Amendment\) Regulations 2022 \(S.I. 2022/320\)](#), regs. 1(2), 2(7)

## PART 7

### Payment of benefits to transition members

#### CHAPTER 1

##### General

#### Reaching normal pension age

**30.**—(1) If a transition member (P) who applies for payment of retirement benefits under both schemes has reached normal pension age under the existing scheme but has not reached normal pension age under this scheme, the benefits payable under this scheme are to be actuarially reduced.

(2) If P has reached normal pension age neither under the existing scheme nor under this scheme, the benefits payable under both schemes are to be actuarially reduced.

(3) If P has reached normal pension age—

- (a) under the existing scheme only, the benefits payable under that scheme are to be actuarially enhanced under the existing scheme rules (if applicable); or
- (b) under both schemes, the benefits payable under both schemes are to be actuarially enhanced (if applicable).

#### Application of [<sup>F21</sup>existing scheme regulations]

**31.**—(1) The [<sup>F21</sup>existing scheme regulations] apply in relation to the calculation [<sup>F22</sup>and payment] of benefits payable in respect of pensionable service under the existing scheme, save that an application for payment of benefits must be made under regulation 162 of these Regulations and not under [<sup>F23</sup>the existing scheme regulations].

(2) The [<sup>F21</sup>existing scheme regulations] apply in relation to the payment of additional pension with a retirement pension under the existing scheme, save that an application for payment of benefits must be made under regulation 162 of these Regulations and not under [<sup>F24</sup>the existing scheme regulations].

(3) The [<sup>F21</sup>existing scheme regulations] apply in relation to an election made by a person (P) for contributions to be paid monthly under paragraph 2(1) (election to pay contributions for additional pension) of Schedule 4 to [<sup>F25</sup>the existing scheme regulations] if the election is made [<sup>F26</sup>before the transition date].

[<sup>F27</sup>(4) For the purpose of determining P's entitlement to retirement benefits, P's pensionable employment under the existing scheme terminates when P's pensionable service under this scheme terminates.]

### Textual Amendments

**F21** Words in Sch. 3 para. 31 substituted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2014 \(S.I. 2014/2652\)](#), regs. 1, 37(a)

- F22** Words in Sch. 3 para. 31(1) inserted (1.4.2015) by The Teachers Pension Scheme (Amendment) Regulations 2015 (S.I. 2015/592), regs. 1, **5(a)**
- F23** Words in Sch. 3 para. 31(1) substituted (1.4.2015) by The Teachers Pension Scheme (Amendment) Regulations 2015 (S.I. 2015/592), regs. 1, **5(b)**
- F24** Words in Sch. 3 para. 31(2) substituted (1.4.2015) by The Teachers Pension Scheme (Amendment) Regulations 2015 (S.I. 2015/592), regs. 1, **5(b)**
- F25** Words in Sch. 3 para. 31(3) substituted (1.4.2015) by The Teachers Pension Scheme (Amendment) Regulations 2014 (S.I. 2014/2652), regs. 1, **37(b)**
- F26** Words in Sch. 3 para. 31(3) substituted (1.4.2022) by The Teachers' Pension Scheme (Amendment) Regulations 2022 (S.I. 2022/320), regs. 1(2), **2(8)**
- F27** Sch. 3 para. 31(4) inserted (1.4.2015) by The Teachers Pension Scheme (Amendment) Regulations 2015 (S.I. 2015/592), regs. 1, **5(c)**

### Determination of final salary

**32.**—(1) For the purpose of calculating benefits payable under the existing scheme to or in respect of a transition member with continuity of service, the member's final salary is determined by reference to Part 5 of [<sup>F28</sup>the existing scheme regulations][<sup>F29</sup>and Schedule 7 to the Act].

(2) Where a salary restriction under regulation 39 of [<sup>F28</sup>the existing scheme regulations] applies in respect of the benefits payable to a transition member, no repayment of contributions is payable under regulation 26 of [<sup>F28</sup>the existing scheme regulations].

