
STATUTORY INSTRUMENTS

2000 No. 664

EDUCATION, ENGLAND AND WALES

**The Teachers (Compensation for Redundancy and
Premature Retirement) (Amendment) Regulations 2000**

<i>Made</i>	- - - -	<i>8th March 2000</i>
<i>Laid before Parliament</i>		<i>9th March 2000</i>
<i>Coming into force</i>		
<i>Regulation 5</i>		<i>1st April 2000</i>
<i>Remainder</i>		<i>30th March 2000</i>

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

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Teachers (Compensation for Redundancy and Premature Retirement) (Amendment) Regulations 2000.

(2) Except for regulation 5, these Regulations shall come into force on 30th March 2000.

(3) Regulation 5 shall come into force on 1st April 2000.

(4) In these Regulations “the Principal Regulations” means the Teachers (Compensation for Redundancy and Premature Retirement) Regulations 1997⁽³⁾.

Amendment of Principal Regulations

2. The Principal Regulations shall be further amended in accordance with the following provisions of these Regulations.

3. In regulation 3⁽⁴⁾—

(a) after paragraph (3) there shall be inserted the following paragraph—

(1) 1972 c. 11.

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

(3) S.I. 1997/311, amended by S.I. 1998/2256 and S.I. 1999/608.

(4) The previous paragraph (4) was omitted by S.I. 1999/608.

“(4) Relevant employment is also employment as a teacher by an accepted function provider (within the meaning of regulation B3A(1) of the Pensions Regulations⁽⁵⁾) in the performance of the functions which it performs on behalf of the local education authority”;

(b) after paragraph (7)(b)⁽⁶⁾ there shall be inserted the following sub-paragraph–

“(c) Category C comprises relevant employment as a teacher by an accepted function provider (within the meaning of regulation B3A(1) of the Pensions Regulations) in the performance of the functions which it performs on behalf of the local education authority.”.

4. In regulation 4 in paragraph (2) for “regulation E4(2) to (7) of the Superannuation Regulations” there shall be substituted “regulation E4(2) to (5A)⁽⁷⁾ of the Pensions Regulations”.

5. In regulation 9⁽⁸⁾ for “regulation E21(2) or (3)” there shall be substituted “regulation E21(2), (3) or (3A)”.

6. In regulation 22 after paragraph (6A)⁽⁹⁾ there shall be inserted the following paragraph–

“(6B) Where the former employment fell within Category C the accepted function provider (within the meaning of regulation B3A(1) of the Pensions Regulations) shall pay to the Secretary of State on receipt of a written demand a sum equal to the actuarial value of the total compensation payable.”.

7. In Schedule 1 the following shall be inserted in the three columns after the entry for Employment Category B⁽¹⁰⁾–

“C	function provider	function provider”.
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6th March 2000

Malcolm Wicks
Parliamentary Under Secretary of State,
Department for Education and Employment

We consent

8th March 2000

Bob Ainsworth
Greg Pope
Two of the Lords Commissioners of Her
Majesty’s Treasury

(5) Regulation B3A(1) was inserted by regulation 5 of S.I. 2000/665.
(6) The previous sub-paragraph (c) was omitted by S.I. 1999/608.
(7) Regulation E4(5A) was inserted by regulation 17 of S.I. 2000/665.
(8) Regulation 9 was substituted by regulation 9 of S.I. 1998/2256.
(9) Paragraph (6A) was inserted by regulation 17 of S.I. 1998/2256.
(10) The previous entry with the letter C was omitted by S.I. 1999/608.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Teachers (Compensation for Redundancy and Premature Retirement) Regulations 1997 (“the Principal Regulations”).

Regulation 3 adds to the definition of relevant employment in the Principal Regulations, employment as a teacher by a person who is performing functions on behalf of a local education authority and who has been accepted for the purposes of the teachers pension scheme by the Secretary of State (“an accepted function provider”).

Regulation 4 amends regulation 4 of the Principal Regulations to correct a drafting error in paragraph (2) and to ensure that Part III of the Principal Regulations applies to teachers who fall within Cases A to E of the Teachers' Pensions Regulations 1997.

Regulation 5 amends regulation 9 of the Principal Regulations to provide a rate of supplementary death grant payable to a teacher whose retirement benefits become payable on or after 1st April 2000.

Regulation 6 inserts a new paragraph in regulation 22 of the Principal Regulations to provide for the payment to the Secretary of State of a lump sum equal to the actuarial value of the total compensation payable by an accepted function provider under the Principal Regulations.

Regulation 7 inserts “function provider” into the table of Deciding and Compensating Authorities in Schedule 1.