
SCOTTISH STATUTORY INSTRUMENTS

2014 No. 292

**The Teachers' Pension Scheme
(Scotland) (No. 2) Regulations 2014**

PART 6

Survivor's benefits

CHAPTER 5

Additional (surviving adult) pensions

Additional pensions for surviving adults

143.—(1) This regulation applies on the death of a member (D) if—

- (a) D is qualified or re-qualified for retirement benefits;
- (b) the scheme manager accepted an election for an additional (self only) pension and an additional (surviving adult) pension in respect of D;
- (c) an additional pension account was established in respect of D; and
- (d) that account specified an amount of additional pension immediately before D's death.

(2) From the day after D's death, an additional (surviving adult) pension becomes payable to D's surviving adult.

(3) An additional (surviving adult) pension is payable for life.

Annual rate of additional (surviving adult) pension: short-term

144.—(1) The short-term rate of additional (surviving adult) pension—

- (a) applies if a member (D) dies in service or dies as a pensioner member; and
- (b) is payable for the first 3 months after D's death.

(2) The short-term rate is calculated as follows—

- (a) if D dies in service, it is the annual rate of additional (self only) pension payable as at D's death; or
- (b) if D dies as a pensioner member—
 - (i) where a phased retirement pension became payable before D's death, it is the annual rate of additional (self only) pension which would have been payable as at D's death if D had applied under regulation 91 to receive additional pension with the phased retirement earned pension; and
 - (ii) where a retirement pension other than a phased retirement pension became payable before D's death, it is the annual rate of additional (self only) pension payable as at D's death.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(3) Part 2 of Schedule 2 makes further provision in relation to payment of additional pension in respect of a member who dies in service.

Annual rate of additional (surviving adult) pension: long-term

145.—(1) The long-term rate of additional (surviving adult) pension applies—

- (a) if a member (D) dies out of service; or
- (b) otherwise, when the short-term rate ceases to be payable.

(2) The long-term rate of additional (surviving adult) pension is half the annual rate of additional (self only) pension payable as at the date of D's death.

(3) If a pension-sharing order has taken effect, the long-term rate must be reduced by the same proportion by which D's annual rate of retirement pension as at the date of D's death was reduced or would have been reduced by that pension sharing order.