
SCOTTISH STATUTORY INSTRUMENTS

2010 No. 22

The National Health Service (Superannuation Scheme, Pension Scheme, Injury Benefits and Additional Voluntary Contributions) (Scotland) Amendment Regulations 2010

PART 3

AMENDMENT OF THE NATIONAL HEALTH SERVICE
PENSION SCHEME (SCOTLAND) REGULATIONS 2008

Amendment of regulation 2.F.6

46.—(1) Regulation 2.F.6 (calculating amounts of transfer value payments) shall be amended as follows.

(2) For paragraph (4) substitute—

“(4) In paragraph (3) “minimum transfer value” means—

- (a) in the case of a person other than a 2008 Section Optant the sum of—
 - (i) any transfer value payments that have been made to this Section of the scheme in respect of the person as a result of which the person is entitled to count any pensionable service under this Section of the scheme by reference to which the accrued rights subject to the transfer are calculated; and
 - (ii) any contributions paid by the person under Chapter 2.C (contributions) as a result of which the person is entitled to count such service;
- (b) in the case of a 2008 Section Optant, the sum of—
 - (i) any transfer value payments that have been made to this Section of the scheme in respect of the person as a result of which the person is entitled to count any pensionable service under this Section of the scheme by reference to which the accrued rights subject to the transfer are calculated;
 - (ii) any contributions paid by the person under Chapter 2.C as a result of which the person is entitled to count such service; and
 - (iii) the aggregate of any—
 - (aa) transfer value payments that have been made to the 1995 Section in respect of the Optant;
 - (bb) any contributions paid by the Optant under regulation D1 (contributions by members) of the 1995 Regulations in respect of pensionable employment in that Section on or before 31 March 2008; and
 - (cc) any payments made by the Optant under regulation Q1 (right to buy additional service) of the 1995 Section for the purchase of additional service,

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which entitle the Optant to count, under Chapter 2.K of this Section, any pensionable service by reference to which the accrued rights subject to the transfer are calculated.”.

(3) After paragraph (5) insert—

“(6) In the case of a 2008 Section Optant this regulation is subject to regulation 2.K.12.”.