

SCHEDULE 3

Transitional provisions

PART 7

Payment of benefits to transition members

CHAPTER 2

Application for payment of benefits

Application for payment of ill-health pension

38.—(1) A transition member (P) will receive any benefits payable under this scheme as part of P's ill-health pension payable under the existing scheme if—

- (a) P applies before P's transition date for payment of an ill-health pension, and
- (b) P's application is successfully determined ^{F1}....

^{F2}(2) If P makes a successful application for payment of an ill-health pension on or after P's transition date—

- (a) before P's normal pension age in the existing scheme, P will receive under this scheme an amount equivalent to any benefits due to P in respect of P's pensionable service in this scheme and in the existing scheme, in accordance with paragraph 38A;
- (b) from P's normal pension age in the existing scheme, P will receive, in accordance with paragraph 38B—
 - (i) under the existing scheme, any benefits due to P in respect of P's pensionable service in the existing scheme, and
 - (ii) under this scheme, any benefits due to P in respect of P's pensionable service in this scheme.]

^{F3}(3) If P has more than one normal pension age in the existing scheme under regulation 48 of the existing scheme regulations, sub-paragraph (2) and regulations 38A and 38B apply to each normal pension age in relation to the pensionable service to which it applies.]

Textual Amendments

- F1** Words in Sch. 3 para. 38(1)(b) omitted (1.4.2015) by virtue of The Teachers Pension Scheme (Amendment) Regulations 2015 (S.I. 2015/592), regs. 1, **9(a)**
- F2** Sch. 3 para. 38(2) substituted (1.4.2015) by The Teachers Pension Scheme (Amendment) Regulations 2015 (S.I. 2015/592), regs. 1, **9(b)**
- F3** Sch. 3 para. 38(3) inserted (1.4.2015) by The Teachers Pension Scheme (Amendment) Regulations 2015 (S.I. 2015/592), regs. 1, **9(c)**

Changes to legislation:

There are currently no known outstanding effects for the The Teachers' Pension Scheme Regulations 2014, Paragraph 38.