
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 94

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

PART 5

Members' benefits

CHAPTER 6

Dual capacity and multiple employment

Dual capacity membership: pension benefits

- 97.**—(1) This paragraph applies if a member is—
- (a) a member of this scheme in two or more of the kinds specified in paragraph (2);
 - (b) a pensioner member in respect of two or more pensions; or
 - (c) a deferred member in respect of two or more pensions.
- (2) The kinds of member are—
- (a) an active member;
 - (b) a deferred member;
 - (c) a pensioner member;
 - (d) a pension credit member.
- (3) If paragraph (1) applies—
- (a) pension benefits are payable to the member (or to a person to whom the member has elected to allocate a pension under regulation 50) as if the member were two or more members of the kind in question (so that two or more pensions or lump sums are payable in respect of one member); and
 - (b) the amounts payable are determined accordingly.
- (4) If a person who is a pension credit member is entitled to two or more pension credits—
- (a) benefits are payable to the member under this scheme as if the member were two or more persons, each being entitled to one of the pension credits (so that two or more pensions or lump sums are payable in respect of one pension credit member); and
 - (b) the amounts payable are determined accordingly.