#### Textual Amendments

- F28** Words in Sch. 3 para. 32 substituted (1.4.2015) by The Teachers Pension Scheme (Amendment) Regulations 2014 (S.I. 2014/2652), regs. 1, **38(b)**
- F29** Words in Sch. 3 para. 32(1) inserted (1.4.2015) by The Teachers Pension Scheme (Amendment) Regulations 2014 (S.I. 2014/2652), regs. 1, **38(a)**

### Annual rate of pension

**33.** Save where provided otherwise in [<sup>F30</sup>paragraph 38 (application for payment of ill-health pension) and] paragraph 46 (application for supplementary death grant), the annual rate of pension payable to a transition member is found by adding—

- (a) the annual rate of pension payable under the existing scheme; and
- (b) the annual rate of pension payable under this scheme.

#### Textual Amendments

- F30** Words in Sch. 3 para. 33 inserted (1.4.2015) by The Teachers Pension Scheme (Amendment) Regulations 2015 (S.I. 2015/592), regs. 1, **6**

## CHAPTER 2

### Application for payment of benefits

#### Application for payment of age retirement pension

**34.**—(1) An application by a transition member (P) for payment of an age retirement pension under this scheme is also an application for payment of an age retirement pension in respect of P's pensionable service under the existing scheme.

(2) A transition member (P) who has not reached normal pension age under this scheme [<sup>F31</sup>and who has ceased being in pensionable service in this scheme] may apply under regulation 162 of these Regulations for payment of age retirement benefits in respect of P's pensionable service under the existing scheme without applying for payment of P's retirement benefits in respect of pensionable service under this scheme.

#### Textual Amendments

**F31** Words in [Sch. 3 para. 34\(2\)](#) inserted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2015 \(S.I. 2015/592\)](#), regs. 1, 7

#### Application for payment of phased retirement pension

**35.**—(1) A transition member (P) who makes a phased retirement application under this scheme may elect to receive phased retirement benefits—

- (a) in respect of pensionable service under the existing scheme only;
- (b) in respect of pensionable service under this scheme only; or
- (c) in respect of pensionable service under both the existing scheme and this scheme .

(2) P's application for phased retirement benefits in respect of pensionable service under both the existing scheme and this scheme may specify a different phased retirement proportion for each scheme.

#### Application for payment of premature retirement pension

**36.** A transition member (P) who applies for payment of a premature retirement pension under this scheme will receive any benefits due to P in respect of P's pensionable service in the existing scheme [<sup>F32</sup>in addition to] P's premature retirement pension payable under this scheme.

#### Textual Amendments

**F32** Words in [Sch. 3 para. 36](#) substituted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2015 \(S.I. 2015/592\)](#), regs. 1, 8

#### Application for payment of early retirement pension

**37.** A transition member (P) who applies for payment of an early retirement pension under this scheme will receive any benefits due to P in respect of P's pensionable service in the existing scheme [<sup>F33</sup>in addition to] P's early retirement pension payable under this scheme.

### Textual Amendments

- F33** Words in Sch. 3 para. 37 substituted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2015 \(S.I. 2015/592\)](#), regs. 1, 8

### Application for payment of ill-health pension

**38.**—(1) A transition member (P) will receive any benefits payable under this scheme as part of P's ill-health pension payable under the existing scheme if—

- (a) P applies before P's transition date for payment of an ill-health pension, and
- (b) P's application is successfully determined <sup>F34</sup>....

<sup>F35</sup>(2) If P makes a successful application for payment of an ill-health pension on or after P's transition date—

- (a) before P's normal pension age in the existing scheme, P will receive under this scheme an amount equivalent to any benefits due to P in respect of P's pensionable service in this scheme and in the existing scheme, in accordance with paragraph 38A;
- (b) from P's normal pension age in the existing scheme, P will receive, in accordance with paragraph 38B—
  - (i) under the existing scheme, any benefits due to P in respect of P's pensionable service in the existing scheme, and
  - (ii) under this scheme, any benefits due to P in respect of P's pensionable service in this scheme.]

<sup>F36</sup>(3) If P has more than one normal pension age in the existing scheme under regulation 48 of the existing scheme regulations, sub-paragraph (2) and regulations 38A and 38B apply to each normal pension age in relation to the pensionable service to which it applies.]

