
STATUTORY INSTRUMENTS

2017 No. 1084

**The Teachers' Pensions Schemes
(Miscellaneous Amendments) Regulations 2017**

Amendment to regulation 140 (death out of service grant)

18. After regulation 140(2) insert—

“(2A) For the purposes of paragraph (2), an ill-health pension and, if applicable, a total incapacity pension are taken to become payable if—

- (a) before D's death D made an ill-health application;
- (b) at the same time as D made the ill-health application, D made an application under regulation 171 for commutation of the ill-health pension and, if applicable, a total incapacity pension; and
- (c) following consideration of the applications mentioned in sub-paragraphs (a) and (b), the Secretary of State determines that the ill-health pension and, if applicable, any total incapacity pension payable with it, should be commuted.”.