
SCOTTISH STATUTORY INSTRUMENTS

2023 No. 242

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

PART 5

Voluntary contributions

Treatment of reformed scheme added pension payments

27.—(1) This regulation applies in relation to a remediable added pension payment made by a remedy member (“M”).

(2) The scheme manager must, as soon as reasonably practicable after 30 September 2023 and having consulted the scheme actuary, determine the “compensatable amount”, being an amount by way of compensation which is equal to—

- (a) the aggregate of all of M’s remediable added pension payments, less
- (b) an amount in respect of the value of tax relief in accordance with directions 5(5) to (9) of the PSP Directions 2022.

(3) Where a determination is made in accordance with direction 5(8) of the PSP Directions 2022, the following apply—

- (a) direction 5(10) (provision of explanation);
- (b) direction 5(11) and (12) (appeals).

(4) The scheme manager owes to M or, where M is deceased, M’s personal representatives the compensatable amount.

(5) The rights to benefits that would otherwise have been secured by the remediable added pension payment are extinguished.

(6) Where a person has received any pension benefits under the reformed scheme by virtue of rights secured by a remediable added pension payment, that person owes to the scheme manager an amount equal to the aggregate of all such pension benefits.

(7) In this regulation, “remediable added pension payment” means—

- (a) a periodical payment for added pension made under an arrangement pursuant to Chapter 2 of Part 2 of schedule 1 of the 2015 Regulations which commenced during the period of M’s remediable service as a firefighter;
- (b) a lump sum payment for added pension made pursuant to Chapter 3 of Part 2 of schedule 1 of the 2015 Regulations during the period of M’s remediable service as a firefighter.