
STATUTORY INSTRUMENTS

1997 No. 3001

EDUCATION, ENGLAND AND WALES

The Teachers' Pensions Regulations 1997

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THE TEACHERS' PENSIONS REGULATIONS 1997

PART A

PRELIMINARY

- A1 Citation and commencement
- A2 Interpretation

PART B

PENSIONABLE EMPLOYMENT

- B1 Employment—general
- B2 Continuing employment
- B3 Employment in accepted school
- B4 Employment not pensionable
- B5 Election for employment not to be pensionable
- B6 Resumption of pensionable status

PART C

TEACHERS' CONTRIBUTIONS

- C1 Salary on which contributions are payable
- C2 Salary on which contributions are payable—election
- C3 Ordinary contributions
- C4 Additional contributions for past period
- C5 Additional contributions for past period by family pensioner
- C6 Additional contributions for past period under earlier provisions
- C7 Reduction of past period
- C8 Additional contributions in respect of war service
- C9 Additional contributions for current period

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- C10 Additional contributions for current period: service in a reserve force
- C11 Additional contributions for family benefits
- C12 Entitlement to repayment of balance of contributions
- C13 Calculation of contributions to be repaid
- C14 Repayment of certain contributions paid for family benefits
- C15 Application for repayment
- C16 Return of repaid contributions
- C17 Uncompleted return by instalments of repaid contributions
- C18 Deduction, payment and recovery of contributions

PART D

RECKONABLE SERVICE

- D1 Reckonable service generally
- D2 Exclusion from reckonable service
- D3 Past period for which additional contributions have been paid
- D4 Current period for which additional contributions have been paid

PART E

BENEFITS

- E1 Overriding provision as to guaranteed minimum pensions
- E2 Nature of retirement benefits
- E3 Qualification for retirement benefits
- E4 Entitlement to payment of retirement benefits
- E5 Amount of retirement pension
- E6 Amount of retirement lump sum
- E7 Limitation of retirement benefits in certain cases
- E8 Enhancement of retirement benefits in case of incapacity
- E9 Avoidance of duplicate pensions
- E10 National Insurance modification of pensions
- E11 Allocation of part of retirement pension
- E12 Duration of retirement pension
- E13 Pensioner ceasing to be incapacitated
- E14 Abatement of retirement pension during further employment
- E15 Retirement benefits on cessation of further employment
- E16 Short-service annuity
- E17 Short-service incapacity grant
- E18 Deferral etc. of benefits
- E19 Commutation: exceptional circumstances of ill-health
- E20 Death grant
- E21 Supplementary death grant
- E22 Family benefits generally
- E23 Nomination of beneficiaries
- E24 Entitlement to short-term family benefits
- E25 Amount and duration of short-term family benefits
- E26 Entitlement to long-term family benefits
- E27 Relevant service
- E28 Amounts of spouses' and nominated beneficiaries' long-term pensions
- E29 Amounts of children's long-term pensions
- E30 Commencement and duration of long-term family pensions
- E31 Average salary
- E32 Effective reckonable service

- E33 Payment of benefits
- E34 Interest on late payment of certain benefits
- E35 Benefits not assignable

PART F

TRANSFER VALUES

- F1 Payment of transfer values
- F2 Amounts of transfer values and additional transfer values
- F3 Termination of right to count reckonable etc. service
- F4 Acceptance of transfer values

PART G

FINANCE

- G1 Teachers' Pension Account
- G2 Receipts etc. to be credited
- G3 Payments to be debited
- G4 Actuarial inquiries
- G5 Employers' contributions
- G6 Employers' contributions—employees' elections under regulation C2
- G7 Payment by employers to Secretary of State
- G8 Employers' additional contributions

PART H

MISCELLANEOUS AND SUPPLEMENTAL

- H1 Modified application in case of employment at reduced salary
- H2 Modified application in certain other cases
- H3 Records and information
- H4 Payments in respect of deceased persons
- H5 Revaluation of guaranteed minimum in certain cases
- H6 Repayment of contributions where an election is not made under regulation G8
- H7 Extension of time
- H8 Calculation of full-time equivalent salary
- H9 Determination of questions
- H10 Election in respect of protected benefits
- H11 Consequential amendments of the Teachers' Superannuation (Additional Voluntary Contributions) Regulations 1994
- H12 Revocations, savings and transitional provisions
- H13 Amendments to, and modifications of, the Teachers' Superannuation (Consolidation) Regulations 1988

SCHEDULE 1 — GLOSSARY OF EXPRESSIONS

SCHEDULE 2 — PENSIONABLE EMPLOYMENT

PART I — EMPLOYMENTS PENSIONABLE WITHOUT ELECTION

1. Teacher employed by, or in a school or institution providing...
2. Teacher in a special school which is not a grant-maintained...
3. Teacher in a school, other than a special school, in...

