
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 95

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

PART 2

Transitional provisions

CHAPTER 2

Notices and elections

Carry-forward of old scheme opt-out

4. Where, on the date a person becomes eligible to join the new scheme, that person has—
- (a) opted out of membership of the old scheme pursuant to—
 - (i) regulation B4 of the 2011 Regulations; or
 - (ii) regulation 2.B.6 or 3.B.6 of the 2013 Regulations; or
 - (b) provided their employer with a valid opt-out notice for the purposes of regulation 9 or 15 of the Occupational and Personal Pension Schemes (Automatic Enrolment) Regulations 2010⁽¹⁾ (“the 2010 Regulations”),

that person is to be treated as having also opted out under paragraph 1 of Schedule 4 to the 2015 Regulations or given notice for the purposes of the 2010 Regulations in relation to the new scheme.

⁽¹⁾ [S.I. 2010/772](#). Regulation 9 has been amended by [S.I. 2013/2556](#).