STATUTORY INSTRUMENTS

2014 No. 512

PUBLIC SERVICE PENSIONS, ENGLAND AND WALES EDUCATION, ENGLAND AND WALES

The Teachers' Pension Scheme Regulations 2014

Made - - - - 5th March 2014
Laid before Parliament 7th March 2014
Coming into force in accordance with
regulation 1(2)

THE TEACHERS' PENSION SCHEME REGULATIONS 2014

PART 1

- 1. Citation, extent and commencement
- 2. Establishment of Teachers' Pension Scheme 2014
- 3. Interpretation
- 4. Connected schemes
- 5. Leaving pensionable service
- 6. Leaving eligible employment

PART 2

- 7. Scheme manager
- 8. Establishment of pension board
- 9. Membership of pension board
- 10. Conflict of interest
- 11. Establishment of scheme advisory board
- 12. Membership of scheme advisory board
- 13. Conflict of interest

PART 3

CHAPTER 1

- 14. Meaning of "an eligible employment"
- 15. Meaning of "P's automatic enrolment date" and "P's automatic reenrolment date"
- 16. Meaning of "full-time" and "part-time" employment
- 17. Meaning of "irregular employment"
- 18. Meaning of "opt-out notice" and "opt-in notice"

CHAPTER 2

- 19. Eligibility for active membership
- 20. More than one employment
- 21. Dual capacity membership
- 22. Payment of retirement benefits to dual capacity members

CHAPTER 3

SECTION 1

- 23. Service not pensionable unless member is entitled to pay
- 24. Service not pensionable unless members' contributions are paid

SECTION 2

- 25. Pensionable service armed forces service
- 26. Election for armed forces service to be pensionable

SECTION 3

- 27. Pensionable service on or after automatic enrolment date
- 28. Opting out of this scheme after automatic enrolment date
- 29. Opting into this scheme after automatic enrolment date

SECTION 4

- 30. Pensionable service before automatic enrolment date
- 31. Opting out of this scheme before automatic enrolment date
- 32. Opting into this scheme before automatic enrolment date

- 33. Interpretation
- 34. Pensionable earnings for school teachers

Status: This is the original version (as it was originally made).

- 35. Pensionable earnings for other members
- 36. Amounts not forming part of pensionable earnings
- 37. Application for residential benefits in kind to form part of pensionable earnings
- 38. Money value of residential benefits in kind to form part of pensionable earnings
- 39. Pensionable earnings for the purpose of accruing benefits

CHAPTER 5

- 40. Multiple regular full-time or part-time employments
- 41. Multiple employments including at least one irregular employment

PART 4

CHAPTER 1

- 42. Interpretation
- 43. Pensionable service
- 44. Meaning of "leaver index adjustment"
- 45. Meaning of "leaver PIA index adjustment"

CHAPTER 2

- 46. Calculation of amount of accrued pension for purposes of deferment or full retirement
- 47. Calculation of amount of accrued pension for purpose of phased retirement

CHAPTER 3

- 48. Establishment of pension accounts: general
- 49. Closure of pension accounts on transfer out or repayment of balance of contributions

CHAPTER 4

- 50. Establishment of active member's account
- 51. Receipt of transfer values
- 52. Receipt of club transfer values
- 53. Account to specify amount of pension for a financial year
- 54. Account to specify opening balance and index adjustment
- 55. Ill-health pension ceases to be payable
- 56. Phased retirement pension ceases to be payable

CHAPTER 5

57. Establishment of additional pension account

- 58. Account to specify amount of additional pension
- 59. Account to specify opening balance and PIA index adjustment
- 60. Ill-health pension ceases to be payable
- 61. Phased retirement pension ceases to be payable

- 62. Establishment of deferred member's account
- 63. Account to specify amount of accrued earned pension and leaver index adjustment
- 64. Deferred member's account closed after break not exceeding 5 years
- 65. Deferred member's account closed after service under another public service scheme
- 66. Deferred member's account remains open after a gap in service of more than 5 years
- 67. Deferred member's account established after ill-health pension ceases to be payable
- 68. Deferred member's account established after phased retirement pension ceases to be payable