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4. Teacher in a grant-maintained special school.
 5. Teacher, organiser or supervisor employed— (a) in an independent school...
 6. Teacher in an institution providing further education or higher education...
 7. Teacher in a university established on or after 6th May...
 8. Teacher employed in— (a) a community home within the meaning...
 9. Teacher employed by a local authority or a voluntary organisation...
 10. Teacher in— (a) a residential care home within the meaning...
 11. Teacher in a special hospital provided by the Secretary of...
 12. Teacher employed for the purpose of instructing, training, or superintending...
 13. Teacher employed by the Field Studies Council.
 14. Teacher employed in pursuance of arrangements made by the Secretary...
 15. Organiser employed as a youth and community worker by a...
- PART II — EMPLOYMENTS PENSIONABLE ON ELECTION
16. Teacher in an institution for the further education and training...
 17. Teacher employed in, or in connection with, an establishment for...
 18. Teacher employed by the Commonwealth Institute.
 19. Teacher employed by a person to whom grants are made...
 20. Organiser employed by— (a) the United Kingdom Sports Council,
 21. Teacher, supervisor or youth worker employed by the Ministry of...
 22. Services education officer.
 23. Organiser employed as a youth and community worker by a...
 24. Organiser employed by— the Association of Business Schools the Association...
 25. Teacher in a university who— (a) was employed as a...
 26. Teacher employed in— the British School of Amsterdam (the Netherlands)...

SCHEDULE 3 — MAXIMUM LENGTH OF ADDITIONAL PERIODS

1. (1) Subject to paragraph 2, the maximum length of the...
2. (1) This paragraph applies to a person who—
3. (1) This paragraph applies where a person—

SCHEDULE 4 — ADDITIONAL CONTRIBUTIONS FOR PAST PERIOD

PART I — METHOD A

1. (1) In this Part— “the principal election” means the election...
2. (1) The contribution period must be one of not less...
3. Subject to paragraphs 4 and 5, the rate at which...
4. (1) At any time during the contribution period the person...
5. (1) At any time during the contribution period the person...
6. (1) Where— (a) the person is in pensionable employment at...
7. (1) Subject to sub-paragraph (2), if the person—
8. (1) An election under this paragraph may be made when...
9. (1) An election under this paragraph may be made where...
10. Where paragraph 7 has become applicable and the person is...
11. Any retirement lump sum to which the person is entitled...
12. (1) This paragraph applies— (a) where paragraph 7 has become...

PART II — METHOD B

13. (1) Subject to paragraphs 14 to 16, the additional contributions...
14. (1) Subject to paragraphs 15 and 16 below and paragraph...
15. Where notice of the election was given on or after...
16. Where notice of the election was given when the person...

SCHEDULE 5 — ADDITIONAL CONTRIBUTIONS FOR PAST PERIOD UNDER EARLIER PROVISIONS

1. (1) Subject to sub-paragraphs (2) to (5) and paragraphs 2,...
2. Where an election has been made under paragraph 1, the...
3. If, before all the contributions payable under paragraph 1 or...
4. (1) A person may elect, by giving written notice to...
5. (1) Subject to sub-paragraph (2) and paragraph 6, where immediately...
6. (1) If before the end of the contribution period the...
7. Where immediately before 3rd February 1998 contributions remained to be...
8. Where immediately before 3rd February 1998 contributions remained to be...
9. (1) Subject to sub-paragraphs (2) and (3), if a person...
10. During any period for which a person is paying additional...

SCHEDULE 6 — FAMILY BENEFITS

PART I — CONTRIBUTIONS: MEN AND UNMARRIED WOMEN

1. (1) In this Part— “the Fund” means the Teachers' Family...
2. Paragraphs 3 and 4 have effect subject to paragraph 5....
3. (1) Subject to sub-paragraph (3), a member who elected to...
4. A non-member or an unmarried woman may elect to pay...
5. (1) A man who has become entitled to payment of...
6. (1) Where a person has made an election under paragraph...
7. (1) This paragraph applies where a member who elected to...
8. (1) Subject to sub-paragraphs (2) and (3), a member or...
9. (1) This paragraph applies where— (a) a member or non-member...

