

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2006 No. 307**

**The National Health Service (Superannuation Scheme and Additional Voluntary Contributions) (Scotland) Amendment Regulations 2006**

**Amendment of Schedule 2 to the Additional Voluntary Contributions Regulations**

**35.** In Paragraph 4 of Schedule 2 to the Additional Voluntary Contributions Regulations (pension credit benefit)(1)–

- (a) at the end of sub-paragraph (1), insert “(including, where appropriate, a pension commencement lump sum)”;
  - (b) after sub-paragraph (5)(a), insert–
    - “(aa) whether a pension commencement lump sum and a pension payable for life is to be provided;”;
  - (c) for sub-paragraph (7), substitute–
    - “(7) Upon receipt of a notice of election under sub-paragraph (5) the Scottish Ministers shall, as soon as reasonably practicable, realise the investments made under paragraph 2 and–
      - (a) where paragraph 5(aa) does not apply, apply the proceeds to the purchase of an annuity from the authorised provider specified in the notice of election;
      - (b) where paragraph 5(aa) does apply–
        - (i) pay the percentage of the proceeds specified in the notice of election as a pension commencement lump sum; and
        - (ii) apply the balance of those proceeds to the purchase of an annuity from the authorised provider specified in that notice,
- and not otherwise.”.