CHAPTER 7

SECTION 1

- 69. Meaning of "full retirement earned pension"
- 70. Meaning of "full retirement additional pension"
- 71. Meaning of "phased retirement earned pension"
- 72. Meaning of "phased retirement additional pension"
- 73. Meaning of "standard reduction"
- 74. Meaning of "actuarial adjustment"
- 75. Meaning of "conversion amount"

SECTION 2

- 76. Pension accounts for active or deferred members who become pensioner members
- 77. Pension accounts for phased retirement members

SECTION 3

- 78. Ill-health pension ceases to be payable
- 79. Phased retirement pension ceases to be payable

- 80. Pension credit member's pension account
- 81. Separate account for each capacity of membership

PART 5

CHAPTER 1

- 82. Qualifying for retirement benefits
- 83. Re-qualifying for retirement benefits in respect of post-benefit service
- 84. Payment of retirement benefits for post-benefit service

CHAPTER 2

- 85. Meaning of "entitlement day" (age retirement pension)
- 86. Entitlement to age retirement pension
- 87. Annual rate of age retirement pension
- 88. Arrears of pension payable to deferred member who becomes pensioner member after reaching normal pension age

CHAPTER 3

- 89. Interpretation of Chapter
- 90. The reduced annual rate condition
- 91. The new employment condition
- 92. Meaning of "entitlement day" (phased retirement pension)
- 93. Entitlement to phased retirement pension
- 94. Phased retirement applications
- 95. Phased retirement proportion
- 96. Annual rate of phased retirement pension
- 97. Cessation of phased retirement pension
- 98. Subsequent phased retirement applications

CHAPTER 4

- 99. Interpretation of "pensionable service"
- 100. Meaning of "entitlement day" (premature retirement pension)
- 101. Entitlement to premature retirement pension
- 102. Annual rate of premature retirement pension

CHAPTER 5

- 103. Meaning of "entitlement day" (early retirement pension)
- 104. Entitlement to early retirement pension
- 105. Annual rate of early retirement pension

| | пт | _ | ь т | 4 |
|----|----|-----|-----|----|
| SE | ш | () | N | -1 |

| 106. 107. 108. | Interpretation Incapacity definitions Ill-health applications |
|--|--|
| | SECTION 2 |
| 109. 110. 111. 112. 113. 114. | Entitlement day for ill-health pension Entitlement to ill-health pension No entitlement to ill-health pension When ill-health pension does not become payable Annual rate of ill-health pension When ill-health pension ceases to be payable |
| | SECTION 3 |
| 115. 116. 117. 118. | Meaning of "entitlement day" (total incapacity pension) Entitlement to total incapacity pension Annual rate of total incapacity pension Cessation of total incapacity pension |
| | CHAPTER 7 |
| 119. 120. 121. 122. | Application for payment of grant Meaning of "entitlement day" (short-service serious ill-health grant) Entitlement to short-service serious ill-health grant Amount of grant |
| | CHAPTER 8 |
| 123. 124. 125. | Meaning of "entitlement day" (short-service annuity) Entitlement to short-service annuity Annual rate of short-service annuity PART 6 |
| | CHAPTER 1 |

- 126. General
- 127. Meaning of "dies in service"
- 128. Meaning of "dies out of service"
- 129. Meaning of "dies as a pensioner member"
- 130. When a retirement pension does not become payable
- 131. Payment of survivor benefits for post-benefit service
- 132. Death of a dual capacity member

