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STATUTORY INSTRUMENTS

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**1995 No. 365**

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

**PART J**

**ALLOCATION TO A SPOUSE OR DEPENDENT**

**Allocation of pension by member for benefit of dependent**

**J1.**—(1) Subject to the following provisions of this Part, a member may elect to allocate part of his pension under the scheme so as to provide, following his death, a pension for a spouse or dependent.

(2) Any pension provided for a spouse under this regulation shall be payable in addition to any other widow's or widower's pension under these Regulations.

(3) Any pension provided under this regulation will be calculated in accordance with tables prepared by the Government Actuary.

(4) A member wishing to allocate part of his pension under this regulation may elect to do so—

- (a) on, or within one month after the date on which a pension under the scheme becomes payable; or
- (b) at any time after reaching age 60 (55 for special class officers) and completing 40 years' service; or
- (c) at any time after reaching age 65 (60 for special class officers).

(5) A member wishing to allocate part of his pension as described in this regulation shall do so by giving notice in writing to the employing authority on the form provided, giving such information as may be required.

(6) The Secretary of State shall not accept an election unless satisfied that the member is in good health.