
SCOTTISH STATUTORY INSTRUMENTS

2023 No. 242

The Firefighters' Pensions (Remediable Service) (Scotland) Regulations 2023

PART 6

Transfers

CHAPTER 3

Transfers on a club basis

SECTION 1

Club transfers before 1 October 2023

Club transfers out before 1 October 2023

38.—(1) This regulation applies in relation to each member (“M”) in respect of whom a remediable club transfer value was paid by the scheme manager before 1 October 2023.

(2) The scheme manager, having consulted the scheme actuary, must calculate the following amounts—

- (a) the club transfer value of M’s rights under a firefighters’ pension scheme as if M’s remediable rights had been secured in M’s legacy scheme;
- (b) the club transfer value of M’s rights under a firefighters’ pension scheme as if M’s remediable rights had been secured in the reformed scheme.

(3) The scheme manager must provide to the receiving scheme the result of the calculations mentioned in paragraph (2).

(4) Where the receiving scheme is a local government scheme (within the meaning of section 86(1) of PSPJOA 2022) and—

- (a) the greater of the amounts calculated under paragraph (2) (“x”) is greater than
- (b) the amount of the remediable club transfer value (“y”),

the scheme manager must pay the receiving scheme an amount equal to $x - y$.

(5) A payment made under paragraph (4) is subject to the same conditions as the remediable club transfer value.

Club transfers in before 1 October 2023

39.—(1) This regulation applies in relation to each remediable club transfer payment value in respect of a member (“M”) which was accepted by the scheme manager before 1 October 2023.

(2) The scheme manager may accept an adjustment in the value of a remediable club transfer value—

- (a) in respect of the remediable rights to which the remediable club transfer value relates, and
 - (b) which is made by the sending scheme pursuant to, or to provision made under, PSPJOA 2022.
- (3) An adjustment accepted under paragraph (2) is to be used for the purpose of determining M's benefits under a firefighters' pension scheme on the same terms as the remediable club transfer value.
- (4) The scheme manager must determine—
- (a) M's overall rights in relation to the remediable transfer value in the legacy scheme;
 - (b) M's benefits if the remediable club transfer value, together with any adjustment accepted under paragraph (2), were applied in respect of rights in the reformed scheme.