PART II — CONTRIBUTIONS: MARRIED WOMEN

10. (1) Subject to sub-paragraph (3) and paragraph 11, a woman...
11. (1) An election under paragraph 10(1) or (2)—
12. (1) Subject to sub-paragraph (2), where payment is to be...
13. (1) The widower of a woman who—

PART III — CONTRIBUTIONS: COMMON PROVISIONS

14. (1) This paragraph applies where— (a) an election is made...
15. (1) This paragraph— (a) applies where family benefit contributions to...
16. Where— (a) a deduction has fallen to be made under...

PART IV — FAMILY BENEFITS AND WAR SERVICE

17. (1) In this Part— (a) any reference to regulations D5...
18. (1) Subject to paragraph 21, a person who was notified...
19. Subject to paragraph 21, a person who was notified after...
20. (1) If an election is made under paragraph 18 or...
21. (1) If the person— (a) died before 15th February 1982,...

SCHEDULE 7 — RECKONABLE SERVICE ARISING FROM PAYMENT OF ADDITIONAL CONTRIBUTIONS IN RESPECT OF PAST PERIODS

1. (1) In paragraphs 1 to 7 of this Schedule— “the...
2. Where a person— (a) is a full-time contributor who has...
3. (1) This paragraph applies when a person—
4. (1) This paragraph applies to a full-time or part-time contributor...
5. If a person had elected under paragraph 4 of Schedule...
6. (1) This paragraph applies where a full-time or part-time contributor...
7. (1) This paragraph applies where a lump sum equal to...
8. (1) This paragraph applies where a person paying additional contributions...

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9. (1) This paragraph applies where a person is continuing to...
10. (1) This paragraph applies where a person who is, in...
11. (1) This paragraph applies where a person is continuing to...

SCHEDULE 8 — PERIODS MAKING UP QUALIFYING PERIOD

1. A period of pensionable employment.
2. A period counting as reckonable service by virtue of regulation...
3. A period counting as admitted service or specified country service....
4. A period of service or employment in respect of transfer...
5. A period of comparable British service.
6. A period of employment which is pensionable for the purposes...

SCHEDULE 9 —

SCHEDULE 10 — MODIFIED APPLICATION IN CERTAIN CASES

PART I — NATIONAL INSURANCE MODIFICATION OF PENSIONS

1. In this Part, unless the context otherwise requires— “the Act”...
2. (1) A retirement pension payable in the case of a...
3. (1) This paragraph applies to a retired teacher who—
4. For the purposes of paragraphs 2 and 3 the reckonable...
5. If, in calculating the amount of a retirement pension, there...
6. If, in calculating the amount of a retirement pension, there...
7. Where— (a) a period of employment of a retired teacher...
8. No reduction in the amount of a retirement pension is...
9. A retirement pension payable to a part-time teacher, so far...
10. (1) An annual pension in respect of any such service...
11. A part-time teacher to whom paragraph 10 applies is entitled...
12. (1) Any person who was employed in non-participating employment and...

PART II — EMPLOYMENT AT REDUCED SALARY

13. Subject to paragraphs 14 to 19, these Regulations apply as...
14. For the purposes of regulation E3 (qualification for retirement benefits),...
15. (1) For the purposes of regulation E32(2) (limits on reckonable...
16. (1) A period for which the person has, before the...
17. (1) This paragraph applies if the person becomes entitled to...
18. (1) For the purpose of calculating any death grant under...
19. Regulation E26(7) does not have effect so as to preclude...

PART III — POLICY SCHEMES

20. In this Part “policy scheme service” has the meaning that...
21. For the purposes of regulation C4(1) (case in which additional...
22. For the purposes of regulation E3 (qualification for retirement benefits),...
23. Only 9/10ths of the person’s policy scheme service is effective...
24. (1) For the purposes of paragraphs 1 and 2 of...
25. (1) For the purposes of paragraph 2 (National Insurance modifications),...

PART IV — ADMITTED SERVICE

26. (1) In the case of a person with admitted service...
27. (1) Subject to sub-paragraphs (2) to (5) and paragraph 29,...
28. (1) The rate of the annual pension is (A...
29. Regulations E18 (deferment etc. of benefits), E33 (payment of benefits)...

