

SCHEDULE 2

Amendments to the old scheme

PART 1

Amendment of the 2011 Regulations

Amendment of regulation R7

5. After paragraph (5) of regulation R7 (former members of health service schemes), add—

“(6) Subject to paragraphs (8) and (9), a member who leaves employment in respect of which the member qualified for benefit under a health service scheme and who joins the 2015 Scheme may, by notice in writing, require the Scottish Ministers to credit the member with a relevant period of pensionable service (together with the rights attaching to that service) under this Section of the scheme.

- (7) That relevant period of pensionable service is calculated as if—

- (a) the employment to which the health service scheme applied were NHS employment; and
- (b) the member’s contributions to that health service scheme were contributions to this Section of the scheme.

- (8) The member may only exercise the right referred to in paragraph (6) if—

- (a) a transfer payment is made from the health service scheme to this Section of the scheme; and
- (b) on the day the member becomes an active member of the 2015 Scheme, paragraph 2 of Schedule 7 to the 2013 Act applies to the period of service in respect of which that transfer value payment is made.

- (9) A notice referred to in paragraph (6) must be addressed to the Scottish Ministers and given within 1 year after joining the 2015 Scheme.”.