
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 117

**The National Health Service Superannuation
Scheme (Scotland) Regulations 2011**

PART P

ABSENCE FROM WORK

Maternity, paternity and adoption absence

P1.—(1) A period of absence for pregnancy or confinement, or for paternity, parental or adoption leave will count as pensionable service for so long as the member contributes to this Section of the scheme.

(2) If the earnings used to calculate a member's pensionable pay are reduced during a period of absence for pregnancy or confinement, or for paternity, parental or adoption leave, then for the purpose of calculating the member's contributions to this Section of the scheme, pensionable pay for the period of absence will be calculated on the basis of the member's reduced earnings and if the member's earnings are subsequently suspended the member's contributions will be calculated on the basis of the member's reduced earnings immediately before the commencement of unpaid absence.

(3) The rate of contributions payable will be the rate that would have been payable on the basis of reduced earnings in accordance with paragraph (2) had the member's reduced earnings excluded any earnings for a day during which the member returned to work for the purposes of keeping in touch with the workplace.

(4) If a member is not entitled to paid maternity, paternity, parental or adoption leave under the member's terms of employment or under statute, for the purpose of calculating the member's contributions to this Section of the scheme, pensionable pay for the period of absence will be calculated on the basis of the member's pensionable pay immediately before the absence started.

(5) For all purposes (including employer contributions) other than calculating the member's contributions to this Section of the scheme, a member's pensionable pay for the period of absence for pregnancy or confinement will be calculated as if no reduction were being made.

(6) For the purposes of this regulation, "maternity leave" includes any day during which the member returns to work for the purposes of keeping in touch with the workplace.