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SCOTTISH STATUTORY INSTRUMENTS

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**2015 No. 94**

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

**PART 4**

**Contributions**

**CHAPTER 2**

**Refund: short service**

**Eligibility for refund**

- 39.**—(1) Contributions made by a member (M) may be repaid to M only if—
- (a) the 1993 Act condition applies; or
  - (b) the short service condition applies.
- (2) The “1993 Act condition” is that—
- (a) Chapter 5 of Part 4 of the 1993 Act applies to M; and
  - (b) the repayment is made in accordance with that Chapter.
- (3) The short service condition applies if—
- (a) M has not attained normal pension age;
  - (b) M does not qualify for benefits under regulation 71;
  - (c) M is not a pensioner member;
  - (d) M ceases to be an active member;
  - (e) the 1993 Act condition does not apply to M; and
  - (f) M makes a claim in writing to the scheme manager for the repayment.