
SCOTTISH STATUTORY INSTRUMENTS

2000 No. 199

**The Local Government Pension Scheme
(Scotland) Amendment Regulations 2000**

III-Health

20. In regulation 26–

(a) in paragraph (1), after “the duties of that employment” insert “or any other comparable employment with his employing authority”;

(b) add as a new paragraph (5)–

“(5) In paragraph (1)–

“comparable employment” means employment in which, when compared with the member’s employment–

(a) the contractual provisions as to capacity either are the same or differ only to an extent that is reasonable given the nature of the member’s ill-health or infirmity of mind or body; and

(b) the contractual provisions as to place, remuneration, hours of work, holiday entitlement, sickness or injury entitlement and other material terms do not differ substantially from those of the member’s employment; and

“permanently incapable” means incapable until, at the earliest, the member’s 65th birthday.”.