

SCHEDULE 2

Scheme flexibilities

PART 2

Additional pension election

CHAPTER 5

Revocation and refund

Ill-health pension becomes payable before end of contributions payment period

19.—(1) This regulation applies if an ill-health pension becomes payable to a member (P) before the end of the contributions payment period for an additional pension election.

- (2) If an ill-health pension becomes payable to P before the end of the refund period—
- (a) any monthly payments that have been made under that additional pension election must be refunded to P; and
 - (b) the amount of accrued additional pension as at the last day of pensionable service must be adjusted by deducting the amount of accrued additional pension attributable to that election.
- (3) If an ill-health pension becomes payable to P after the end of the refund period—
- (a) the monthly payments under the additional pension election are treated as being paid until the earlier of—
 - (i) the end of the contributions payment period for that election; or
 - (ii) the day on which an ill-health pension ceases to be payable under regulation 114; and
 - (b) for the purpose of calculating the annual rate of ill-health pension, the amount of accrued additional pension is—
 - (i) if the declaration that accompanied the additional pension election was made in good faith, the amount of accrued additional pension calculated under regulation 46 or 47 as at the last day of pensionable service; or
 - (ii) if that declaration was not made in good faith, an amount determined by the scheme manager having regard to the contributions paid or treated as being paid; and
- (4) If P re-enters pensionable service when an ill-health pension ceases to be payable under regulation 114, P may choose to resume the monthly payments.

Status:

Point in time view as at 01/04/2014.

Changes to legislation:

There are currently no known outstanding effects for the The Teachers' Pension Scheme Regulations 2014, Paragraph 19.