
STATUTORY INSTRUMENTS

2006 No. 3122

EDUCATION, ENGLAND AND WALES

**The Teachers' Pensions etc. (Reform
Amendments) Regulations 2006**

<i>Made</i>	- - - -	<i>22nd November</i>
		<i>2006</i>
<i>Laid before Parliament</i>		<i>7th December 2006</i>
<i>Coming into force</i>		<i>1st January 2007</i>

**THE TEACHERS' PENSIONS ETC. (REFORM
AMENDMENTS) REGULATIONS 2006**

1. Citation and commencement
 2. Amendments of regulations
 3. Transitional provisions and savings
 4. Election in respect of protected benefits
- Signature

SCHEDULE 1 — Amendments of the Teachers' Superannuation (Additional Voluntary Contributions) Regulations 1994

1. Interpretation
2. Provision for lump sum death benefit
3. Variation and cancellation of elections
4. Retirement and dependants' pensions
5. Pension sharing on divorce
6. Payment by Secretary of State

SCHEDULE 2 — Amendments of the Teachers (Compensation for Redundancy and Premature Retirement) Regulations 1997

1. Interpretation
2. Relevant employment
3. Persons to whom the Regulations apply
4. Mandatory compensation
5. Compensation payable to credited teacher
6. Allocation of part of annual compensation

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7. Long-term compensation on death
8. Duration of compensation on death
9. Liability for compensation
10. Declaration where lump sum payments are made
11. Revocation and transitional provisions
12. Deciding and compensating authorities

SCHEDULE 3 — Amendments of the Teachers' Pensions Regulations 1997

1. Meaning of "employer" in certain cases
2. Employment - general
3. Employment not pensionable
4. Election for employment not to be pensionable
5. Resumption of pensionable status
6. Further employment - election made on or after 1st April 2000
7. Salary on which contributions are payable - election
8. Ordinary contributions
9. Contributions where an election has been made that employment should be pensionable
10. Contributions where an election is to take effect from an earlier date
11. Election in respect of additional benefits
12. Additional contributions for past period
13. Additional contributions for past period under earlier provisions
14. Reduction of past period
15. Additional contributions for current period
16. Additional contributions for current period: service in reserve force
17. Additional contributions for family benefits
18. Entitlement to repayment of balance of contributions
19. Calculation of contributions to be repaid
20. Return of repaid contributions
21. Uncompleted return by instalments of repaid contributions
22. Deduction, payment and recovery of contributions
23. Reckonable service generally
24. Meaning of various terms
25. Residual liability for guaranteed minimum pensions and for section 9(2B) rights
26. Nature of retirement benefits
27. Qualification for retirement benefits
28. Entitlement to payment of retirement benefits
29. Retirement benefits - pension and lump sum
30. Limitation of retirement benefits in certain cases
31. Enhancement of retirement benefits in case of incapacity
32. Avoidance of duplicate pensions
33. Allocation of part of retirement pension
34. Pensioner ceasing to be incapacitated
35. Abatement of retirement pension during further employment
36. Retirement benefits on cessation of further employment
37. (1) For the heading to regulation E15A substitute "Retirement benefits..."
38. Death grant
39. Supplementary death grant
40. Family benefits generally
41. Nomination of partner
42. Nomination of other adult beneficiary
43. Entitlement to short-term family benefits

