
STATUTORY RULES OF NORTHERN IRELAND

2023 No. 131

The Teachers' Pension Scheme (Remediable Service) Regulations (Northern Ireland) 2023

PART 1

Introductory provisions

Citation and commencement

1. – These Regulations may be cited as the Teachers' Pension Scheme (Remediable Service) Regulations (Northern Ireland) 2023 and come into operation on 1st October 2023.

Commencement Information

II Reg. 1 in operation at 1.10.2023, see [reg. 1](#)

Interpretation

2.—(1) In these Regulations—

“PSPJOA 2022” means the Public Service Pensions and Judicial Offices Act 2022;

“the 1998 Regulations” means the Teachers' Superannuation Regulations (Northern Ireland) 1998(1);

“the 2014 Regulations” means the Teachers' Pension Scheme Regulations (Northern Ireland) 2014(2);

“the PSP (NI) Directions 2023” means the Public Service Pensions (Exercise of Powers, Compensation and Information) Directions (Northern Ireland) 2023;

“deferred choice decision” has the meaning given in regulation 12(1);

“deferred choice decision-maker” means the person who may make a deferred choice election decision under regulation 12(2);

“deferred choice member” means a member with remediable teacher service who is not an immediate choice member;

“deferred choice pension” means a pension the rate of which—

(a) is not determined (by any extent) by reference to the member's remediable service, and

(b) is not affected by the coming into force of section 2(1) of PSPJOA 2022;

“end of the section 10 election period”, in relation to a deferred choice member, means the end of the day determined in accordance with—

(1) S.R. 1998 No 333

(2) S.R. 2014/310.

- (a) where the member is the deferred choice decision-maker, regulation 13(2) (b);
- (b) where a person other than the member is the deferred choice decision-maker, regulation 14(2)(b);

“immediate choice decision” has the meaning given in regulation 8(1);

“immediate choice decision-maker” means the person who may make an immediate choice decision under regulation 8(2);

“immediate choice member” means a member with remediable teacher service who, immediately before 1st October 2023, was deceased or entitled to the present payment of a pension, other than a deferred choice pension, under the legacy scheme or reformed scheme;

the “legacy scheme”, in relation to a remedy member’s remediable teacher service, means the relevant Chapter 1 legacy scheme(3) for that service under the 1998 Regulations, and “legacy scheme benefits” means benefits under that scheme;

“member” means an active, deferred, deceased or pensioner, but not a pension credit member of a teachers’ pension scheme;

“opted-out service election” has the meaning given in regulation 6(1);

the “reformed scheme” means the pension scheme established by the 2014 Regulations, and

“reformed scheme benefits” means new scheme benefits(4) under the reformed scheme;

“remediable teacher service”, in relation to a remedy member, means the member’s remediable service(5) in an employment or office that is pensionable service under a teachers’ pension scheme;

“remedy member” means a deferred choice member or an immediate choice member;

“section 6 election” has the meaning given in regulation 8(1)(a);

“section 10 election” has the meaning given in regulation 12(1)(a);

“surviving adult” means—

- (a) surviving spouse;
- (b) surviving civil partner;
- (c) surviving qualifying partner;

“teachers’ pension scheme” means the legacy scheme or the reformed scheme.

(2) For the purposes of these Regulations, a reference in PSPJOA 2022 to section 2(1) of that Act coming into force is to be understood as a reference to that section coming into force in relation to members of a teachers’ pension scheme.

(3) A term used in these Regulations which—

- (a) is defined in, or for the purposes of, a provision in Chapter 1 of Part 1 of PSPJOA 2022, and
- (b) is not defined differently in these Regulations,

has the meaning given in, or for the purposes of, that provision.

(4) A term used in these Regulations which—

- (a) is defined in the 1998 Regulations or the 2014 Regulations (“the relevant Regulations”), and

(b) is not defined differently—

- (i) in these Regulations, or

(3) See section 4 of PSPJOA 2022 for the meaning of “relevant Chapter 1 legacy scheme”.

(4) See section 34 of PSPJOA 2022 for the meaning of “new scheme benefits”.

(5) See section 1 of PSPJOA 2022 for the meaning of “remediable service”.

(ii) in, or for the purposes of, a provision in Chapter 1 of Part 1 of PSPJOA 2022, has, in relation to the scheme established by the relevant Regulations, the meaning given in those Regulations.

(5) In these Regulations, a reference to a provision of the PSP(NI) Directions 2023 is a reference to that provision as amended from time to time.

(6) The Interpretation Act (Northern Ireland) 1954⁽⁶⁾ shall apply to these Regulations as it applies to an Act of the Assembly.

Commencement Information

I2 Reg. 2 in operation at 1.10.2023, see [reg. 1](#)

Delegation

3. The scheme manager may delegate any functions of the scheme manager under these Regulations, including this power to delegate.

Commencement Information

I3 Reg. 3 in operation at 1.10.2023, see [reg. 1](#)

⁽⁶⁾ 1954 c 33. (N.I)

Changes to legislation:

There are currently no known outstanding effects for the The Teachers' Pension Scheme (Remediable Service) Regulations (Northern Ireland) 2023, PART 1.