
STATUTORY INSTRUMENTS

2024 No. 266

The Carer's Leave (Consequential Amendments to Subordinate Legislation) Regulations 2024

The Teachers' Pension Scheme (Scotland) (No 2) Regulations 2014

7.—(1) The Teachers' Pension Scheme (Scotland) (No 2) Regulations 2014⁽¹⁾ are amended as follows.

(2) In regulation 3 (interpretation)—

(a) at the appropriate place insert—

““carer's leave” means leave under section 80J of the Employment Rights Act 1996.”;

(b) in the definition of “non-pensionable family leave”—

(i) after “paternity leave” for “or” substitute “,”;

(ii) after “additional paternity leave” insert “or carer's leave”.

(3) In regulation 22 (service not pensionable unless member is entitled to pay) in sub-paragraph (1)(b)—

(a) after “parental bereavement leave” omit “or”;

(b) after “paternity leave” insert “or carer's leave”.

(4) In regulation 32 (interpretation), in sub-paragraph (b) of the definition of “notional pensionable earnings”—

(a) after “parental bereavement leave” for “or” substitute “,”;

(b) after “paternity leave” insert “or carer's leave”.

(5) In regulation 33 (pensionable earnings), in sub-paragraph (2)(c) after “sick leave,” insert “carer's leave,”.

(6) In regulation 37 (pensionable earnings for the purpose of accruing benefits), in sub-paragraph (a) after “sick leave,” insert “carer's leave,”.

(7) In regulation 183 (entitlement to repayment of balance of contributions), after paragraph (3) insert a new paragraph (3A)—

“(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.”.

(8) In regulation 209 (employment records), in sub-paragraph (2)(f) after “sick leave,” insert “carer's leave,”.