### Textual Amendments

- F34** Words in Sch. 3 para. 38(1)(b) omitted (1.4.2015) by virtue of [The Teachers Pension Scheme \(Amendment\) Regulations 2015 \(S.I. 2015/592\)](#), regs. 1, **9(a)**
- F35** Sch. 3 para. 38(2) substituted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2015 \(S.I. 2015/592\)](#), regs. 1, **9(b)**
- F36** Sch. 3 para. 38(3) inserted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2015 \(S.I. 2015/592\)](#), regs. 1, **9(c)**

### <sup>F37</sup>Transition member who has not reached normal pension age under the existing scheme

**38A.**—(1) This paragraph applies to a transition member (P) whilst P—

- (a) is entitled to an ill-health pension under this scheme; and
- (b) has not reached normal pension age under the existing scheme.

(2) Whilst this paragraph applies—

- (a) no pension is payable to P under the existing scheme before P's normal pension age in that scheme; and
- (b) a pension is payable to P under this scheme, determined in accordance with sub-paragraph (3).

(3) Whilst this paragraph applies, the following are payable to P—

- (a) a pension, the annual rate of which is the sum of—
- (i) P's annual rate of ill-health pension calculated under regulation 113 of these Regulations,
  - (ii) the annual rate of retirement pension that would, if P was entitled to payment of an ill-health pension under the existing scheme, be payable to P under the existing scheme regulations, excluding any total incapacity pension payable under regulation 65 of the existing scheme regulations, and adjusted following any election by P under regulation 116 of those Regulations, and
  - (iii) the annual rate of total incapacity pension, if any, payable under regulation 116 of these Regulations;
- (b) (i) any lump sum payable to P under regulation 168 of these Regulations, and
- (ii) the amount of any lump sum that would have been payable to P had P been entitled to payment of an ill-health pension under the existing scheme, including any lump sum payable under regulation 116 of the existing scheme regulations, if P makes such an election.

(4) P's entitlement to the pension payable under sub-paragraph (3)(a)(ii) is subject to the same conditions, and ceases to be payable in the same circumstances, as the pension which P would have received had P been entitled to payment of an ill-health pension under the existing scheme, in accordance with the existing scheme regulations.

(5) If a transfer of benefits takes place from the existing scheme prior to the existing scheme normal pension age, P's entitlement to the pension payable under sub-paragraph (3)(a)(ii) comes to an end.

(6) If this paragraph applies, P may not apply under the existing scheme for retirement benefits under Case E as provided in Schedule 7 of the existing scheme regulations.]

#### Textual Amendments

**F37** Sch. 3 paras. 38A, 38B inserted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2015 \(S.I. 2015/592\)](#), regs. 1, 10

#### **[<sup>F37</sup>Transition member in receipt of an ill-health pension who has reached normal pension age under the existing scheme**

**38B.**—(1) This paragraph applies to a transition member (P) in receipt of a pension in accordance with paragraph 38A.

(2) When P reaches normal pension age under the existing scheme, any benefit which is payable under paragraph 38A in respect of P's service in the existing scheme ceases to be payable under this scheme, and any age pension due to P under the existing scheme becomes payable in accordance with the existing scheme regulations.

(3) In calculating the annual rate of pension payable under the existing scheme for the purposes of sub-paragraph (2), the following are taken into account—

- (a) any lump sums paid out, under the existing scheme or this scheme, including by an election under regulation 116 or by commutation under regulation 118 or regulation 119 of the existing scheme regulations;
- (b) any transfer payment made to another scheme before P reached normal pension age under the existing scheme.

(4) Before the payments in sub-paragraph (3), if any, are taken into account, they must be increased by the amount by which the annual rate of a retirement pension of that amount would have been increased under PIA 1971 if—

- (a) that pension was eligible to be so increased, and
- (b) the entitlement day for that pension was the date P's pension became payable under regulation 38A.]

#### Textual Amendments

**F37** Sch. 3 paras. 38A, 38B inserted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2015 \(S.I. 2015/592\)](#), regs. 1, **10**

#### Entitlement to payment of total incapacity pension

**39.**—(1) Save as provided in sub-paragraph (2), a transition member (P) is not entitled to payment of total incapacity benefits under regulation 65 of [<sup>F38</sup>the existing scheme regulations].

