

SCHEDULE 12

Lump sum on death

Interpretation

1. In this Schedule, the words and expressions listed in column 1 of the table have the meaning given by the corresponding entry in column 2.

Table

<i>Column 1 Word or expression</i>	<i>Column 2 Meaning</i>
re-employed pensioner	A person (P) who, at P's date of death, was both— (a) (a) an active member otherwise than in service in an employment in respect of which P had exercised an election under regulation 83; and (b) a pensioner member.
partial retirement pensioner	a person (P) who, at P's date of death, was both— (a) (a) an active member in service in an employment in respect of which P had exercised an election under regulation 83, and (b) a pensioner member by virtue of being entitled to a pension under that regulation.
earnings reference period	the period ending on— (a) (a) in the case of an active member, the last day of the scheme year immediately preceding the scheme year in which the member (M) died and beginning on the later of— (i) (i) the first day of the scheme year in which M first joined the scheme; (ii) the first day of the tenth scheme year preceding the scheme year in which M died; (b) (b) in the case of a partial retirement member, the last date on which an election under regulation 83 was exercised; (c) in the case of a pension credit member, the valuation day.
recent leaver	a person—

Changes to legislation: There are currently no known outstanding effects for the The National Health Service Pension Scheme (Scotland) Regulations 2015, Paragraph 1. (See end of Document for details)

relevant earnings

- (a) (a) who left pensionable service less than 12 months before the date of the person's death;
- (b) who is neither qualified for a retirement pension pursuant to regulation 71 nor is a pensioner member because of rights resulting from that employment; and
- (c) in respect of whom no transfer value or refund of contributions has been paid in respect of that employment.

where the member (M) has—

- (a) (a) 365 days of pensionable earnings in the period of 12 months ending on the last day of pensionable service, the amount of those pensionable earnings; or
- (b) less than 365 days of pensionable earnings in the period of 12 months ending on the last day of pensionable service, the amount of earnings represented by the formula

$$\frac{PE \times 365}{N}$$

where—

PE is the amount of pensionable earnings in the period of 12 months ending on the last day of M's pensionable service; and

N is the number of days of pensionable service in that 12 month period.

Changes to legislation:

There are currently no known outstanding effects for the The National Health Service Pension Scheme (Scotland) Regulations 2015, Paragraph 1.