44. Amount and duration of short-term family benefits
45. Entitlement to long-term family benefits
46. Relevant service
47. Amount of surviving spouse's, surviving civil partner's or nominated beneficiary's long-term pension
48. Amount of children's long-term pensions
49. Additional dependant's pension where election made under regulation C3C
50. Commencement and duration of long-term family pensions
51. Average salary
52. After regulation E31 insert— Average salary – supplemental (1) This regulation has effect for the purpose of determining...
53. Effective reckonable service
54. Payment of benefits
55. Interest on late payment of certain benefits
56. Benefits not assignable
57. Payment of transfer values
58. Acceptance of transfer values
59. Receipts etc. to be credited
60. Employers' contributions
61. Employers' additional contributions
62. Modified application in case of employment at reduced salary
63. Repayment of contributions where an election is not made under regulation G8
64. Declaration where lump sum payments are made
65. Consequential amendments of the Teachers' Superannuation (Additional Voluntary Contributions) Regulations 1994
66. Pension sharing - normal pension age
67. Pension credit benefits
68. Commutation
69. After regulation I5 insert— Commutation on election by pension credit...
70. Death grant
71. Glossary of expressions
72. Elections in respect of additional benefits
73. Maximum length of additional periods
74. Additional contributions for past period under old regulation C4
75. In Schedule 4— (a) for the definitions of "the principal..."
76. Additional contributions for past periods under earlier provisions
77. Family benefits
78. Early Retirement Factors
79. Modified application in certain cases
80. Allocation of part of retirement pension
81. Savings and transitional provisions

SCHEDULE 4 — Elections in respect of additional benefits - Schedule to be inserted as Schedule 2A to the Teachers' Pensions Regulations 1997

1. Interpretation
2. Election by a person in pensionable employment
3. An election shall state whether the additional contributions—
4. The length of the payment period must be such that—...
5. An election shall be an election— (a) to be credited...
6. An election shall contain such further information as may be...
7. The amount of an increased retirement pension specified in the...
8. An election is to contain a declaration by the person...

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9. An election only has effect if the Secretary of State...
10. Where an election has been made, nothing in this Schedule...
11. Election by employer
12. An election shall be an election that additional contributions are...
13. An election shall be accompanied by a declaration by the...
14. An election shall contain such other information as may be...
15. The amount of increased retirement pension specified in the election...
16. An election only has effect if— (a) it is made...
17. Effect of election
18. Maximum amount of increased pension
19. The Treasury shall from time to time review the operation...
20. Where an election has previously been made in relation to...
21. For the purposes of paragraph 20 the factor is RI/RE...
22. Where a previous election has been revoked the references in...
23. Determination of contributions for given level of increased pension
24. Where the Secretary of State has, pursuant to paragraph 23,...
25. Revocation of election
26. Where an election is revoked the person shall be credited...
27. Election ceasing to have effect
28. Person ceasing to be in pensionable employment
29. Person becoming entitled to retirement benefits
30. Person making an election under regulation E4A
31. Person becoming incapacitated
32. (1) Where a person who has made a monthly contribution...
33. Person ceasing to be incapacitated
34. Death of person
35. Where the person dies within one year after the date...
36. (1) Where the person has made a monthly contribution election...
37. Actuarial advice

SCHEDULE 5 — Transitional Provisions and Savings

PART 1 — Transitional Provisions and Savings relating to the Teachers’ Superannuation (Additional Voluntary Contributions) Regulations 1994

1. Any notice given before 1st January 2007 under regulation 12(6)...

PART 2 — Transitional Provisions and Savings relating to the Teachers (Compensation for Redundancy and Premature Retirement) Regulations 1997

2. In this Part “the 1997 Compensation Regulations” means the Teachers...
3. (1) Where, before 1st January 2007— (a) a person employed...
4. (1) Regulation 13 of the 1997 Compensation Regulations shall (despite...

PART 3 — Transitional Provisions and Savings relating to the Teachers’ Pensions Regulations 1997

5. In this Part “the 1997 Pensions Regulations” means the Teachers’...
6. Where, before 1st January 2007, a person aged 70 or...
7. Paragraphs (9) to (11) of regulation C4 of the 1997...
8. (1) Regulation C5 of the 1997 Pensions Regulations shall (despite...
9. (1) Regulation C9 of the 1997 Pensions Regulations shall (despite...
10. In relation to contributions to be paid by a person...
11. (1) Regulation E11 of, and Schedule 11 to, the 1997...
12. (1) Regulation E31 of the 1997 Pensions Regulations shall continue...
13. Where, before 1st January 2007, a person was in pensionable...

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Explanatory Note