| 133. 134. 135. 136. 137. | Meaning of "death grant beneficiary" Meaning of "surviving adult" Meaning of "surviving nominated partner" Meaning of "surviving nominated beneficiary" Meaning of "eligible child" |
|--------------------------------------|---|
| | CHAPTER 3 |
| | SECTION 1 |
| 138. | Payment of death grant |
| | SECTION 2 |
| 139. | Death in service grant |
| | SECTION 3 |
| 140. 141. | Death out of service grant Supplementary death grant payable on death of pensioner member |
| | CHAPTER 4 |
| 142. 143. 144. 145. | Surviving adult pensions Annual rate of surviving adult pension: short-term Annual rate of surviving adult pension: long-term Enhancement of surviving adult pension |
| | CHAPTER 5 |
| 146. 147. 148. | Additional pensions for surviving adults Annual rate of additional (surviving adult) pension: short-term Annual rate of additional (surviving adult) pension: long-term |
| | CHAPTER 6 |
| 149. 150. 151. 152. | Entitlement to child pension Annual rate of child pension: short-term Annual rate of child pension: long-term Enhancement of child pension |

PART 7

CHAPTER 1

| 153. | Interpr | etation |
|------|---------|---------|
| | | |

CHAPTER 2

| 1 = 4 | T | 1 | • | | 111 | | |
|-------|-------------|-----|-----|---------|--------|------------|---------|
| 154. | Entitlement | day | tor | nengion | credit | refirement | nengion |
| 137. | Littlement | uay | 101 | pension | crcuit | Tetherit | pension |

- 155. Entitlement to pension credit retirement pension
- 156. Annual rate of pension credit retirement pension

CHAPTER 3

- 157. Meaning of death grant beneficiary
- 158. Death grant: death of pension credit member before pension becomes payable
- 159. Death grant: death of pension credit member after benefits payable
- 160. Payment of death grant

PART 8

CHAPTER 1

- 161. Benefits payable by the scheme manager
- 162. Application for payment of benefits

CHAPTER 2

- 163. Interpretation
- 164. Monthly payment of pension
- 165. Quarterly payment of pension
- 166. Apportionment Act 1870 not to apply

- 167. Member declaration
- 168. Conversion of part of pension
- 169. Amount of lump sum payable under regulation 168
- 170. Conversion amount
- 171. Commutation of whole pension (serious ill-health)
- 172. Amount of lump sum payable under regulation 171 instead of retirement pension
- 173. Amount of lump sum payable under regulation 171 instead of a pension credit retirement pension
- 174. Commutation: small pensions

196. Payment by employers to scheme manager

CHADTED A

| | CHAPTER 4 |
|--|---|
| 175. 176. | Evidence of continuing entitlement to benefit Cessation of benefits where no entitlement |
| | CHAPTER 5 |
| 177. 178. 179. 180. 181. 182. 183. | Recovery of overpayment of benefits Interest on late payment of benefits Payment of benefits in certain cases Benefits not assignable Forfeiture of benefits Reduction of benefits: annual allowance and lifetime allowance charge General prohibition on unauthorised payments PART 9 |
| | CHAPTER 1 |
| 184. | Pensionable earnings for a pay period CHAPTER 2 |
| 185. 186. 187. | Members' contributions Contributions under Schedule 2 Contributions payable during a period of permanent service in the armed forces |
| | CHAPTER 3 |
| 188. 189. 190. 191. | Meaning of "entitlement day" (repayment of balance of contributions) Entitlement to repayment of balance of contributions Application for repayment of balance of contributions Calculation of balance of contributions |
| | CHAPTER 4 |
| 192. | Employers' contributions |
| | CHAPTER 5 |
| 193. 194. 195. | Deduction of contributions from pensionable earnings Deductions not made before an employment ends Recovery of unpaid contributions from benefits |

| | PART 10 |
|------------------------------|--|
| | CHAPTER 1 |
| 197. 198. | 1.1 |
| | CHAPTER 2 |
| | SECTION 1 |
| 199. | Application of Chapter |
| | SECTION 2 |
| 200. 201. 202. 203. | Application for a statement of entitlement Application for payment of a transfer value |
| | SECTION 3 |
| 204. 205. 206. | • |
| | CHAPTER 3 |
| | SECTION 1 |
| 207. | Application of Chapter |
| | SECTION 2 |
| 208. 209. 210. 211. | Application of this Section Application for a club transfer statement of entitlement Application for payment of a club transfer value Payment of a club transfer value |
| | SECTION 3 |
| 212. 213. 214. | Application for acceptance of a club transfer value Acceptance of a club transfer value Amount of club transfer earned pension |