- (2) P may receive payment of total incapacity benefits under the existing scheme regulations if—
  - (a) before P's transition date, P makes an application under regulation 65 of [<sup>F38</sup>the existing scheme regulations] which is not determined by the transition date;
  - (b) P's application is successfully determined after the transition date; and
  - (c) P has not made a subsequent application under regulation 162 of these regulations for payment of total incapacity benefits.

#### Textual Amendments

**F38** Words in Sch. 3 para. 39 substituted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2014 \(S.I. 2014/2652\)](#), regs. 1, **39**

#### [<sup>F39</sup>Calculation of retirement benefits after ill-health pension ceases to be payable: modification

- 39A.**—(1) This paragraph applies to a transition member (P), if—
  - (a) P is entitled to receive benefits payable under this scheme; and
  - (b) P was in receipt of a previous ill-health pension following an application which was received by the Secretary of State before 6th January 2007.
- (2) Regulation 71 of the existing scheme regulations applies with the modification in regulation 71(2)(a)(i) of those regulations that after “pensionable employment of a person (P)” is inserted “including pensionable service under the Teachers’ Pension Scheme Regulations 2014”.]

#### Textual Amendments

**F39** Sch. 3 paras. 39A, 39B inserted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2014 \(S.I. 2014/2652\)](#), regs. 1, **40**

#### [<sup>F39</sup>Reduction of ill-health pension and total incapacity pension

- 39B.**—(1) This paragraph applies to a transition member (P), if—



**Changes to legislation:** There are currently no known outstanding effects for the The Teachers' Pension Scheme Regulations 2014, SCHEDULE 3. (See end of Document for details)

- (a) P is entitled to receive benefits payable under this scheme, including total incapacity pension; and
  - (b) P was in receipt of a previous ill-health pension following an application which was received by the Secretary of State before 6th January 2007.
- (2) The scheme manager may determine, after taking advice from the scheme actuary, that either or both of the following benefits are reduced—
- (a) P's total incapacity benefits in this scheme;
  - (b) part of P's ill health benefits under regulation 71 of the existing scheme regulations (including by reference to paragraph 39A).]

**Textual Amendments**

**F39** Sch. 3 paras. 39A, 39B inserted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2014 \(S.I. 2014/2652\)](#), regs. 1, **40**

**Entitlement to payment of a short-service serious ill-health grant**

**40.**—(1) Save as provided in this paragraph, a transition member (P) is not entitled to payment of a short-service serious ill-health grant under regulation 79 of [<sup>F40</sup>the existing scheme regulations].

(2) P may receive payment of a short-service serious ill-health grant under the existing scheme regulations if—

- (a) before P's transition date, P makes an application under regulation 79 of [<sup>F40</sup>the existing scheme regulations] which is not determined by the transition date;
- (b) P's application is successfully determined after the transition date; and
- (c) P has not made a subsequent application under regulation 162 of these regulations for payment of a short-service serious ill-health grant.

(3) The amount of the payment of a short-service ill-health grant payable under sub-paragraph (2) is calculated under regulation 122 of these Regulations.

**Textual Amendments**

**F40** Words in Sch. 3 para. 40 substituted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2014 \(S.I. 2014/2652\)](#), regs. 1, **41**

**Application for payment of a surviving adult pension**

**41.**—(1) When the surviving adult of a transition member applies for payment of a surviving adult pension under this scheme, the surviving adult must also apply for payment of an adult pension under the existing scheme.

<sup>F41</sup>(2) .....

(3) The enhancement of a surviving adult pension—

- (a) is applied under regulation 145 of these Regulations; but
- (b) is not applied under Schedule 9 to the existing scheme [<sup>F42</sup>regulations].

#### Textual Amendments

- F41** Sch. 3 para. 41(2) omitted (1.4.2015) by virtue of [The Teachers Pension Scheme \(Amendment\) Regulations 2014 \(S.I. 2014/2652\)](#), regs. 1, **42(a)**
- F42** Word in Sch. 3 para. 41(3)(b) inserted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2014 \(S.I. 2014/2652\)](#), regs. 1, **42(b)**

#### [<sup>F43</sup>Calculation of a short-term surviving adult pension of a surviving adult of a transition member

**41A.**—(1) This paragraph applies to a short-term surviving adult pension payment to a surviving adult of a transition member.

