
STATUTORY INSTRUMENTS

1996 No. 2777

EDUCATION, ENGLAND AND WALES

**The Teachers (Compensation for Redundancy and
Premature Retirement) (Amendment) Regulations 1996**

Made - - - - *29th October 1996*
Laid before Parliament *8th November 1996*
Coming into force - - *1st December 1996*

The Secretary of State for Education and Employment, in exercise of the powers conferred by section 24 of the Superannuation Act 1972(1), with the consent of the Treasury(2), hereby makes the following Regulations:

1.—(1) These Regulations may be cited as the Teachers (Compensation for Redundancy and Premature Retirement) (Amendment) Regulations 1996 and shall come into force on 1st December 1996.

(2) In these Regulations “the principal Regulations” means the Teachers (Compensation for Redundancy and Premature Retirement) Regulations 1989(3).

2. The principal Regulations shall be further amended in accordance with regulations 3 to 5 below.

3. In regulation 11 (duration of compensation on death)—

(a) for paragraph (1) there shall be substituted the following paragraph—

“(1) Subject to paragraph (4) a person’s short-term compensation under regulation 9 is payable from the day after day that of the death, and the duration of the short-term compensation shall be ascertained from the table below.

TABLE

<i>Category</i>	<i>Person entitled to short-term compensation</i>	<i>Duration of compensation (months)</i>
1.	Spouse or nominated beneficiary	3

(1) 1972 c. 11.

(2) See S.I. 1981/1670.

(3) S.I. 1989/298 amended by S.I. 1994/1059.

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<i>Category</i>	<i>Person entitled to short-term compensation</i>	<i>Duration of compensation (months)</i>
2.	One child or more where an adult compensation is payable	3
3.	One child or more where no adult compensation is payable	6

In the table above “adult compensation” means short-term compensation payable to a spouse or nominated beneficiary.”; and

(b) paragraph (1A) shall be omitted.

4. In regulation 12(6) (redundancy payments) for the table there shall be substituted the table set out below:

TABLE

<i>Age last birthday</i>	<i>Amount (£) of reduction per £100 of difference between lump sum compensation and relevant amount</i>	
	<i>Men</i>	<i>Women</i>
50	5.93	5.43
51	6.00	5.47
52	6.08	5.53
53	6.18	5.61
54	6.30	5.72
55	6.44	5.84
56	6.59	5.97
57	6.75	6.11
58	6.92	6.25
59	7.10	6.39
60	7.29	6.54
61	7.50	6.70
62	7.73	6.87
63	7.97	7.05
64	8.22	7.24

5. For regulation 15 (new employment) there shall be substituted the following regulation—

“New employment

15.—(1) References in this regulation to regulation E14 are references to regulation E14 of the Superannuation Regulations(4).

(2) This regulation applies while a credited teacher is in employment falling within regulation E14(1)(a) or (b) (“new employment”); but if he is concurrently both in employment falling within regulation E14(1)(a) and in other new employment it applies only in respect of the former.

(3) Where this regulation applies—

(a) while the assumed retirement pension would fall to be reduced under regulation E14(3), no annual compensation is to be paid, and

(b) while sub-paragraph (a) does not apply, the rate of his annual compensation is to be reduced by the excess (if any) of (A+G+H) over (C+D+E) where A, C, D and E are the same as in regulation E4(3) and—

G is the full annual rate of his annual compensation, and

H is the annual rate of the assumed retirement pension.

(4) For the purposes of paragraph (3)—

(a) regulation E14(3) is in every case to be construed as if the former employment were pensionable employment, and

(b) if the credited teacher has more than one entitlement to annual compensation, G comprises his total annual compensation but each component is to be reduced only in the proportion which it bears to that total.”

6.—(1) The amendment made to regulation 11 of the principal Regulations shall not apply in relation to compensation payable in respect of a person who died before 1st December 1996.

(2) The amendment made to regulation 12(6) of the principal Regulations shall not apply in relation to a person where the material date in relation to that person is before 1st December 1996.

Department for Education and Employment
24th October 1996

Cheryl Gillan
Parliamentary Under Secretary of State,

We consent,

29th October 1996

Michael Bates
Patrick McLoughlin
Two of the Lords Commissioners of Her
Majesty’s Treasury

(4) Regulation E14 was amended by [S.I. 1989/378](#), [1993/114](#), [1994/1058](#) and [1995/2004](#).

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Teachers (Compensation for Redundancy and Premature Retirement) Regulations 1989 (“the 1989 Regulations”).

Regulation 3 amends regulation 11 of the 1989 Regulations to make new provisions for the duration of short-term compensation. This amendment brings the 1989 Regulations into line with the Teachers' Superannuation (Consolidation) Regulations 1988 as amended.

Regulation 4 amends regulation 12 of the 1989 Regulations so as to substitute a new table to be used in calculating adjustments to the rate of compensation where a teacher has received or is entitled to receive redundancy payments.

Regulation 5 substitutes a new regulation 15 (which makes provision for the reduction of compensation where a teacher enters a new employment) in the 1989 Regulations. This change, again, is consequential as amendments to the Teachers' Superannuation (Consolidation) Regulations 1988.

Regulation 6 contains transitional provisions.