
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 364

The National Health Service Superannuation Scheme
etc. (Miscellaneous Amendments) (Scotland) Regulations 2011

PART 6

AMENDMENT OF THE NATIONAL HEALTH SERVICE (COMPENSATION
FOR PREMATURE RETIREMENT) (SCOTLAND) REGULATIONS 2003

**Amendments to the National Health Service (Compensation for Premature Retirement)
(Scotland) Regulations 2003**

121. The National Health Service (Compensation for Premature Retirement) (Scotland) Regulations 2003(1) are amended in accordance with this Part.

Amendment of regulation 2

122. In regulation 2 (interpretation), in paragraph (1)—

- (a) in the definition of “officer”—
 - (i) for “Superannuation Scheme” in the three places where it occurs substitute “2011”;
and
 - (ii) for “E3” substitute “E6”;
- (b) omit the definition of “the Superannuation Scheme Regulations”;
- (c) after the definition of “the 1980 Regulations” insert—

““the 2011 Regulations” means the National Health Service Superannuation Scheme (Scotland) Regulations 2011.”;
- (d) in the definition of “pensionable employment”, for “Superannuation Scheme” substitute “2011”; and
- (e) in the definition of “pensionable service” for “Superannuation Scheme” substitute “2011”.

Amendment of regulation 3

123. In regulation 3 (persons to whom the Regulations apply)—

- (a) in paragraph (a), for “E3 of the Superannuation Scheme” substitute “E6 of the 2011”; and
- (b) in paragraph (b)—
 - (i) for “E3B of the Superannuation Scheme” substitute “E8 of the 2011”; and
 - (ii) for “E3” substitute “E6”.

Amendment of regulation 4

124. In regulation 4 (payment of compensation)—

- (a) in paragraph (1), for “E7 of the Superannuation Scheme” substitute “E13 of the 2011”;
- (b) in paragraph (2), for “Superannuation Scheme” in both places where it occurs substitute “2011”; and
- (c) in paragraph (3), for “E7 of the Superannuation Scheme” substitute “E13 of the 2011”.

Amendment of regulation 5

125. In regulation 5 (crediting of additional period of service)—

- (a) in paragraph (1)(a)(i), for “Superannuation Scheme” substitute “2011”;
- (b) in paragraph (1)(b)(i), for “Superannuation Scheme” substitute “2011”; and
- (c) in paragraph (3), for “Superannuation Scheme” substitute “2011”.

Amendment of regulation 6

126. In regulation 6 (calculation of compensation)—

- (a) in paragraph (1)—
 - (i) for “E3 of the Superannuation Scheme” substitute “E6 of the 2011”; and
 - (ii) for “E7” substitute “E13”;
- (b) in paragraph (2), for “Superannuation Scheme” substitute “2011”;
- (c) in paragraph (3), for “Superannuation Scheme” substitute “2011”;
- (d) in paragraph (4), for “E3 of the Superannuation Scheme” substitute “E6 of the 2011”; and
- (e) in paragraph (5), in the definition of “the whole-time equivalent”, for “Superannuation Scheme” substitute “2011”.

Amendment of regulation 7

127. In regulation 7 (partial surrender of annual allowance)—

- (a) for “Superannuation Scheme” substitute “2011”;
- (b) for “(allocation of part of pension)” substitute “(allocation of pension by member for benefit of dependant)”; and
- (c) for “Superannuation Regulations” substitute “2011 Regulations”.

Amendment of regulation 8

128. In regulation 8 (compensation payable to widow, widower, surviving civil partner or dependants)—

- (a) in paragraph (2)—
 - (i) for “Superannuation Scheme” substitute “2011”; and
 - (ii) for “Superannuation Regulations” substitute “2011 Regulations”;
- (b) in paragraph (3), for “Superannuation Scheme” substitute “2011”; and
- (c) in paragraph (4)—
 - (i) for “Superannuation Scheme” in both places where it occurs substitute “2011”; and
 - (ii) in the full out, for “Superannuation Regulations” substitute “2011 Regulations”.

Amendment of regulation 9

- 129.** In regulation 9 (compensation where lump sum on death becomes payable)—
- (a) in paragraph (1), for “Superannuation Scheme” where it first occurs substitute “2011”;
 - (b) in paragraph (1)(b)—
 - (i) for “E3” substitute “E6”; and
 - (ii) for “E7 of the Superannuation Scheme” substitute “E13 of the 2011”; and
 - (c) in paragraph (2), for “F5(3A) of the Superannuation Scheme” substitute “F5(4) or (5) of the 2011”.

Amendment of regulation 10

- 130.** In regulation 10 (adjustments of compensation)—
- (a) in paragraph (1), for “Superannuation Scheme” substitute “2011”; and
 - (b) in paragraph (2), in the full out, for “Superannuation Scheme” substitute “2011”.

Amendment of regulation 11

131. In regulation 11 (reduction of compensation in certain cases), for “Superannuation Scheme” substitute “2011”.

Amendment of regulation 14

132. In regulation 14 (miscellaneous provisions relating to payment of compensation), in paragraph (2), for “Superannuation Scheme” substitute “2011”.