
STATUTORY INSTRUMENTS

1995 No. 365

**The National Health Service Superannuation
Scheme (Scotland) Regulations 1995**

PART B

MEMBERSHIP OF THE SCHEME

Opting out of the scheme

B4.—(1) A person who does not wish to, or who no longer wishes to, participate in the scheme may opt out of the scheme at any time by giving notice in writing to the employing authority.

(2) Subject to paragraph (4) unless a later date is specified in the notice, the notice shall take effect from the first day of the pay period immediately following its receipt by the employing authority.

(3) Subject to paragraphs (4) and (5), a member who opts out of the scheme will be treated as having left pensionable employment on the day the notice takes effect.

(4) A member who opts out of the scheme before the end of the first pay period during which the employing authority included the member in the scheme will be treated as never having been included in the scheme.

(5) A notice under this regulation will apply to any subsequent employment with the same employing authority irrespective of the length of the break in service unless and until a further notice is given under paragraph (1) of regulation B5.

(6) A person shall not be treated as having retired from pensionable employment by reason only of having opted out of the scheme.