

2022 No.

PUBLIC SERVICE PENSIONS

The Teachers' Pension Scheme (Amendment) Regulations 2022

Made - - - - - ***

Laid before Parliament ***

Coming into force - - - - - *1st April 2022*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 1(1) and (2)(d), 2(1) and 3(1) and (2)(c) of the Public Service Pensions Act 2013(a) (“the 2013 Act”).

In accordance with section 3(5) of the 2013 Act, the Treasury consents to the making of these Regulations.

In accordance with section 21(1) of the 2013 Act, the Secretary of State has consulted the representatives of such persons as appear to the Secretary of State to be likely to be affected by these Regulations.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Teachers' Pension Scheme (Amendment) Regulations 2022.

(2) These Regulations come into force on 1st April 2022.

(3) These Regulations extend to England and Wales.

Amendment of the Teachers' Pension Scheme Regulations 2014

2.—(1) Schedule 3 (transitional provisions) to the Teachers' Pension Scheme Regulations 2014(b) is amended as follows.

(2) In paragraph 1 (interpretation)(c)—

(a) after the definition of “existing Fair Deal arrangements” insert—

““final salary benefits” means the benefits accrued in a final salary scheme in respect of which the pension entitlement payable to or in respect of a person's pensionable service is or may be determined by reference to the person's final salary;”;

(b) in the definition of “transition date”, after sub-paragraph (aa) insert—

(a) 2013 c. 25. Section 3(2)(c) was inserted by section [79(2)] of the Public Service Pensions and Judicial Offices Act [2022 (c. x)].

(b) S.I. 2014/512.

(c) Paragraph 1 has been amended by S.I. 2014/2652 and 2019/1134, and there are other amendments not relevant to this instrument.

- “(ab) for a full protection member of the existing scheme other than a full protection member described in sub-paragraph (aa), means 1st April 2022;”.
- (3) In sub-paragraph (3) of paragraph 5 (continuity of service), before paragraph (a) insert—
“(za) if P is a full protection member of the existing scheme, 31st March 2022;”.
- (4) For sub-paragraph (2) of paragraph 6 (meaning of “full protection member”) substitute—
“(2) P ceases to be a full protection member of the existing scheme on whichever of the following days occurs first—
(a) the day on which P ceases to be in pensionable service under the existing scheme;
or
(b) 31st March 2022.”.
- (5) In the opening words of sub-paragraph (2)(b) of paragraph 9 (Fair Deal members), after “scheme closing date” insert “but before 1st April 2022”.
- (6) For sub-paragraph (3) of paragraph 27 (receipt of club transfer values: member with tapered protection or no protection) substitute—
“(3) Payment of the club transfer value must be accepted into—
(a) the existing scheme so far as the payment relates to—
(i) benefits accrued in respect of pensionable service before the transition date, or
(ii) final salary benefits whenever accrued;
(b) this scheme so far as the payment relates to benefits, other than final salary benefits, accrued in respect of pensionable service on or after the transition date.”
- (7) For sub-paragraph (5) of paragraph 29 (bulk transfer payments for accepted members: accepting a bulk transfer payment) substitute—
“(5) The bulk transfer payment must be accepted into—
(a) the existing scheme so far as the payment relates to—
(i) benefits accrued in respect of pensionable service before 1st April 2022, or
(ii) final salary benefits whenever accrued;
(b) this scheme so far as the payment relates to benefits, other than final salary benefits, accrued in respect of pensionable service on or after 1st April 2022.”
- (8) In sub-paragraph (3) of paragraph 31 (application of existing scheme regulations), for the words from “before—” to the end substitute “before the transition date”.

Date _____

Name
Minister of State
Department for Education

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Teachers’ Pension Scheme Regulations 2014 (No. 512) (“the 2014 Regulations”) in consequence of provision made by the Public Service Pensions and Judicial Offices Act 2022 (c. [x]). The amendments ensure that the existing pension scheme established by the Teachers’ Pensions Regulations 2010 (No. 990) will, except for limited purposes, be closed to the accrual of pension benefits on and after 1st April 2022, and that any members in pensionable service under the existing pension scheme will, on that date, begin accruing benefits in the scheme established by the 2014 Regulations.

Regulation 2 amends Schedule 3 to the 2014 Regulations as follows—

[...]