PART V — SPECIFIED COUNTRY SERVICE

30. Regulations E4 (entitlement to payment of retirement benefits), E6 (amount...)
31. Subject to paragraph 32— (a) for the purpose of calculating...
32. For the purposes of regulation E8 (enhancement of retirement benefits)...

PART VI — PERSONS FORMERLY MEMBERS OF THE NATIONAL
HEALTH SERVICE PENSION SCHEME

33. In this Part— (a) “the 1995 Regulations” means the National...
34. This Part applies to a person who—
35. Where a transfer value has been accepted in respect of...
36. (1) If a person to whom this Part applies—
37. Where a person to whom this Part applies—
38. (1) Where a transfer value has not been accepted in...

SCHEDULE 11 — ALLOCATION OF PART OF RETIREMENT PENSION

PART 1 — CONTENTS OF DECLARATION

1. (1) A declaration is to specify— (a) the part of...

PART II — PROCEDURE

2. (1) A person who, with a view to making an...
 3. (1) Before delivering a declaration a person must have given...
 4. (1) Before delivering a declaration a person must also at...
 5. (1) On receiving a notice under paragraph 3 the Secretary...
 6. A declaration, and any notice or other communication under this...
- PART III — OTHER MATTERS
7. (1) Subject to sub-paragraphs (2) to (6), a declaration takes...
 8. (1) An allocation takes effect on the day on which...
 9. (1) If notice of intention has been given under paragraph...
 10. (1) If after a retiring employee has delivered a declaration...
 11. If after a person has delivered a declaration the rate...

SCHEDULE 12 — TRANSFER VALUES

PART I — OUTWARD TRANSFERS

1. A transfer value is calculated on the cash equivalent basis...
2. Where— (a) a transfer value is payable to the scheme...
3. Where— (a) a transfer value is payable to the scheme...
4. Where— (a) a transfer value is payable to the scheme...
5. Where— (a) a transfer value is payable to the scheme...
6. (1) This paragraph applies where— (a) a transfer value falls...
7. Where a transfer value is paid to the scheme managers...

PART II — INWARD TRANSFERS

8. If the employment in which the person was subject to...
9. (1) If— (a) the previous scheme is a club scheme...
10. (1) This paragraph applies where— (a) the condition specified in...
11. If— (a) the previous scheme is an approved pension scheme...

SCHEDULE 13 — TEACHERS' PENSION ACCOUNT

SCHEDULE 14 — REVOCATIONS

SCHEDULE 15 — SAVINGS AND TRANSITIONAL PROVISIONS

PART I— — GENERAL PROVISIONS

1. In this Schedule— “the revoked instruments” means the statutory instruments...
2. (1) The substitution of these Regulations for the revoked instruments...
3. The revocation by these Regulations of a transitional provision relating...
4. (1) The revocation by these Regulations of a provision previously...

PART II — SPECIFIC PROVISIONS RELATING TO PART G

5. In this Part— (a) references to a numbered regulation prefixed...

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6. The revocation of the 1988 Regulations shall not affect the...
7. The revocation of the 1988 Regulations shall not affect—
8. The revocation of the 1988 Regulations shall not affect the...
9. (1) In this paragraph— (a) references to the 1996 report...
PART III — OTHER SPECIFIC PROVISIONS
10. (1) The revocation of regulation C1 of the 1988 Regulations...
11. The revocation of regulation D3 of the 1988 Regulations shall...
12. (1) The revocation by these Regulations of the 1988 Regulations...
13. The revocation of regulation E4(3) and (4) of the 1988...
14. Without prejudice to the provisions of paragraph 3, in relation...
15. (1) The revocation of regulation E29(2)(c) of the 1988 Regulations...
16. (1) Regulation E29 of the 1988 Regulations shall continue to...
17. The revocation by these Regulations of the 1988 Regulations does...
18. (1) Where a person made an election under regulation C3(2)...

SCHEDULE 16 — AMENDMENTS TO, AND MODIFICATIONS OF, THE
TEACHERS' SUPERANNUATION (CONSOLIDATION)
REGULATIONS 1988

PART I— — AMENDMENTS TO REGULATION E29

1. After paragraph (1) there shall be inserted the following paragraph—...
2. For paragraph (2)(a) there shall be substituted—
3. After paragraph (5) there shall be inserted the following paragraphs—...

PART II— — OTHER MODIFICATIONS

4. Where an election under regulation C2(1) of these Regulations has...
5. Regulation E7(1) shall have effect as if—

Explanatory Note