- (2) The short-term rate of surviving adult pension—
- (a) is payable under this scheme; but
  - (b) is not payable under regulation 95 of the existing scheme regulations.]

#### Textual Amendments

- F43** Sch. 3 paras. 41A-41C inserted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2014 \(S.I. 2014/2652\)](#), regs. 1, **43**

#### [<sup>F43</sup>Long-term rate of a surviving adult pension of a surviving adult of a transition member

**41B.** The long-term rate of a surviving adult pension of a surviving adult (S) of a transition member is the sum of—

- (a) the surviving adult pension under this scheme;
- (b) the adult pension under the existing scheme;
- (c) any enhancement to which S is entitled under regulation 145 of these Regulations; and
- (d) any enhancement to which S is entitled under Part 3 of Schedule 9 to the existing scheme regulations.]

#### Textual Amendments

- F43** Sch. 3 paras. 41A-41C inserted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2014 \(S.I. 2014/2652\)](#), regs. 1, **43**

#### [<sup>F43</sup>Reduction of surviving adult pension

**41C.**—(1) This paragraph applies if the surviving adult (S) of a transition member applies—

- (a) for payment of a surviving adult pension under this scheme; and
- (b) for payment of an adult pension under the existing scheme.

(2) The scheme manager may determine after taking advice from the scheme actuary that either or both of the following enhancements of surviving adult pension benefits are reduced—

- (a) S's enhancement of a surviving adult pension under regulation 145 of these Regulations;
- (b) S's enhancement of a surviving adult pension under Part 3 of Schedule 9 to the existing scheme regulations.]

**Textual Amendments**

**F43** Sch. 3 paras. 41A-41C inserted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2014 \(S.I. 2014/2652\)](#), regs. 1, **43**

**Application for payment of an additional (surviving adult) pension**

**42.** When the surviving adult of a transition member applies for payment of an additional (surviving adult) pension under this scheme, the surviving adult must also apply for payment of an additional pension under the existing scheme.

**Application for payment of a child pension**

**43.—(1)** When the eligible child of a transition member applies for payment of a child pension under this scheme, the eligible child must also apply for payment of a child pension under the existing scheme.

<sup>F44</sup>(2) .....

(3) The enhancement of a child pension—

- (a) is applied under regulation 152 of these Regulations; but
- (b) is not applied under Schedule 9 to the existing scheme [<sup>F45</sup>regulations].

**Textual Amendments**

**F44** Sch. 3 para. 43(2) omitted (1.4.2015) by virtue of [The Teachers Pension Scheme \(Amendment\) Regulations 2014 \(S.I. 2014/2652\)](#), regs. 1, **44(a)**

**F45** Word in Sch. 3 para. 43(3) inserted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2014 \(S.I. 2014/2652\)](#), regs. 1, **44(b)**

**[<sup>F46</sup>Calculation of a short-term child pension of an eligible child of a transition member**

**43A.—(1)** This paragraph applies to a short-term child pension payment to a child of a transition member.

(2) The short-term rate of child pension—

- (a) is payable under this scheme; but
- (b) is not payable under regulation 98 of the existing scheme regulations.]

**Textual Amendments**

**F46** Sch. 3 paras. 43A-43C inserted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2014 \(S.I. 2014/2652\)](#), regs. 1, **45**

**[<sup>F46</sup>Rate of a long-term child pension of an eligible child of a transition member**

**43B.** The long-term rate of a child pension of an eligible child (C) of a transition member is the sum of—

- (a) the child pension under this scheme;
- (b) the child pension under the existing scheme;

- (c) any enhancement to which C is entitled under regulation 152 of these Regulations, and
- (d) any enhancement to which C is entitled under Part 3 of Schedule 9 of the existing scheme regulations.]

#### Textual Amendments

**F46** Sch. 3 paras. 43A-43C inserted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2014 \(S.I. 2014/2652\)](#), regs. 1, **45**

#### [<sup>F46</sup>Reduction of child pension

- 43C.**—(1) This paragraph applies if the eligible child (C) of a transition member applies—
- (a) for payment of a child pension under this scheme; and
  - (b) for payment of a child pension under the existing scheme.
- (2) The scheme manager may determine after taking advice from the scheme actuary that either or both of the following enhancement of child pension benefits are reduced—
- (a) C's enhancement of a child pension under regulation 152 of these Regulations;
  - (b) C's enhancement of a child pension under Part 3 of Schedule 9 to the existing scheme benefits.]

