
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 27

The National Health Service Superannuation Scheme
(Miscellaneous Amendments) (Scotland) Regulations 2017

PART 4

Amendment of the National Health Service
(Scotland) (Injury Benefits) Regulations 1998

Amendment of regulation 4

47. In the National Health Service (Scotland) (Injury Benefits) Regulations 1998(1), in regulation 4 (scale of benefits)—

- (a) in paragraph (6)(b)(vi), at the end insert “: this is subject to paragraphs (6B) and (6C)”;
- and
- (b) after paragraph (6), insert—

“(6B) Paragraph (6C) applies where, immediately before receiving employment and support allowance referred to in paragraph (vi) of sub-paragraph (b) of paragraph (6) (the “replacement benefit”), a person was in receipt of a benefit referred to in paragraph (ii) or (iii) of that sub-paragraph (the “superseded benefit”).

(6C) Where the rate of the replacement benefit is greater than the rate of the superseded benefit, the rate of replacement benefit taken into account for the purpose of calculating a benefit in accordance with this regulation is to be the rate of the superseded benefit that was taken into account for that purpose immediately before the person received the replacement benefit.”