
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 94

**The National Health Service Pension
Scheme (Scotland) Regulations 2015**

PART 3

Scheme membership

CHAPTER 3

Pensionable service

Absence from work

21.—(1) Paragraph (2) applies if a member (M) is absent from work because of—

- (a) illness or injury;
- (b) maternity leave;
- (c) adoption leave;
- (d) paternity leave; or
- (e) parental leave [^{F1}shared parental leave or parental bereavement leave].

(2) The period of absence counts as pensionable service if M contributes to this scheme under regulation 30 or 31 in respect of the period of absence.

(3) Paragraph (4) applies if M—

- (a) is on leave of absence;
- (b) is not within paragraph (1); and
- (c) contributes to this scheme at the same intervals as those made by M before the absence.

(4) The maximum period of leave that can be counted as pensionable service is—

- (a) if M contributes for a continuous period of 6 months starting with the first day of M's leave of absence, 6 months;
- (b) if M contributes for a continuous period of less than 6 months starting with that day, the period in respect of which M pays the contributions.

(5) Paragraph (6) applies if M—

- (a) has paid contributions for the period mentioned in paragraph (4)(a);
- (b) remains on leave of absence that is not within paragraph (1); and
- (c) at the same intervals as contributions made by M before the absence, contributes both member contributions under regulation 30 or 31 and employer contributions under regulation 32.

(6) The maximum period of leave that can be counted as pensionable service is—

Changes to legislation: There are currently no known outstanding effects for the The National Health Service Pension Scheme (Scotland) Regulations 2015, Section 21. (See end of Document for details)

- (a) if M contributes for a continuous period of 18 months starting immediately after the end of the period mentioned in paragraph (4)(a), 18 months; and
- (b) if M contributes for a continuous period of less than 18 months starting immediately after the end of that period, the period in respect of which M pays the contributions.

Textual Amendments

- F1** Words in reg. 21(1)(e) substituted (6.4.2020) by [The Parental Bereavement Leave and Pay \(Consequential Amendments to Subordinate Legislation\) Regulations 2020 \(S.I. 2020/354\)](#), regs. 1, **38(2)**

Modifications etc. (not altering text)

- C1** Reg. 21 applied (1.4.2015) by [The National Health Service Pension Scheme \(Transitional and Consequential Provisions\) \(Scotland\) Regulations 2015 \(S.S.I. 2015/95\)](#), regs. 1(b), **8**

Changes to legislation:

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