- 215. Application of Chapter
- 216. Making a bulk transfer payment

CHAPTER 5

- 217. Application of Chapter
- 218. Accepting a bulk transfer payment

PART 11

- 219. Employment records
- 220. Information and documents
- 221. Provision of benefit information statements to members
- 222. Extension of time
- 223. Guaranteed minimum pension
- 224. Transitional provisions Signature

SCHEDULE 1 — Eligible employment PART 1 — General

CHAPTER 1

Interpretation

- 1. Interpretation
- 2. Meaning of "accepted school"
- 3. Accepted function providers

CHAPTER 2

Fair Deal transfers

- 4. Interpretation
- 5. Meaning of "accepted member"
- 6. Meaning of "accepted employer"
- 7. Obligations of an accepted employer
- 8. Ceasing to be an accepted employer

PART 2 — Service pensionable without election

- 9. Teacher employed by— (a) a local authority in connection with...
- 10. Teacher employed— (a) in an Academy, city technology college or...
- 11. Teacher employed by the proprietor of, or anyone else concerned...
- 12. Teacher employed by a function provider in connection with the...
- 13. Teacher employed by the proprietor of, or anyone else concerned...
- 14. Teacher employed by the governing body (as defined in section...15. Teacher employed by a university established on or after 6th...
- 15. Teacher employed by a university established on or after 6th...
 16. Teacher employed by the proprietor of— (a) a community home...

- 17. Teacher employed by a local authority or by a voluntary...
- 18. Teacher employed by the Secretary of State or the Welsh...
- 19. Teacher employed for the purpose of instructing, training or superintending...
- 20. Teacher employed by the Secretary of State in a European...
- 21. Organiser employed as a youth and community worker by a...
- 22. Teacher employed by the Field Studies Council.
- 23. An accepted member employed by an accepted employer.

PART 3 — Service pensionable on election

- 24. Teacher employed by the proprietor of an institution for the...
- 25. Teacher, supervisor or youth worker employed for the purposes of...
- 26. Organiser employed by— (a) a diocesan board of education established... PART 4 Service pensionable on election with employer consent
- 27. Teacher employed in, or in connection with, an establishment for...
- 28. Teacher employed by a person to whom grants are made...
- 29. Organiser employed by— (a) Sport England; (b) Sport Wales;
- 30. Organiser employed as a youth and community worker by a...
- 31. Organiser employed by— (a) Action for Blind People;
- 32. Teacher employed by a university who was employed by an...
- 33. Teacher or organiser employed by a body formerly falling within...
- 34. Teacher employed by the proprietor of, or anyone else concerned...

SCHEDULE 2 — Scheme flexibilities

PART 1 — General

- 1. Interpretation of Schedule
- 2. Meaning of "amount of extra pension"
- 3. Meaning of "overall amount of extra pension"
- 4. Limit on elections
- 5. Actuarial advice

PART 2 — Additional pension election

CHAPTER 1

Making an additional pension election

- 6. Election to pay contributions for additional pension
- 7. Annual rate of additional (self only) pension
- 8. Lump sum or monthly payments
- 9. Making an additional pension election
- 10. Accepting an additional pension election

CHAPTER 2

Amount of additional pension contributions

11. Determination of contributions payable

CHAPTER 3

Additional pension contributions paid by lump sum

12. Lump sum contributions: payment of contributions and credit of additional pension

Status: This is the original version (as it was originally made).

