

2022 No.

PUBLIC SERVICE PENSIONS

**The Teachers' Pension Scheme (Scotland) (Amendment)
Regulations 2022**

Made - - - - - ***
Laid before Parliament ***
Coming into force - - - - - *1st April 2022*

The Scottish Ministers make these Regulations in exercise of the powers conferred by sections 1(1) and (2)(d), 2(1) and 3(1) and (2)(c) and paragraph 4(b) of schedule 2 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 that Act, the Scottish Ministers consulted the representatives of such persons as appeared to the Scottish Ministers 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.

Amendment of the Teachers' Pension Scheme (Scotland) (No. 2) Regulations 2014

2.—(1) Schedule 3 (transitional provisions) to the Teachers' Pension Scheme (Scotland) (No. 2) Regulations 2014(b) is amended as follows.

(2) In the definition of “transition date” in paragraph 1 (interpretation)(c), after sub-paragraph (a) insert—

“(aa) for a full protection member of the existing scheme, other than a full protection member to whom a retirement pension has become payable under the existing scheme, means 1st April 2022;”.

(3) After paragraph 3 (continuity of service), after sub-paragraph (b), insert—

“(2) In this paragraph, “closing date” means—

(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.S.I. 2014/292.
(c) Paragraph 1 has been amended by Teachers' Pension Scheme (Scotland) Amendment Regulations 2015/97 (Scottish SI) reg.29 (April 1, 2015)

- (a) if P is a full protection member of the existing scheme, 31st March 2022;
 - (b) if P is a tapered protection member of the existing scheme, P's tapered protection closing date; or
 - (c) otherwise, the scheme closing date.”.
- (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 (3) of paragraph 20 (application of the 2005 regulations), after “”The 2005 regulations apply” insert “until 31st March 2022”.

Name
A Member of the Scottish Government

EXPLANATORY NOTE

(This note is not part of the Regulations)