
STATUTORY RULES OF NORTHERN IRELAND

2023 No. 131

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

PART 3

Decisions about the treatment of remediable service

CHAPTER 3

Deferred choice decision for reformed scheme or legacy scheme benefits

Deferred choice decision: deemed section 10 election

15.—(1) This regulation applies where—

(a) either—

(i) the deferred choice decision-maker is a person other than M or the scheme manager,
or

(ii) the scheme manager has paid any benefits by virtue of regulation 12(9),

(b) the end of the section 10 election period in relation to M has passed,

(c) no deferred choice decision has been made, and

(d) it appears to the scheme manager that the monetary value of the remediable benefits would be higher if they were treated as benefits in the reformed scheme compared with if they were treated as benefits in the legacy scheme.

(2) The scheme manager may treat a section 10 election as having been made in relation to M's remediable teacher service immediately before the end of the section 10 election period.

(3) In this regulation—

“monetary value of the remediable benefits” means the amount that would be crystallised in relation to the remediable benefits immediately before they became payable in accordance with section 216 of the Finance Act 2004 as it had effect immediately before 1st October 2023;

“remediable benefits” means rights to benefits secured by virtue of M's remediable teacher service.