

STATUTORY INSTRUMENTS

2014 No. 512

The Teachers' Pension Scheme Regulations 2014

PART 9

Contributions

CHAPTER 3

Repayment of members' contributions after short-service

Entitlement to repayment of balance of contributions

189.—(1) A person (P) is entitled on the entitlement day to a repayment of the balance of contributions, calculated in accordance with regulation 191, if—

- (a) P has left all pensionable service and does not re-enter pensionable service before the entitlement day;
- (b) P has applied under regulation 190 for the repayment; and
- (c) paragraph (2) does not apply.

(2) This paragraph applies if—

- (a) P is qualified for retirement benefits;
- (b) a transfer payment has been made in respect of P's pensionable service; or
- (c) P is in a period of post-benefit service immediately before the last day of pensionable service ^{M1}.

(3) For the purpose of this regulation, P is in pensionable service while P is absent on maternity leave, paternity leave, ^{F1}... parental leave^{F2}, shared parental leave^{F3}, parental bereavement leave] or adoption leave if P is entitled to return from leave by virtue of Part 8 of the Employment Rights Act 1996 ^{M2}.

^{F4}(3A) For the purposes of this regulation, P is in pensionable service while P is absent on carer's leave if P is entitled to return from leave by virtue of Part 8B of the Employment Rights Act 1996.]

(4) If a repayment of the balance of contributions is made, P's rights under this scheme are extinguished.

(5) This regulation is subject to regulation 183 (general prohibition on unauthorised payments).

Textual Amendments

F1 Words in reg. 189(3) omitted (5.4.2015) by virtue of [The Shared Parental Leave and Statutory Shared Parental Pay \(Consequential Amendments to Subordinate Legislation\) Order 2014 \(S.I. 2014/3255\)](#), arts. 1(3), **32(10)(a)** (with art. 35(1))

F2 Words in reg. 189(3) inserted (31.12.2014) by [The Shared Parental Leave and Statutory Shared Parental Pay \(Consequential Amendments to Subordinate Legislation\) Order 2014 \(S.I. 2014/3255\)](#), arts. 1(2), **32(10)(b)**

Changes to legislation: *There are currently no known outstanding effects for the The Teachers' Pension Scheme Regulations 2014, Section 189. (See end of Document for details)*

- F3** Words in reg. 189(3) inserted (6.4.2020) by The Parental Bereavement Leave and Pay (Consequential Amendments to Subordinate Legislation) Regulations 2020 (S.I. 2020/354), regs. 1, **33(10)**
- F4** Reg. 189(3A) inserted (6.4.2024) by The Carer's Leave (Consequential Amendments to Subordinate Legislation) Regulations 2024 (S.I. 2024/266), regs. 1(2), **6(7)**

Marginal Citations

- M1** See regulation 124 for P's entitlement to a short-service annuity if P is not re-qualified for retirement benefits in respect of a period of post-benefit service.
- M2** 1996 c.18; Part 8 was amended by the Employment Relations Act 1999 (c.26), **Schedule 4**, and the Employment Act 2002 (c.22), **sections 1** and 3.

Changes to legislation:

There are currently no known outstanding effects for the The Teachers' Pension Scheme Regulations 2014, Section 189.