

## SCHEDULE 1

### MEDICAL AND DENTAL PRACTITIONERS

#### PART V

#### BENEFITS FOR MEMBERS

##### **Pensions for members — normal retirement pension**

**15.**—(1) In the case of members who are or have been practitioners, regulation E1 (normal retirement pension) is modified so that the yearly rate of a member’s pension—

- (a) in respect of officer service, will be equal to 1/80th of final year’s pensionable pay for each complete year of service, plus the relevant daily proportion for each additional day (as described in that regulation); and
- (b) in respect of practitioner service will be equal to 1.4 per cent of the member’s uprated earnings.

(2) In respect of—

- (a) any scheme year prior to the 2008-2009 scheme year, the member’s uprated earnings are to be calculated in the manner determined by the Scottish Ministers having consulted such professional organisations as the Scottish Ministers consider appropriate; and
- (b) the 2008-2009 scheme year and any later scheme year the member’s uprated earnings are to be calculated by uprating the member’s pensionable earnings by the amount of the annual increase due under the provisions of the Pensions (Increase) Act 1971(1) and Section 59 of the Social Security Pensions Act 1975, plus 1.5% annually.

(3) Nothing in this paragraph will be taken to require the Scottish Ministers to revisit the calculation of uprated earnings referred to in sub-paragraph (2)(a).

##### **Early retirement pension — ill health**

**16.**—(1) In the case of members who are or have been practitioners, regulation E2 and E3 are modified so that, if the member satisfies the requirements for a pension based on pensionable service that is increased under any of paragraphs (5) to (7) of regulation E2 or regulation E3(4) to (6)—

- (a) the member’s total pensionable service will be increased as described in whichever of those paragraphs applies;
- (b) the length of the member’s officer service and practitioner service will each be increased by the proportion by which the member’s total pensionable service is increased; and
- (c) for the purpose of calculating the member’s pension in respect of practitioner service, the member’s uprated earnings will then be increased by the same proportion as the member’s practitioner service is increased by under paragraph (b) above.

(2) For the purposes of sub-paragraph (1), “total pensionable service” includes both officer service and practitioner service but does not include any period of additional service that the member buys under regulation Q1 (right to buy additional service).

(3) Regulation E3 is modified so that the definition of “regular employment of like duration” in paragraph (18) of that regulation means such employment as the Scottish Ministers consider would involve a similar level of engagement in the member’s current pensionable service as a practitioner.

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(1) 1971 c.56.

**Lump sum on member's death in pensionable employment or after pension becomes payable**

17.—(1) In the case of members who die in pensionable employment as practitioners, regulation F1 (lump sum payable on member's death in pensionable employment) is modified so that, in relation to the member's employment as a practitioner, the reference to final year's pensionable pay in regulation F1(4) is treated as a reference to—

- (a) in the case of a member who is required to pay contributions under regulation D1(27), the yearly average of the member's uprated earnings at the date of death; or
- (b) in the case of a member who is no longer required to pay contributions under regulation D1(27), the yearly average of the member's uprated earnings on the member's last day of pensionable service.

(2) In the case of members who die after a pension under this Section of the scheme in respect of practitioner service becomes payable, regulation 2 (lump sum payable on member's death after pension becomes available) is modified so that, in relation to the member's employment as a practitioner, the reference to final year's pensionable pay in regulation F2(2) is treated as a reference to the yearly average of the member's uprated earnings on the member's last day of pensionable service.