

2027 No. ****

PUBLIC SERVICE PENSIONS, ENGLAND AND WALES

The Teachers' Pension Scheme (Amendment) Regulations 2027

Made - - - -

Laid before Parliament

Coming into force

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 1(1) and (2)(d), 2(1) (as read with paragraph 4(a) of Schedule 2) and 3(1), (2)(a) (as read with paragraphs 2, 3, 4 and 9 of Schedule 3), (2)(b) and (3)(a) of the Public Service Pensions Act 2013(a) (“the 2013 Act”).

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

In accordance with section 22(2) of the 2013 Act, the Secretary of State has consulted the persons referred to in section 22(3) of that Act with a view to reaching agreement with them and has laid a report before Parliament.

In accordance with section 3(5) of the 2013 Act, these Regulations are made with the consent of the Treasury.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Teachers' Pension Scheme (Amendment) Regulations 2027.

(2) These Regulations come into force on [date].

(3) These Regulations extend to England and Wales.

Amendment of the Teachers' Pension Scheme Regulations 2014

2. The Teachers' Pension Scheme Regulations 2014(c) are amended as follows.

(a) 2013 c. 25. Section 3 was amended by section 94(2) of the Public Service Pensions and Judicial Offices Act 2022 (c. 7).

(b) Section 21(1) was amended by section 94(8) of the Public Service Pensions and Judicial Offices Act 2022 (c. 7).

(c) S.I. 2014/512, amended by S.I. 2014/2652, 2025/284. There are other amendments which are not relevant.

Amendment of regulation 3

3. In regulation 3 (interpretation), for the definition of “paternity leave” substitute—

““paternity leave” means leave provided for by regulations made under section 80A or 80B of the Employment Rights Act 1996(a);”.

Amendment of regulation 28

4. In regulation 28 (opting out of this scheme after automatic enrolment date)—

- (a) in paragraph (4), at the beginning insert “Subject to paragraph (5),”;
- (b) after paragraph (4) insert—

“(5) Where, on P’s automatic re-enrolment date for that employment, P is an active member of a qualifying scheme (within the meaning of PA 2008 (see sections 16 and 99 of that Act)), an opt-out notice does not cease to have effect under paragraph (4)(b).”.

Amendment of regulation 114

5. In regulation 114 (when ill-health pension ceases to be payable)—

- (a) in the words before paragraph (a), for “earlier” substitute “earliest”;
- (b) after paragraph (b) insert—

“(c) where regulation 110(2) applies in relation to P, the date on which P ceases to meet the total incapacity condition.”.

Amendment of regulation 143

6. In regulation 143 (annual rate of surviving adult pension: short-term)—

- (a) in paragraph (2)(b), for “D’s annual rate of retirement pension” substitute “, subject to paragraph (2A), the annual rate of D’s pension”;
- (b) after paragraph (2) insert—

“(2A) Where D has received a lump sum under regulation 172 (payment of lump sum instead of pension due to serious ill-health), the amount is the annual rate to which D would have been entitled if D had not received a lump sum under regulation 172.”;

- (c) omit paragraph (3).

Amendment of regulation 150

7. In regulation 150 (annual rate of child pension: short-term)—

- (a) in paragraph (2)—
 - (i) in sub-paragraph (b), for the words from “D’s annual rate” to “pension-sharing order)” substitute “, subject to paragraph (2A), the annual rate of D’s pension”;
 - (ii) omit the definition of “annual rate of retirement pension”;
- (b) after paragraph (2) insert—

(a) 1995 c. 18. Sections 80A and 80B were inserted by section 1 of the Employment Act 2002 (c. 22). Section 80A was amended by paragraph 32 of Schedule 7 to the Children and Families Act 2014 (c. 6), section 1(2) of the Paternity Leave (Bereavement) Act 2024 (c. 17) and sections 16(1) and 17(1) of the Employment Rights Act 2025 (c. 36). Section 80B was amended by sections 121(2), 122(4) and 128(2)(b) of, and paragraph 33 of Schedule 7 to, the Children and Families Act 2014, S.I. 2016/413, section 1(3) of the Paternity Leave (Bereavement) Act 2024 and sections 16(2) and 17(2) of the Employment Rights Act 2025.

“(2A) Where D has received a lump sum under regulation 172 (payment of lump sum instead of pension due to serious ill-health), the amount is the annual rate to which D would have been entitled if D had not received a lump sum under regulation 172.”.

Amendment of regulation 185

8. In regulation 185 (members’ contributions), in the table, in column 2—

- (a) for “8.9%” substitute “8.7%”;
- (b) for “9.9%” substitute “9.7%”;
- (c) for “10.5%” substitute “10.3%”;
- (d) for “11.6%” substitute “11.4%”;
- (e) for “12%” substitute “11.8%”.

Transitional provision

9.—(1) The amendment made by regulation 6 does not have effect in relation to a surviving adult pension which became payable before 1st April 2027.

(2) The amendment made by regulation 7 does not have effect in relation to a child pension which became payable before 1st April 2027.

Date

Name
Minister of State
Department for Education

We consent

Date

Name
Two of the Lords Commissioners of His Majesty’s Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Teachers' Pension Scheme Regulations 2014 ("the 2014 Regulations").

Regulation 3 substitutes the definition of "paternity leave" in regulation 3 of the 2014 Regulations so that it includes leave under regulation 4(1) of the Bereaved Partner's Paternity Leave Regulations 2026.

Regulation 4 amends regulation 28 of the 2014 Regulations so that where a person is an active member of a qualifying scheme (within the meaning of the Pensions Act 2008), the person's opt-out notice will not cease to have effect on their automatic re-enrolment date.

Regulation 5 amends regulation 114 of the 2014 Regulations so that, for a person in relation to whom regulation 110(2) applies, ill-health pension ceases to be payable where the person ceases to meet the total incapacity condition.

Regulation 6 amends regulation 143 of the 2014 Regulations in relation to the short-term rate of a person's surviving adult pension. Regulation 7 makes similar amendments to regulation 150 in relation to child pension.

Regulation 8 substitutes the members' contribution rates in the table in regulation 185 of the 2014 Regulations.

Regulation 9 makes transitional provision in relation to regulations 6 and 7.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary sector or community bodies is foreseen.