13. Refund of lump sum contribution

CHAPTER 4

Additional pension contributions by monthly payments

- 14. Application of Chapter
- 15. Payment of contributions
- 16. Member leaves all pensionable service before end of contributions payment period
- 17. Retirement pension (other than ill-health pension) becomes payable before end of contributions payment period

CHAPTER 5

Revocation and refund

- 18. Revoking an additional pension election
- 19. Ill-health pension becomes payable before end of contributions payment period
- 20. Death in service before end of contributions payment period
- 21. Member leaves all pensionable service before qualifying for retirement benefits

PART 3 — Faster accrual election

CHAPTER 1

Making the election

- 22. Faster accrual election
- 23. Making a faster accrual election
- 24. Accepting a faster accrual election

CHAPTER 2

Payment of contributions

- 25. Determination of contributions payable
- 26. Payment of contributions

CHAPTER 3

Revocation and refund

- 27. Revoking a faster accrual election
- 28. Member leaves all pensionable service before qualifying for retirement benefits

PART 4 — Election to buy out the standard reduction

Making a buy-out election

- 29. Eligible to make buy-out election
- 30. Making a buy-out election
- 31. Accepting a buy-out election
- 32. Determination of the buy-out value

CHAPTER 2

Payment of buy-out contributions

- 33. Determination of contributions payable
- 34. Payment of buy-out contributions
- 35. Monthly payments during gap in service

CHAPTER 3

Revocation and refund

- 36. Revoking a buy-out election
- 37. Member leaves all pensionable service before qualifying for retirement benefits

SCHEDULE 3 — Transitional provisions

PART 1 — Interpretation

- 1. Interpretation
- 2. Active membership of the existing scheme
- 3. Gap in service after scheme closing date
- 4. Meaning of "tapered protection closing date"
- 5. Continuity of service
 - PART 2 Exceptions for full protection members
- 6. Meaning of "full protection member"
- 7. Active members of the existing scheme
- 8. Active members of an existing public service scheme
- 9. Fair Deal members
- 10. Exception for full protection member during protection period
- 11. Exception for Fair Deal full protection member during protection period
- 12. Full protection member not eligible to join this scheme
 - PART 3 Exceptions for tapered protection members
- 13. Meaning of "tapered protection member"
- 14. Active members of the existing scheme
- 15. Active members of an existing public service scheme
- 16. Fair Deal members
- 17. Exception for tapered protection members during protection period
- 18. Exception for Fair Deal tapered protection member during protection period
- 19. Tapered protection member not eligible to join this scheme
 - PART 4 Transition members becoming active members of this scheme
- 20. Meaning of "transition member"
- 21. Active members of the existing scheme
- 22. Fair Deal members
- 23. Transition members with continuity of service

Status: This is the original version (as it was originally made).

- 24. Transition members without continuity of service PART 5 Receipt of club transfer values
- 25. Application of Part
- 26. Member with full protection
- 27. Member with tapered protection or no protection PART 6 Bulk transfer payments for accepted members
- 28. Application of Part
- 29. Accepting a bulk transfer payment

PART 7 — Payment of benefits to transition members

CHAPTER 1

General

- 30. Reaching normal pension age
- 31. Application of existing scheme rules
- 32. Determination of final salary
- 33. Annual rate of pension

CHAPTER 2

Application for payment of benefits

- 34. Application for payment of age retirement pension
- 35. Application for payment of phased retirement pension
- 36. Application for payment of premature retirement pension
- 37. Application for payment of early retirement pension
- 38. Application for payment of ill-health pension
- 39. Entitlement to payment of total incapacity pension
- 40. Entitlement to payment of a short-service serious ill-health grant
- 41. Application for payment of a surviving adult pension
- 42. Application for payment of an additional (surviving adult) pension
- 43. Application for payment of a child pension
- 44. Application for payment of a death in service grant
- 45. Application for payment of a death out of service grant
- 46. Application for supplementary death grant
- 47. Application for payment of benefits for pension credit members PART 8 Provision in relation to the existing scheme
- 48. Election for employment not to be pensionable in relation to existing scheme continues to have effect
- 49. Qualifying for retirement benefits under the existing scheme
- 50. Repayment of balance of contributions
- 51. Residential emoluments
- 52. A transfer payment made in respect of a transition member...
- 53. Nomination continues to have effect
- 54. Election to pay contributions by a person serving in a reserve force

Explanatory Note