#### Textual Amendments

**F46** Sch. 3 paras. 43A-43C inserted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2014 \(S.I. 2014/2652\)](#), regs. 1, **45**

#### Application for payment of a death in service grant

- 44.**—(1) The beneficiary of a transition member (D) is not entitled to a death in service grant under regulation 83 or 84 of the existing scheme [<sup>F47</sup>regulations].
- (2) The amount of the death in service grant paid under this scheme must be reduced by the amount of any retirement lump sum paid under regulation 60 of the existing scheme in respect of D's pensionable service under that scheme [<sup>F48</sup>, other than any lump sum already recovered].

#### Textual Amendments

- F47** Word in Sch. 3 para. 44(1) inserted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2014 \(S.I. 2014/2652\)](#), regs. 1, **46(a)**
- F48** Words in Sch. 3 para. 44(2) inserted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2014 \(S.I. 2014/2652\)](#), regs. 1, **46(b)**

#### Application for payment of a death out of service grant

- 45.**—(1) When the beneficiary of a transition member applies for payment of a death out of service grant under this scheme, the beneficiary must also apply for payment of a death out of service grant under the existing scheme [<sup>F49</sup>regulations].

(2) The amount of the death out of service grant paid under this scheme must be reduced by the amount of any retirement lump sum paid under regulation 60 of the existing scheme in respect of D's pensionable service under that scheme<sup>F50</sup>, other than any lump sum already recovered].

#### Textual Amendments

**F49** Word in Sch. 3 para. 45(1) inserted (1.4.2015) by The Teachers Pension Scheme (Amendment) Regulations 2014 (S.I. 2014/2652), regs. 1, **47(a)**

**F50** Words in Sch. 3 para. 45(2) inserted (1.4.2015) by The Teachers Pension Scheme (Amendment) Regulations 2014 (S.I. 2014/2652), regs. 1, **47(b)**

#### Application for supplementary death grant

**46.**—(1) An application for a supplementary death grant by the beneficiary of a transition member is an application for a supplementary death grant under this scheme and under the existing scheme.

(2) Paragraph 33 (annual rate of pension) does not apply in respect of an application under this paragraph.

#### Application for payment of benefits for pension credit members

**47.**—(1) A [<sup>F51</sup>pension credit member] (P) [<sup>F52</sup>with pension credit rights in this scheme and the existing scheme,] who has not reached normal pension age under the existing scheme when P applies for payment of a pension credit retirement pension under this scheme will receive payment [<sup>F53</sup>under the existing scheme] of any benefits payable to P in respect of pensionable service under the existing scheme.

(2) If P applies for payment of a pension credit retirement pension after having reached normal pension age under the existing scheme, P may apply [<sup>F54</sup>under this scheme] for payment <sup>F55</sup>... of a pension credit retirement pension in respect of pensionable service under—

- (a) the existing scheme;
- (b) this scheme; or
- (c) the existing scheme and this scheme.

#### Textual Amendments

**F51** Words in Sch. 3 para. 47(1) substituted (1.4.2015) by The Teachers Pension Scheme (Amendment) Regulations 2015 (S.I. 2015/592), regs. 1, **11(a)(i)**

**F52** Words in Sch. 3 para. 47(1) inserted (1.4.2015) by The Teachers Pension Scheme (Amendment) Regulations 2015 (S.I. 2015/592), regs. 1, **11(a)(ii)**

**F53** Words in Sch. 3 para. 47(1) inserted (1.4.2015) by The Teachers Pension Scheme (Amendment) Regulations 2015 (S.I. 2015/592), regs. 1, **11(a)(iii)**

**F54** Words in Sch. 3 para. 47(2) inserted (1.4.2015) by The Teachers Pension Scheme (Amendment) Regulations 2015 (S.I. 2015/592), regs. 1, **11(b)(i)**

**F55** Words in Sch. 3 para. 47(2) omitted (1.4.2015) by virtue of The Teachers Pension Scheme (Amendment) Regulations 2015 (S.I. 2015/592), regs. 1, **11(b)(ii)**

## PART 8

### Provision in relation to the existing scheme

#### **Election for employment not to be pensionable in relation to existing scheme continues to have effect**

**48.** A person (P) is taken to have opted out of this scheme in relation to an eligible employment if, on P's transition date, an election for that employment not to be pensionable has effect in relation to the existing scheme.

