

Education, Children and Young People Committee
Wednesday 17 September 2025
26th Meeting, 2026 (Session 6)

Note by the Clerk on Teachers' Pensions (Remediable Service) (Scotland) Amendment (No. 2) Regulations 2025 (SSI 2025/197)

Overview

1. At this meeting, the Committee will consider the following Scottish Statutory Instrument (SSI), which is subject to the negative procedure. The Committee is invited to consider the instrument and decide what, if any, recommendations to make.
2. More information about the instrument is summarised below:

Title of instrument: [Teachers' Pensions \(Remediable Service\) \(Scotland\) Amendment \(No. 2\) Regulations 2025](#) (SSI 2025/197)

Laid under: [Public Service Pensions Act 2013](#)

Laid on: 25 June 2025

Procedure: Negative

Deadline for committee consideration: 6 October 2025

Deadline for Chamber consideration: 7 October 2025

Commencement: 8 October 2025

Procedure

3. Under the negative procedure, an instrument is laid after it is made, and is subject to annulment by resolution of the Parliament for a period of 40 days beginning on the day it is laid.
4. Once laid, the instrument is referred to:
 - the Delegated Powers and Law Reform (DPLR) Committee, for scrutiny on various technical grounds, and
 - a lead committee, whose remit includes the subject-matter of the instrument, for scrutiny on policy grounds.
5. Any MSP may propose, by motion, that the lead committee recommend annulment of the instrument. If such a motion is lodged, it must be debated at a meeting of the Committee, and the Committee must then report to the Parliament (by the advisory deadline referred to above).

6. If there is no motion recommending annulment, the lead committee is not required to report on the instrument.

Delegated Powers and Law Reform Committee consideration

7. The DPLR Committee considered the instrument on 2 September 2025 and reported on it in its [Subordinate Legislation considered by the Delegated Powers and Law Reform Committee on 2 September 2025, 57th Report, 2025.](#)
8. In its report, the DPLR Committee highlighted that the instrument did not include the appropriate headnote for a correcting instrument, however, it welcomed that the instrument corrected errors identified in SSI 2023/141.

Purpose of the instrument

9. The purpose of the Instrument is to correct minor errors in the Teachers' Pensions (Remediable Service) (Scotland) Regulations 2023. This Instrument is in addition to the Teachers' Pensions (Remediable Service) (Scotland) Amendment Regulations 2025 (SSI2025/152).
10. The Policy Note accompanying the instrument is included in Annexe A. It includes a summary of consultation undertaken on the instrument, impact assessments carried out, and the anticipated financial effects.

Committee consideration

11. So far, no motion recommending annulment has been lodged.
12. Members are invited to consider the instrument and decide whether there are any points they wish to raise. If there are, options include:
 - seeking further information from the Scottish Government (and/or other stakeholders) through correspondence, and/or
 - inviting the Minister (and/or other stakeholders) to attend the next meeting to give evidence on the instrument.

It would then be for the Committee, at the next meeting, to consider the additional information gathered and decide whether to make recommendations in relation to the instrument.

13. If members have no points to raise, the Committee should note the instrument (that is, agree that it has no recommendations to make).
14. However, should a motion recommending annulment be lodged later in the 40-day period, it may be necessary for the Committee to consider the instrument again.

Clerks to the Committee
September 2025

Annexe A: Scottish Government Policy Note

POLICY NOTE

THE TEACHERS' PENSIONS (REMEDIABLE SERVICE) (SCOTLAND)

AMENDMENT (NO. 2) REGULATIONS 2025

SSI 2025/197

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 1(1) and (2)(d), 2(1) (as read with paragraph 4(b) of schedule 2) and 3 of the Public Service Pensions Act 2013 ("the 2013 Act") and sections 5(1) and (5), 6(1), 7(3), 8(1) and (3), 10(1), 11(1) and (5), and 12(1) and (3) of the Public Service Pensions and Judicial Offices Act 2022 ("PSPJOA 2022") and all other powers enabling them to do so.

To the extent required by section 27 of PSPJOA 2022, these Regulations are made in accordance with Treasury Directions made under that section.

Summary Box

The purpose of the Instrument is to correct minor errors in the Teachers' Pensions (Remediable Service) (Scotland) Regulations 2023. This Instrument is in addition to the Teachers' Pensions (Remediable Service) (Scotland) Amendment Regulations 2025 (SSI 2025/152).

Policy Objectives

The purpose of this Instrument is to update and amend the Teachers' Pensions (Remediable Service) (Scotland) Regulations 2023.

The aim of this Instrument is to provide clarity by correcting minor errors in the original instrument.

UN Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024

Compatibility

In accordance with section 23(2) of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024, the Scottish Ministers certify that, in their view, The Teachers' Pensions (Remediable Service) (Scotland) Amendment (No.2) Regulations 2025 is compatible with the UNCRC requirements as defined by section 1(2) of the Act.

EU Alignment Consideration

This Instrument is not relevant to the Scottish Government's policy to maintain alignment with the EU.

Consultation

No consultation has been undertaken as there is no material change to the regulations. Rather, this Instrument corrects minor errors in the original Scottish Statutory Instrument (SSI 2023/241).

Impact Assessments

An Equality Impact Assessment (EQIA) has not been completed as this is an amendment instrument centred on correction of references, definitions and typographic errors. The EQIA to the original regulations, the Teachers' Pensions (Remediable Service) (Scotland) Regulations 2023 is available on the SPPA website.¹

Financial Effects

The Minister for Public Finance confirms that no Business and Regulatory Impact Assessment (BRIA) is necessary as changes to employee contributions has no significant financial effects on the Scottish Government, local government or on business.

Scottish Public Pensions Agency
An Agency of the Scottish Government

24 June 2025

¹ https://pensions.gov.scot/sites/default/files/2023-05/2015_Remedied_Equality_Impact_Assessment_%E2%80%93_Scottish_Teachers_Pension_Scheme.pdf