
STATUTORY INSTRUMENTS

2015 No. 601

**The Teachers (Compensation for Redundancy
and Premature Retirement) Regulations 2015**

PART 4

Mandatory Compensation for Premature Retirement

Entitlement to mandatory compensation

9.—(1) A person to whom paragraphs (3) and (5) or paragraphs (4) and (5) apply is eligible for annual compensation under these Regulations.

(2) A person to whom paragraph (3) and regulation 62(6) of the 2010 Regulations apply is eligible for lump sum compensation under these Regulations.

(3) This paragraph applies to a person (P) if—

- (a) P ceases to be in pensionable or excluded employment because P's employment is terminated by reason of P's redundancy or in the interests of the efficient discharge of P's employer's functions;
- (b) P has attained normal minimum pension age on or before the date that P falls within subparagraph (a);
- (c) P's employer gives written notice to the scheme manager that—
 - (i) P's employment was terminated by reason of P's redundancy or in the interests of the efficient discharge of the employer's functions; and
 - (ii) P's employer agrees that a premature retirement pension should become payable;
- (d) P has not received or is not to receive compensation under Part 3 as a result of the termination of the employment; and
- (e) P either—
 - (i) makes an application under regulation 107 of the 2010 Regulations for retirement benefits on the basis that P satisfies the requirements of this paragraph and that no Case in Schedule 7 to the 2010 Regulations other than Case A applies to P's reckonable service; or
 - (ii) is entitled to payment of a premature retirement pension under regulation 101 of the 2014 Regulations.

(4) This paragraph applies to a person (P) if—

- (a) P has attained normal minimum pension age and—
 - (i) if P is a member of the existing scheme, has not attained the age of 65;
 - (ii) if P is a transition member or a member of the 2015 scheme, has not attained normal pension age;
- (b) P is qualified or re-qualified for retirement benefits within the meaning of—

- (i) regulation 54 of the 2010 Regulations; or
 - (ii) regulation 82 or 83 of the 2014 Regulations;
 - (c) P's pensionable service in relation to an employment is terminated by reason of P's redundancy or in the interests of the efficient discharge of the functions of P's employer;
 - (d) P's employer gives written notice to the scheme manager that—
 - (i) P's pensionable service was terminated by reason of P's redundancy or in the interests of the efficient discharge of the employer's functions; and
 - (ii) the employer agrees that a premature retirement pension should become payable to P;
 - (e) P has not received and is not to receive compensation under Part 3 as a result of P's pensionable service being terminated;
 - (f) P has left all eligible employment;
 - (g) P has applied under regulation 162 of the 2014 Regulations for payment of a premature retirement pension; and
 - (h) P has not applied under that regulation for payment of any other retirement pension.
- (5) This paragraph applies to a person to whom—
- (i) paragraph (6) or (7) of regulation 61 of the 2010 Regulations applies;
 - (ii) regulation 96 or 102 of the 2014 Regulations applies.
- (6) A transition member who is eligible for annual compensation in respect of pension accrued in the 2015 scheme is also eligible for annual compensation in respect of pension accrued in the existing scheme.