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SCOTTISH STATUTORY INSTRUMENTS

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**2008 No. 230**

**PENSIONS**

**The Local Government Pension Scheme (Benefits,  
Membership and Contributions) (Scotland) Regulations 2008**

<i>Made - - - -</i>	<i>4th June 2008</i>
<i>Laid before the Scottish Parliament - -</i>	<i>6th June 2008</i>
<i>Coming into force</i>	
<i>For the purpose of regulation 4(3)</i>	<i>1st April 2010</i>
<i>For all other purposes</i>	<i>1st April 2009</i>

**THE LOCAL GOVERNMENT PENSION  
SCHEME (BENEFITS, MEMBERSHIP AND  
CONTRIBUTIONS) (SCOTLAND) REGULATIONS 2008**

1. Citation and commencement
2. Interpretation
3. Active members
4. Contributions payable by active members
5. Meaning of “pensionable pay”
6. Benefits
7. Periods of membership
8. Calculation of length of periods of membership
9. Final pay: general
10. Final pay: reserve forces, maternity leave etc.
11. Final pay: fees
12. Power of employing authority to increase total membership of active members
13. Power of employing authority to award additional pension
14. Election in respect of additional pension
15. Elections to pay AVCs
16. Retirement benefits
17. Retirement after the normal retirement date
18. Flexible retirement
19. Early leavers: business efficiency and redundancy

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

20. Early leavers: ill-health
  21. Election for lump sum in lieu of pension
  22. Limit on total amount of benefits
  23. Death grants: active members
  24. Survivor benefits: active members
  25. Meaning of “nominated cohabiting partner”
  26. Meaning of “eligible child”
  27. Children’s pensions
  28. Children’s pensions: active members
  29. Calculation on leaving early
  30. Choice of early payment of pension
  31. Early payment of pension: ill-health
  32. Death grants: deferred members
  33. Survivor benefits: deferred members
  34. Children’s pensions: deferred members
  35. Death grants: pensioner members
  36. Survivor benefits: pensioner members
  37. Children’s pensions: pensioner members
  38. Pension increases under the Pensions (Increase) Acts
  39. Commutation: small pensions
  40. Commutation: exceptional ill-health
  41. Guidance on future costs
  42. Pension debits
  43. No double entitlement
  44. Members of local authorities
- Signature

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SCHEDULE      Councillor Members  
**CONTRIBUTIONS**

*Pay*

1. For regulation 5 (meaning of “pensionable pay”) substitute– (1) A  
councillor member’s pensionable pay in any year is...

**BENEFITS**

*Preliminary*

2. For regulation 8(5) (calculation of length of periods of membership)...
3. Omit regulations 9 (final pay: general) and 11 (final pay:...

*Retirement benefits*

4. Omit regulation 19 (early leavers: business efficiency and redundancy).
5. In regulation 20 (early leavers: ill health) for paragraph (1)...

*Death grants*

6. In regulation 23 (death grant: active members), for paragraphs (3)...
7. In regulation 32 (death grants: deferred members), for paragraph (3)...
8. In regulation 35 (death grants: pensioner members), for paragraph (3)...

**OPTIONAL ADDITIONAL BENEFITS**

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*Increases of membership and pensions*

9. Omit regulations 12 (power of employing authority to increase total...  
Explanatory Note