#### **Qualifying for retirement benefits under the existing scheme**

**49.** In determining whether a transition member is qualified for retirement benefits under the existing scheme, the member's qualifying service includes the total of—

- (a) the member's qualifying service under the existing scheme; and
- (b) the member's qualifying service under this scheme.

#### **Repayment of balance of contributions**

**50.** An application by a transitional member (P) for the repayment of the balance of P's contributions under regulation 189 is also an application for any repayment of the balance of contributions due to P under regulations 22 to 24 of [<sup>F56</sup>the existing scheme regulations].

#### **Textual Amendments**

**F56** Words in Sch. 3 para. 50 substituted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2014 \(S.I. 2014/2652\)](#), regs. 1, **48**

#### **Residential emoluments**

**51.** Where the money value of a transition member's (P)'s residential benefits in kind is treated as part of P's contributable salary by virtue of an application under regulation 16(4) of [<sup>F57</sup>the existing scheme regulations], this has effect as if the application were made under regulation 37 of these Regulations<sup>F58</sup>....

#### **Textual Amendments**

**F57** Words in Sch. 3 para. 51 substituted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2014 \(S.I. 2014/2652\)](#), regs. 1, **49(b)**

**F58** Words in Sch. 3 para. 51 omitted (1.4.2015) by virtue of [The Teachers Pension Scheme \(Amendment\) Regulations 2014 \(S.I. 2014/2652\)](#), regs. 1, **49(a)**

#### **[<sup>F59</sup>Transfer payments in respect of the existing scheme]**

**52.** A transfer payment made in respect of a transition member by the scheme manager must be in relation to any benefits accrued in this scheme and any service accrued in the existing scheme [<sup>F60</sup>in respect of which pension benefits have not been taken].

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#### Textual Amendments

- F59** Sch. 3 para. 52 heading inserted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2015 \(S.I. 2015/592\)](#), regs. 1, **49(a)**
- F60** Words in Sch. 3 para. 52 inserted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2015 \(S.I. 2015/592\)](#), regs. 1, **12**

#### Nomination continues to have effect

**53.** A nomination under regulation 82 (death grant)<sup>F61</sup> ... or 91 (surviving nominated beneficiary) of the existing scheme has effect as if made under Part 6 of these Regulations.

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#### Textual Amendments

- F61** Words in Sch. 3 para. 53 omitted (with effect from 1.4.2015) by virtue of [The Teachers Pensions Schemes \(Amendment\) Regulations 2019 \(S.I. 2019/1134\)](#), reg. 1(1)(4), **29(b)**

#### Election to pay contributions by a person serving in a reserve force

**54.**—(1) An election by a transition member (P) to pay contributions made under regulation 19 of [<sup>F62</sup>the existing scheme regulations] has effect as if made under regulation 26 of these Regulations.

(2) On becoming an active member of this scheme P does not begin to accrue service which counts for the purpose of benefits in respect of P's permanent service for the purpose of regulation 19(3) of [<sup>F62</sup>the existing scheme regulations].

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#### Textual Amendments

- F62** Words in [Sch. 3 para. 54](#) substituted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2014 \(S.I. 2014/2652\)](#), regs. 1, **50**

#### [<sup>F63</sup>Commutation: small pensions

**55.** An application by a transition member under regulation 162 (application for payment of benefits) for a commutation under regulation 174 (commutation: small pensions) also has effect as an application for any commutation due to P under regulation 119 (commutation: small pensions) of the existing scheme regulations.]

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#### Textual Amendments

- F63** Sch. 3 para. 55 inserted (1.4.2015) by [The Teachers Pension Scheme \(Amendment\) Regulations 2014 \(S.I. 2014/2652\)](#), regs. 1, **51**

**Changes to legislation:**

There are currently no known outstanding effects for the The Teachers' Pension Scheme Regulations 2014, SCHEDULE 3.