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SCOTTISH STATUTORY INSTRUMENTS

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**2015 No. 95**

The National Health Service Pension Scheme (Transitional and Consequential Provisions) (Scotland) Regulations 2015

PART 2

Transitional provisions

CHAPTER 7

Retirement benefits

**Premature retirement : special classes**

**33.**—(1) This regulation applies where a 1995 officer transition member to whom regulation R2 or R3 of the 2011 Regulations applies in respect of service in that Section—

- (a) becomes entitled to payment of a premature retirement pension—
  - (i) pursuant to regulation 80 of the 2015 Regulations; or
  - (ii) on grounds of redundancy pursuant to regulation 81 of the 2015 Regulations; and
- (b) claims that pension.

(2) Where this regulation applies, for the purposes of regulation E9(2) and (3) of the 2011 Regulations—

- (a) the member is to be treated as having claimed payment of a pension under regulation E1 of those Regulations; and
- (b) in the case of a member to whom regulation R2(4)(b) of the 2011 Regulations applies, the member is also entitled to a pension under regulation E11 of the 2011 Regulations if that member makes a claim for it.