

2017 No. 454

PUBLIC SERVICE PENSIONS

**The Teachers' Pension Scheme (Scotland) (No. 2) Amendment
Regulations 2017**

Made - - - - - *18th December 2017*

Laid before the Scottish Parliament *20th December 2017*

Coming into force - - - *1st March 2018*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 1(1) and (2)(d), section 3(3)(b) and paragraph 4(b) of schedule 2 of the Public Service Pensions Act 2013(a) and all other powers enabling them to do so.

In accordance with section 21(1) of that Act, the Scottish Ministers consulted the representatives of such persons as appeared to the Scottish Ministers likely to be affected by these Regulations.

In accordance with section 3(5) of that Act, these Regulations are made with the consent of the Treasury.

Citation, commencement and effect

1.—(1) These Regulations may be cited as the Teachers' Pension Scheme (Scotland) (No. 2) Amendment Regulations 2017 and come into force on 1st March 2018.

(2) Regulation 2 has effect from 1st April 2015.

Amendment of the Teachers' Pension Scheme (Scotland) (No. 2) Regulations 2014

2.—(1) The Teachers' Pension Scheme (Scotland) (No. 2) Regulations 2014(b) are amended in accordance with paragraph (2).

(a) 2013 c.25.
(b) S.S.I. 2014/292.

(2) In regulations 135, 136(1), 137(1) and 138(1) for “is payable” substitute “may be payable”.

St Andrew’s House,
Edinburgh
12th December 2017

DEREK MACKAY
A member of the Scottish Government

We consent

18th December 2017

ANDREW GRIFFITHS
HEATHER WHEELER
Two of the Lords Commissioners of Her Majesty’s Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations clarify that the death grant payable in terms of regulations 135, 136(1), 137(1) and 138(1) of the Teachers' Pension Scheme (Scotland) (No. 2) Regulations 2014 is discretionary. The amendment effecting that change is made retrospective from 1st April 2015 which was the date regulations 135, 136(1), 137(1) and 138(1) came into force. Section 3(3)(b) of the Public Service Pensions Act 2013 allows these Regulations to make retrospective provision.

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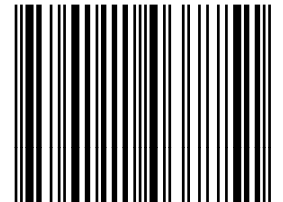
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