

SCHEDULE 3

Transitional provisions

PART 7

Payment of benefits to transition members

CHAPTER 1

General

Reaching normal pension age

25.—(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 existing scheme rules

26.—(1) The existing scheme rules apply in relation to the calculation [^{F1}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 the Superannuation Regulations.

(2) The existing scheme rules 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 the Superannuation Regulations.

(3) The existing scheme rules apply in relation to an election made by a person (P) for contributions to be paid monthly under paragraph 3(a) (election to pay contributions for additional pension) of Schedule 2A to the Superannuation Regulations if the election is made [^{F2}before the transition date].

[^{F3}(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

- F1** Words in Sch. 3 para. 26(1) inserted (1.4.2015) by [The Teachers' Pensions \(Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/126\)](#), regs. 1, **17(a)**
- F2** Words in Sch. 3 para. 26(3) substituted (1.4.2022) by [The Teachers' Pension Scheme \(Amendment\) Regulations \(Northern Ireland\) 2022 \(S.R. 2022/134\)](#), regs. 1(2), **2(7)**

Changes to legislation: There are currently no known outstanding effects for the *The Teachers' Pension Scheme Regulations (Northern Ireland) 2014, CHAPTER 1.* (See end of Document for details)

F3 Sch. 3 para. 26(4) inserted (1.4.2015) by [The Teachers' Pensions \(Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/126\)](#), regs. 1, **17(b)**

Determination of final salary

27. 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 regulations E31 and E31A of the Superannuation Regulations and Schedule 7 to the Act.

Annual rate of pension

28. Save where provided otherwise in [^{F4}paragraph 33 (application for payment of ill-health pensions) and] paragraph 47 (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

F4 Words in Sch. 3 para. 28 inserted (1.4.2015) by [The Teachers' Pensions \(Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/126\)](#), regs. 1, **18**

Changes to legislation:

There are currently no known outstanding effects for the The Teachers' Pension Scheme Regulations (Northern Ireland) 2014, CHAPTER 1.